

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
6A-1.099821 Voluntary Prekindergarten (VPK)
 Provider Kindergarten Readiness
 Rate

PURPOSE AND EFFECT: The purpose of this rule development is to adopt procedures for the Department to calculate each Voluntary Prekindergarten (VPK) Provider's 2008-09 Kindergarten Readiness Rate. These readiness rates must be based exclusively upon the results of the statewide kindergarten screening for students completing the VPK Education Program during the 2008-09 school year and who are administered the statewide kindergarten screening during the 2009-10 school year. The effect is to implement the requirements of Section 1002.69, Florida Statutes, and continued implementation of the calculation of kindergarten provider readiness rates.

SUBJECT AREA TO BE ADDRESSED: Kindergarten Provider Readiness Rates.

RULEMAKING AUTHORITY: 1002.73 FS.

LAW IMPLEMENTED: 1002.69 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATES, TIMES AND PLACES SHOWN BELOW:

DATES AND TIMES: August 24, 2009, 4:00 p.m. – 7:00 p.m.; August 26, 2009, 4:00 p.m. – 7:00 p.m.; September 1, 2009, 4:00 p.m. – 7:00 p.m.; September 2, 2009, 3:30 p.m. – 5:30 p.m.; September 3, 2009, 2:00 p.m. – 5:00 p.m. (CST).

PLACES: August 24, 2009, St. John the Apostle School, 479 E. 4th Ave., Hialeah, FL; August 26, 2009, Child Services Council, 10 S.E. Central Pkwy., Suite 400, Stuart, FL; September 1, 2009, Florida State College at Jacksonville, 101 W. State St., Jacksonville, FL; September 2, 2009, Work Force, 1392 E. Vine St., Kissimmee, FL; September 3, 2009, Panhandle Area Education Consortium, 753 W. Boulevard, Chipley, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Shan Goff, Executive Director, Office of Early Learning, Florida Department of Education, 325 West Gaines Street, Suite 1524, Tallahassee, FL 32399-0400, (850)245-0445. To request a rule development workshop, please contact: Lynn Abbott, Agency Clerk, Department of Education, (850)245-9661 or e-mail lynn.abbott@fldoe.org or go to <https://app1.fldoe.org/rules/default.aspx>

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

6A-1.099821 Voluntary Prekindergarten (VPK) Provider Kindergarten Readiness Rate.

(1) No change.

~~(2) Kindergarten Screening. In addition to the administration of the kindergarten screening measures, adopted by the Department of Education, school districts shall also administer the Letter Naming Fluency Measure of the Indicadores Dinamicos del Exito en la Lectura (IDEL) to public school kindergarten students whose native language is Spanish and who answered "yes" to at least two (2) questions on the Home Language Survey.~~

~~(2)(3) Accuracy of Data.~~

(a) Prior to the calculation of the VPK Provider Kindergarten Readiness Rate, as described in subsection ~~(4)(5)~~ of this rule, private and public school VPK providers shall have the opportunity to review a cumulative list of all of the children served in their program and the total number of hours they attended.

(b) If a private or public provider disputes the accuracy of the cumulative list of VPK participants or the total number of hours they attended when such change would result in their inclusion or exclusion in the calculation of the VPK Provider Kindergarten Readiness Rate, as measured by the threshold of seventy (70) percent, as described in subparagraph ~~(3)(4)~~(a)1. of this rule, the provider may submit corrective information to the Office of Early Learning of the Department of Education within 14 days after publication of the cumulative list on the Department's website (vpk.fldoe.org). The Department, in collaboration with the Agency for Workforce Innovation and the respective Early Learning Coalition, shall review the corrective information and accept or reject the requested corrective information within 21 days after publication of the cumulative list on the Department's website. Upon completion of the corrective process, the Department shall calculate a preliminary VPK Provider Kindergarten Readiness Rate in accordance with the method described in subsection ~~(4)(5)~~ of this rule.

(c) If a private or public school provider disputes the accuracy of the preliminary VPK Provider Kindergarten Readiness Rate as published on the Department's website or if a private provider disputes ownership at the time of the ~~2008-09 2007-08~~ VPK program, the provider may file a dispute on the Department's website and submit documentation to the Department for its review and consideration within 14 days after publication of the preliminary rate. The Department shall review and accept or reject any changes to the data within 21 ~~14~~ days after publication. The VPK Provider Kindergarten Readiness Rate will be recalculated in accordance with the method described

in subsection ~~(4)~~(5) of this rule and submitted to the State Board of Education for the purpose of adopting a minimum readiness rate, as required by Section 1002.69(6), F.S.

~~(3)~~(4) Criteria for Inclusion in the VPK Provider Kindergarten Readiness Rate for ~~2008-09~~ 2007-08.

(a) After the conclusion of the review of the data described in subsection ~~(2)~~(3) of this rule, the Department shall calculate the Kindergarten Readiness Rate for each private or public school VPK provider of either the school year (five hundred forty (540) hour) or summer (three hundred (300) hour) program that served at least four (4) children who:

1. through (b) No change.

~~(4)~~(5) Procedures for Calculating the VPK Provider Kindergarten Readiness Rate for ~~2008-09~~ 2006-07.

(a) through (b) No change.

(c) The VPK Provider Kindergarten Readiness Rate shall be the sum of the “Percent of Children Ready for Kindergarten” on each screening measure with a maximum of ~~two hundred (200)~~ ~~three hundred (300)~~ points.

(d) The Kindergarten Readiness Rate for private and public school VPK Providers will be displayed as follows:

	Screening Measure #1	Screening Measure #2	Screening Measure #3
Children Ready for Kindergarten	22	15	12
Children Screened	22	20	20
Percent of Children Ready for Kindergarten	100	75	60
VPK Provider Readiness Rate		175 235	

~~(e) For children who also participated in the Letter Naming Fluency Measure of the Indicadores Dinamicos del Exito en la Lectura (IDEL), as described in subsection (2) of this rule, the higher of the two (2) Letter Naming Fluency Measures shall be used to calculate the “Percent of Children Ready for Kindergarten” as described in paragraph (5)(d) of this rule.~~

~~(e)~~(f) All providers shall be ranked according to their final score.

~~(5)~~(6) VPK Provider Kindergarten Readiness Rates. VPK Provider Kindergarten Readiness Rates shall be binding on new private VPK owners if the change of ownership occurred at a point in time in which seventy (70) percent or more of the VPK school-year or summer program remained. For the purpose of this rule, a change of ownership does not include the sale or transfer to family members or persons with a pre-existing ownership interest in the business.

~~(6)~~(7) Low Performing VPK Providers. If the readiness rate of a private or public VPK provider falls below the minimum rate adopted by the State Board, the provider shall be designated as a low performing VPK provider and acknowledge such designation on the Department’s website within 21 days of the State Board of Education’s adoption of the minimum readiness rate.

Rulemaking Specific Authority 1002.73(2)(d) FS. Law Implemented 1002.69(5), (6) FS. History–New 6-3-07, Amended 1-16-08, 1-5-09, _____.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.:
6A-6.05281

RULE TITLE:
Educational Programs for Youth in Department of Juvenile Justice Detention, Commitment, or Day Treatment Programs

PURPOSE AND EFFECT: The purpose of this rule development is to revise the rule that addresses educational programs for youth in Department of Juvenile Justice detention, commitment, day treatment, or early delinquency intervention programs. The effect will be a rule that addresses curricular flexibility for youth within these programs.

SUBJECT AREA TO BE ADDRESSED: Develop curricular flexibility options without compromising students’ educational needs.

RULEMAKING AUTHORITY: 1003.51, 1003.52 FS.

LAW IMPLEMENTED: 1003.51, 1003.52 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Ms. Bambi Lockman, Chief, Bureau of Exceptional Education and Student Services, 325 West Gaines Street, Suite 614, Tallahassee, FL 32399. To request a rule development workshop, please contact: Lynn Abbott, Agency Clerk, Department of Education, (850)245-9661 or e-mail lynn.abbott@fldoe.org or go to <https://app1.fldoe.org/rules/default.aspx>

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

6A-6.05281 Educational Programs for Youth in Department of Juvenile Justice Detention, Commitment, or Day Treatment, ~~or Early Delinquency Intervention~~ Programs. School districts must provide instruction to prepare all students to demonstrate proficiency in the skills necessary for successful grade-to-grade progression and high school graduation. For students placed in Department of Juvenile Justice (DJJ) programs, collaboration between the DJJ, the Department of Education, school districts, and private providers is essential in order for these students to attain this goal and become productive members of the community.

(1) Student Eligibility.

(a) Students who do not attend a local public school due to their placement in a DJJ detention, commitment, or day treatment, ~~or early delinquency intervention~~ program shall be provided high quality and effective educational programs by the local school district in which the DJJ facility is located or by a Juvenile Justice provider through a contract with the local school district.

(b) through (d) No change.

(2) Student Records.

(a) Content. Each school district shall maintain educational records for students in DJJ programs as required by Section 1003.25, F.S. The content of these records shall be as defined in subsections 6A-1.0955(2)-(5) and 6A-1.0014(2), F.A.C., Section 1003.51, F.S., and paragraph (5)(d) of this rule.

(b) Transfer of Educational Records. Each school district shall transfer records of students entering or exiting DJJ programs as provided in paragraph 6A-1.0955(7)(b) and subsection 6A-1.0014(2), F.A.C. ~~Beginning with the 2000-2001 school year,~~ Each school district shall provide these students' educational records no later than five (5) school days after the receipt of the request. Each school district shall make available a copy of the student's transcript record, including pertinent exceptional student education information, to designated DJJ staff for inclusion in the DJJ file when the student exits the program. DJJ staff shall provide this information to the receiving school district.

(c) No change.

(3) Student Assessment.

(a) To ensure high quality and effective educational programs for youth in DJJ detention, commitment, or day treatment, ~~or early delinquency intervention~~ programs, the school district shall provide for the review of the student's educational records and conduct assessments, consistent with the requirements of this subsection, in order to identify the students' functioning levels, provide appropriate educational programs, and report the learning gains of the student.

(b) All students in DJJ commitment, or day treatment, ~~or early delinquency intervention~~ programs, who have not graduated from school, shall be assessed within ten (10) school days of the student's commitment. The entry assessments shall include:

1. Academic measures that provide proficiency levels in:

- a. Reading,
- b. Mathematics,
- c. Writing.

2. Vocational interest and/or aptitude measures.

(c) For the students referenced in paragraph (3)(b) of this rule, exit assessments shall include, at a minimum, the academic measures.

(d) Students placed in a detention center shall be assessed within ten (10) school days ~~only~~ upon entry for academic measures.

(e) No change.

(f) All students in DJJ detention, commitment, or day treatment, ~~or early delinquency intervention~~ programs shall also participate in the state and district-wide assessments required by Sections 1008.22, 1008.25, 1003.43, and 1003.438, F.S.

(g) The results of the academic measures, as required by paragraphs (3)(b)-(d) of this rule shall be reported in the format prescribed by Rule 6A-1.0014, F.A.C., to the Department of Education via the Automated Student Data System. The format for the reporting of the results of the academic measures shall include at a minimum standard scores for each academic area assessed.

(h) ~~Beginning in the 2000-2001 school year,~~ The Department of Education shall include the results of these assessments in applicable statewide and school reports.

(4) Individual Academic Plans.

(a) An individual plan for educational progress shall be developed within twenty-two (22) ~~school calendar~~ days of student entry to DJJ detention programs and within fifteen (15) school days of entry to DJJ commitment, or day treatment, ~~or early delinquency intervention~~ programs. This plan shall be based upon the student's entry assessments and past educational history and must address the areas of academic, literacy, and life skills. The plan shall include:

1. Specific and individualized long-term goals and short-term instructional academic and career vocational/technical objectives;
2. Remedial strategies and/or tutorial instruction;
3. Evaluation procedures;
4. A schedule for determining progress toward meeting the goals and instructional and career vocational/technical objectives.

(b) Progress monitoring plans, required by Section 1008.25, F.S., or individual educational plans (IEPs) developed for eligible exceptional students, 504 plans developed for eligible students with disabilities, or individual plans developed for limited English proficient students may incorporate the requirements of subsections (4) and (5) of this rule.

(5) Transition Services.

(a) For all students in DJJ commitment, or day treatment, ~~or early delinquency intervention~~ programs, an individual transition plan based on the student's post-placement goals shall be developed cooperatively with the student, his/her parents, school district and/or contracted provider personnel and DJJ program staff. Re-entry counselors, probation officers, and personnel from the student's "home" school district shall be involved in the transition planning to the extent practicable.

(b) through (c) No change.

(d) Exit portfolios shall be created for each student prior to exit from a commitment, or day treatment, ~~or early delinquency intervention~~ program and provided to the program

~~personnel DJJ personnel~~ for inclusion in the youth's individual record DJJ file. ~~DJJ shall provide~~ This information shall be provided to the home school district. The exit portfolio shall include the records required by Sections 1003.51, F.S., and include at a minimum:

1. Transition plan;
 2. Results of district and state-wide assessments;
 3. Individual academic plan, 504 plan, and/or individual educational plan for exceptional students;
 4. Academic record or transcript; and
 5. Work and/or project samples.
- (6) Instructional Program and Academic Expectations.

(a) School Day and Year. The instructional program shall consist of 250 days of instruction, or its hourly (1200) equivalent, of which ten (10) days for residential or twenty (20) days for day treatment ~~of which~~ may be used for teacher training/planning, distributed over twelve (12) months as required by Section 1003.01(11), F.S. Each school district shall collaborate with private providers and the DJJ, as appropriate, to develop a school calendar for these programs to be adopted by the local school board.

(b) Requirements. DJJ schools shall have the flexibility in student scheduling to meet the basic academic and career needs of the student. The instructional program shall meet the requirements of Sections 1003.42, 1003.43, 1003.438, 1003.52, 1008.23, and 1008.25, F.S., and include:

1. Curricular offerings, consistent with the Florida Course Code Directory and Instructional Personnel Assignments as adopted in Rule 6A-1.09441, F.A.C., that reflect the students' assessed educational and transition needs and meet the students' needs as identified by the individual plan as required by paragraph (4)(a) of this rule. All students shall receive a curriculum to address their individual, academic, career, and transition needs. Students shall receive career vocational/technical training, workplace readiness training, or career awareness and exploration instruction while in the juvenile justice program.

2. GED preparation shall meet GED course requirements specified in Rules 6A-6.0571 and 6A-6.021, F.A.C., and adult education course descriptions and/or the school district's approved GED/~~HSCF~~ Exit Option must meet the requirements specified by the Department of Education.

3. Instructional ~~Tutorial~~ activities that are based on the students' assessed academic needs. Such activities shall be designed to assist students in advancing to their age appropriate grade level or to assist students in meeting their goals for reentry into the public school system, alternative schools, adult education, career vocational/technical education, employment, or post secondary education.

4. Instruction shall be individualized to address the academic and career vocational/technical goals and objectives that are outlined in each student's individual academic plan.

5. Instruction shall be delivered through a variety of instructional techniques to address students' academic levels and learning styles, including competency based programs and access to the Florida Virtual School as required in Section 1003.52(4), F.S.

(7) through (8)(a)2. No change.

3. Certain interruptions to the education program, over which the teacher and student have no control, do not have to be deducted from the direct instructional time reported for FTE. These include:

- a. Disaster ~~Fire~~ drills;
- b. Lockdowns of the classroom or program for security purposes;
- c. Bomb scares;
- d. Court hearings; and
- e. Meetings students have with law enforcement personnel during school hours.

(8)(a)4. through (c) No change.

(9) Contracts with Private Providers.

(a) School districts may provide services directly or may enter into a contract with a private provider to provide educational services to these youth. ~~Beginning in 2000-2001,~~ Such contracts with private providers shall address the responsibilities of the school district and the private provider for implementing the requirements of this rule. The private provider shall have, at a minimum:

1. through 2. No change.

(b) Prior to contracting with a private provider, the school district shall:

1. Review and consider the provider's past performance history, including the results of prior Quality Assurance Reviews.

2. Review the private provider's contract, if any, with DJJ for the care and custody of the youth in the commitment, detention, or day treatment, ~~or early delinquency intervention~~ program to ensure that services and resources are coordinated and not duplicative.

(c) Contracts with private providers, as described above, shall be submitted to the Department of Education prior to the October FTE Reporting Survey for review to verify compliance with this rule.

(d) The provider(s) of career education workforce development programs in the district in which the DJJ facility is located shall be responsible for notifying the DJJ program of the requirements for enrollment and completion of these programs. The inclusion of DJJ students in the school district's career education workforce development program may be included in the contract referenced above and the cooperative agreement required by Section 1003.52, F.S.

(10) Interventions and Sanctions.

(a) If the educational program in a DJJ detention, commitment, or day treatment, ~~or early delinquency intervention~~ program has received an unsatisfactory rating on the educational component of the Quality Assurance Review, does not meet the minimum standards requirements ~~for a designated priority indicator~~ of the Educational Quality Assurance Review, or has demonstrated noncompliance with state and federal requirements, the Department of Education shall initiate a series of interventions and graduated sanctions. Sanctions shall be initiated against programs that have not taken appropriate corrective actions within six months.

(b) through (11) No change.

Rulemaking Specific Authority 1003.51 FS. Law Implemented 1003.51, 1003.52 FS. History–New 4-16-00, Amended 5-19-08, _____.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Cost Management and Control

RULE NOS.:	RULE TITLES:
59B-16.001	Definitions
59B-16.002	Authorization to Disclose Identifiable Health Records to Provider Form and Instructions
59B-16.003	Rebuttable Presumption and Immunity from Civil Liability

PURPOSE AND EFFECT: The proposed rule development will establish a universal patient authorization form in both paper and electronic formats which may be used by a health care provider to document patient authorization for the disclosure and use, in any form or medium, of an identifiable health record. The universal patient authorization form for disclosure of identifiable health records must be accepted by providers if completed according to the instructions accompanying the form. The proposed rule development will incorporate by reference a universal patient authorization form for the disclosure of identifiable health records including accompanying instructions.

SUBJECT AREA TO BE ADDRESSED: The agency is proposing a rule development that will establish new Rules 59B-16.001 and 59B-16.003, F.A.C., providing for the incorporation by reference of an Authorization to Disclose Identifiable Health Records form and accompanying instructions. The rules provide instructions for the completion of the universal patient authorization form that must be met to create the rebuttable presumption that the release of identifiable health record was appropriate.

RULEMAKING AUTHORITY: 408.15(8) FS.

LAW IMPLEMENTED: 408.051(4) FS.

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

DATE AND TIME: August 21, 2009, 10:00 a.m.

PLACE: Agency for Health Care Administration, Building 3, First Floor Conference Rooms A, 2727 Mahan Drive, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Christine Nye, Director, Florida Center for Health Information and Policy Analysis, Building 3, 2727 Mahan Drive, Tallahassee, Florida 32308

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59B-16.001 Definitions.

As used in Rules 59B-16.001 through 59B-16.003, F.A.C.:

(1) “Health care provider” means a hospital, skilled nursing facility, nursing facility, home health entity or other long term care facility, health care clinic, community mental health center, renal dialysis facility, blood center, ambulatory surgical center, emergency medical services provider, Federally qualified health center, group practice, a pharmacist, a pharmacy, a laboratory, a physician, dentist, podiatrist, optometrist, chiropractor, a nurse practitioner, physician assistant, clinical nurse specialist, a certified nurse midwife, a certified nurse anesthetist, a clinical social worker, a clinical psychologist, a registered dietician or nutrition professional, a speech-language pathologist, a rural health clinic, a physical therapist, an occupational therapist, or any other person or organization that furnishes, bills, or is paid for health care services in the normal course of business.

(2) “Electronic format” means an Authorization for the Disclosure of Identifiable Health Records form that is completed, signed electronically and transmitted electronically to the health care provider if the signature is validated by the provider or third party on behalf of the provider through an authentication process consistent with national standards recognized by the Office of the National Coordinator for Health Information Technology.

Rulemaking Authority 408.15(8) FS. Law Implemented 408.051(4) FS. History–New _____.

59B-16.002 Authorization to Disclose Identifiable Health Records to Provider Form and Instructions.

The Authorization to Disclose Identifiable Health Records to Provider form including instructions for completing the form is posted at: www.FHIN.net. The Authorization to Disclose Identifiable Health Records to Provider form dated 10.1.09 is incorporated by reference as AHCA Form FC4200-004.

Rulemaking Authority 408.15(8) FS. Law Implemented 408.051(4) FS. History–New _____.

59B-16.003 Rebuttable Presumption and Immunity from Civil Liability.

(1) The exchange by a health care provider of an identifiable health record upon receipt of an authorization form in either paper or electronic format completed and submitted in accordance with agency instructions as provided in Rule 59B-16.002, F.A.C., creates a rebuttable presumption that the release of the identifiable health record was appropriate.

(2) A health care provider that discloses or uses an identifiable health record in reliance on the information provided to the health care provider on a properly completed authorization form that may be on paper or in an electronic format does not violate any right of confidentiality and is immune from civil liability for accessing or releasing an identifiable health record.

Rulemaking Authority 408.15(8) FS. Law Implemented 408.051(4) FS. History–New _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers’ Board

RULE NO.: 61G3-21.001 RULE TITLE: Normal Penalty Ranges

PURPOSE AND EFFECT: The proposed rule amendment implements penalties for failure to comply with Rule 61G3-19.009, F.A.C.

SUBJECT AREA TO BE ADDRESSED: Normal Penalty Ranges.

RULEMAKING AUTHORITY: 455.2273, 476.064(4) FS.

LAW IMPLEMENTED: 455.2273 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Robyn Barineau, Executive Director, Barbers’ Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G3-21.001 Normal Penalty Ranges.

The following guidelines shall be used in disciplinary cases, absent aggravating or mitigating circumstances and subject to the other provisions of this chapter.

(1) through (11) No change.

(12) Rule 61G3-19.009, F.A.C.: ~~Failure to place license in conspicuous place for public viewing. Display of License. \$100.00 \$50.00~~ fine per violation up to a ~~\$500.00 \$250.00~~ cap.

(13) through (14) No change.

Rulemaking ~~Specific~~ Authority 455.2273, 476.064(4) FS. Law Implemented 455.2273 FS. History–New 11-25-86, Amended 7-4-90, 12-23-90, Formerly 21C-21.001, Amended 10-30-95, 3-29-04, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

RULE NO.: 61G5-18.0055 RULE TITLE: Supervised Cosmetology Practice Exception

PURPOSE AND EFFECT: The Board proposes the rule amendment to delete unnecessary language to clarify examination procedures.

SUBJECT AREA TO BE ADDRESSED: Supervised cosmetology practice exception.

RULEMAKING AUTHORITY: 477.016, 477.019(4) FS.

LAW IMPLEMENTED: 477.019(4) , (5) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Robyn Barineau, Executive Director, Board of Cosmetology, P. O. Box 5377, Tallahassee, Florida 32314-5377

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners

RULE NO.: 61G14-19.001 RULE TITLE: Percentage of Gross Pilotage Assessed

PURPOSE AND EFFECT: To change the rate the Department assesses from one percent (1%) to 8/10 of one percent (.8%) of the gross amount of pilotage earned.

SUBJECT AREA TO BE ADDRESSED: The Board proposes to change the rate the Department assesses from one percent (1%) to 8/10 of one percent (.8%) of the gross amount of pilotage earned.

RULEMAKING AUTHORITY: 310.131, 310.185 FS.

LAW IMPLEMENTED: 310.131 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Robyn Barineau, Executive Director, Board of Pilot Commissioners, 1940 North Monroe Street, Tallahassee, Florida 32399-0750
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NOS.:	RULE TITLES:
61G15-31.001	General Responsibility
61G15-31.002	Definitions
61G15-31.003	Design of Structures Utilizing Prefabricated Wood Trusses
61G15-31.004	Design of Cast-in-Place Post-Tensioned Concrete Structural Systems
61G15-31.005	Design of Structures Utilizing Precast and Prestressed Concrete Components
61G15-31.006	Design of Structural Systems Utilizing Open Web Steel Joists and Joist Girders
61G15-31.007	Design of Pre-Engineered Structures
61G15-31.008	Design of Foundations
61G15-31.009	Design of Structural Steel Systems

PURPOSE AND EFFECT: To update and clarify standards for the practice of structural engineering.

SUBJECT AREA TO BE ADDRESSED: Standards for the practice of structural engineering.

RULEMAKING AUTHORITY: 471.008, 471.033(2) FS.

LAW IMPLEMENTED: 471.033(1)(g), (j) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Carrie Flynn, Executive Director, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32301

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.:	RULE TITLE:
61J2-23.001	Time-share Resale Listing Agreement Disclosures

PURPOSE AND EFFECT: To ensure that the rule is in compliance with statutory requirements.

SUBJECT AREA TO BE ADDRESSED: Statutory requirements.

RULEMAKING AUTHORITY: 475.05, 475.42(1)(n) FS.

LAW IMPLEMENTED: 475.42 FS.

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

DATE AND TIME: Tuesday, September 15, 2009, 8:30 a.m. or soonest thereafter

PLACE: Division of Real Estate, Conference Room N901, North Tower, 400 West Robinson Street, Orlando, Florida 32801

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N802, Orlando, Florida 32801

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE NO.:	RULE TITLE:
64B1-8.001	Definitions

PURPOSE AND EFFECT: The Board proposes to review the rule to delete unnecessary language and to add new language for clarification of the definition for sterilization.

SUBJECT AREA TO BE ADDRESSED: Definitions.

RULEMAKING AUTHORITY: 457.104, 457.1085 FS.

LAW IMPLEMENTED: 457.1085 FS.

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

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

Howerton, Executive Director, Board of Acupuncture/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE NO.: 64B1-8.002 RULE TITLE: Monitoring Sterilization and Infection Control

PURPOSE AND EFFECT: The Board proposes to review the rule and to delete unnecessary language and to add new language to clarify procedures for sterilization of acupuncture needles and other equipment.

SUBJECT AREA TO BE ADDRESSED: Monitoring sterilization and infection control.

RULEMAKING AUTHORITY: 457.104, 457.1085 FS.

LAW IMPLEMENTED: 457.1085 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kaye Howerton, Executive Director, Board of Acupuncture/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: 64B5-2.0155 RULE TITLE: Time Requirements for Application, Disposition of Untimely or Incomplete Applications and Associated Fees

PURPOSE AND EFFECT: To change the number of days any application must be postmarked prior to the examination.

SUBJECT AREA TO BE ADDRESSED: The number of days any application must be postmarked prior to the examination.

RULEMAKING AUTHORITY: 466.004 FS.

LAW IMPLEMENTED: 466.006, 466.007 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Susan Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, FL 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B5-2.0155 Time Requirements for Application, Disposition of Untimely or Incomplete Applications and Associated Fees.

(1) Any application which is not postmarked at least ~~75~~ 60 days prior to the examination or which is not accompanied by the appropriate fees shall not be accepted or reviewed by the Board or Credentials Committee, but shall be returned without review. Accordingly any fees submitted shall be refunded.

(2) through (5) No change.

~~Rulemaking Specific~~ Authority 466.004 FS. Law Implemented 466.006, 466.007 FS. History—New 11-16-89, Formerly 21G-2.0155, 61F5-2.0155, 59Q-2.0155, Amended _____.

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: 64B9-2.016 RULE TITLE: Forms

PURPOSE AND EFFECT: The purpose of this amendment is to adopt forms necessary to implement the 2009 amendments to Section 464.019, F.S.

SUBJECT AREA TO BE ADDRESSED: Forms.

RULEMAKING AUTHORITY: 464.006 FS.

LAW IMPLEMENTED: 456.013, 464.008, 464.009 FS.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Rick Garcia, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399

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

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE NOS.: 64B10-11.001, 64B10-11.003, 64B10-11.012 RULE TITLES: Application for Examination, Reexamination, Notification of Change of Address or Employing Facility

PURPOSE AND EFFECT: The proposed rules are necessary to correct the revision date on form MQA-NHA002; to correct the revision date on form DH-MQA 1129; and to incorporate by reference form DH-MQA 1130.

SUBJECT AREA TO BE ADDRESSED: Forms.

RULEMAKING AUTHORITY: 456.033(7), (2), 468.1695(1), 456.035, 468.1685(1), (5), (7), (8), 456.017(2) FS.

LAW IMPLEMENTED: 456.033(6), 456.017(2), 456.035, 4a68.1685(1),(2) (5), (7), (8) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe Baker, Jr., Executive Director, Board of Nursing Home Administrators, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399

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

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: 64B13-4.001
 RULE TITLE: Examination Requirements

PURPOSE AND EFFECT: The purpose of this rule amendment is to specify the percentage ranges for the various items in the examination rather than exact percentages in the examination rule.

SUBJECT AREA TO BE ADDRESSED: Examination.

RULEMAKING AUTHORITY: 456.017(2), 463.005, 463.006(2) FS.

LAW IMPLEMENTED: 456.017(2), 463.006(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe Baker, Jr., Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399

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

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: 64B13-5.002
 RULE TITLE: Criteria for Approval

PURPOSE AND EFFECT: The purpose of the amendment is to clarify that instructors for courses focusing on optometric practice management need not hold doctoral level degrees.

SUBJECT AREA TO BE ADDRESSED: Instructor Education.

RULEMAKING AUTHORITY: 463.005(1) FS.

LAW IMPLEMENTED: 463.007(4) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe Baker, Jr., Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399

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

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: 64B13-6.001
 RULE TITLE: Fees

PURPOSE AND EFFECT: The purpose of this rule amendment is to adopt a uniform initial licensure fee.

SUBJECT AREA TO BE ADDRESSED: Licensure Fee.

RULEMAKING AUTHORITY: 456.013(2), 456.025(7), 456.036, 463.005, 463.0057, 463.006, 463.007, 463.008 FS.

LAW IMPLEMENTED: 456.013(2), 456.025, 456.036, 463.0057, 463.006, 463.007, 463.008 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe Baker, Jr., Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399

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

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: 64B13-10.002
 RULE TITLE: Administration and Prescription of Topical Pharmaceutical Agents

PURPOSE AND EFFECT: The purpose of the rule is to clarify that the Board, not the Department, identifies those topical ocular pharmaceutical agents that a Certified optometrists may administer and prescribe.

SUBJECT AREA TO BE ADDRESSED: Administration of Topical Pharmaceutical Agents.

RULEMAKING AUTHORITY: 463.005(1) FS.

LAW IMPLEMENTED: 463.0055, 463.012, 463.0135, 463.016(1)(g), (k) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Joe Baker, Jr., Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-26.2031
RULE TITLE: Licensure by Examination; Foreign Pharmacy Graduates

PURPOSE AND EFFECT: The Board proposes the rule amendment to incorporate new applications and to clarify requirements.

SUBJECT AREA TO BE ADDRESSED: Incorporation of new applications and clarification of requirements.

RULEMAKING AUTHORITY: 465.005, 465.007 FS.

LAW IMPLEMENTED: 465.007 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Rebecca Poston, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

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

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-26.2032
RULE TITLE: Licensure by Examination; Internship Requirements

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify requirements.

SUBJECT AREA TO BE ADDRESSED: Clarification of requirements.

RULEMAKING AUTHORITY: 465.005 FS.

LAW IMPLEMENTED: 465.003(12), 465.007, 465.0075 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Rebecca Poston, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

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

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-26.2033
RULE TITLE: Pharmacy Intern Registration and Internship Requirements (Foreign Pharmacy Graduates)

PURPOSE AND EFFECT: The Board proposes the rule promulgation to create rule stating requirements for pharmacy intern registration and internship requirements for foreign pharmacy graduates.

SUBJECT AREA TO BE ADDRESSED: Requirements for pharmacy intern registration and internship requirements for foreign pharmacy graduates.

RULEMAKING AUTHORITY: 465.003, 465.005, 465.007 FS.

LAW IMPLEMENTED: 456.013(1), 465.003, 465.007 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Rebecca Poston, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

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

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-26.204
RULE TITLE: Licensure by Endorsement

PURPOSE AND EFFECT: The Board proposes the rule amendment to add new application and to clarify CE requirements and further clarify rule.

SUBJECT AREA TO BE ADDRESSED: New application and clarification of CE requirements and rule.

RULEMAKING AUTHORITY: 456.033, 465.005, 465.0075 FS.

LAW IMPLEMENTED: 456.013(1), 456.033, 465.007, 465.0075, 465.022 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Rebecca Poston, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

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

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-26.205
RULE TITLE: Application for Pharmacist Licensure by Endorsement (Foreign Pharmacy Graduates)

PURPOSE AND EFFECT: The Board proposes the rule promulgation to create rule stating requirements for foreign pharmacy graduates licensure by endorsement.

SUBJECT AREA TO BE ADDRESSED: Requirements for licensure by endorsement for foreign pharmacy graduates.

RULEMAKING AUTHORITY: 456.033, 465.005, 465.0075 FS.

LAW IMPLEMENTED: 456.013(1), 456.033, 465.0075, 465.022 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Rebecca Poston, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

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

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-28.2021
RULE TITLE: Change of Ownership
PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify transfer criteria.
SUBJECT AREA TO BE ADDRESSED: The criteria for transfers will be clarified.
RULEMAKING AUTHORITY: 465.005, 465.022 FS.

LAW IMPLEMENTED: 465.003(11)(a), 465.018, 465.019, 465.0193, 465.0196, 465.022(7) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Rebecca Poston, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Agency for Persons with Disabilities

RULE NO.: 65G-11.001
RULE TITLE: Developmental Disabilities Waivers Waitlist Prioritization

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

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

RULEMAKING AUTHORITY: 393.065(5) FS.

LAW IMPLEMENTED: 393.065(5) FS.

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

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

for Persons with Disabilities, Denise Arnold, 4030 Esplanade Way, Suite 380, Tallahassee, Florida 32399-0950, (850)488-3673

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

RULE NO.: 69K-24.040
 RULE TITLE: Licensure of Centralized Embalming Facilities

PURPOSE AND EFFECT: The proposed change to the rule is to lower the annual inspection fee from \$255 to \$225.

SUBJECT AREA TO BE ADDRESSED: Licensure of Centralized Embalming Facilities.

RULEMAKING AUTHORITY: 497.103, 497.385 FS.

LAW IMPLEMENTED: 497.385 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Douglas Shropshire, Executive Director, Board of Funeral, Cemetery, and Consumer Services, 200 East Gaines Street, Tallahassee, Florida 32399-0361

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

**Section II
 Proposed Rules**

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Community Planning

RULE NOS.: 9J-42.001, 9J-42.002, 9J-42.003
 RULE TITLES: Purpose and Effect, Relationship to Previous Rule and Schedules, Schedule

PURPOSE AND EFFECT: The purpose and effect are to adopt by rule a phased schedule for adoption of the local government evaluation and appraisal report.

SUMMARY: The adoption of Chapter 9J-42, F.A.C., will establish a phased schedule for adoption of the local government evaluation and appraisal report pursuant to Section 163.3191(9), Florida Statutes.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

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: 163.3191(9) FS.

LAW IMPLEMENTED: 163.3191 FS.

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

DATE AND TIME: August 31, 2009, 9:00 a.m.

PLACE: Randall Kelley Training Center, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Room 305, Tallahassee, Florida 32399-2100

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Ray Eubanks, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)922-1767. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Ray Eubanks, Community Program Administrator, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)922-1767

THE FULL TEXT OF THE PROPOSED RULES IS:

9J-42.001 Purpose and Effect.

The purpose of this chapter is to establish the due dates for the third round of evaluation and appraisal reports due to be adopted by the local governing body and sent to the department pursuant to Section 163.3191, Florida Statutes. The evaluation and appraisal report is the principle process for updating local comprehensive plans to reflect changes in local conditions and state policy on planning and growth management. Municipal reports adoption due dates are generally 1 year to 18 months later than the report adoption date for the county in which those municipalities are located. The schedule divides the workload for the department over the submittal period and meets the required local governments deadlines set in Section 163.3191, Florida Statutes. Local governments which fail to submit their adopted report by their scheduled due date are subject to provisions of Section 163.3187(6), Florida Statutes.

Rulemaking Authority 163.3191(1), 163.3191(9), 163.3191(12) FS. Law Implemented 163.3191 FS. History—New.

9J-42.002 Relationship to Previous Rule and Schedules.

Chapter 9J-33, effective March 24, 1994, establishes due dates for the first round of evaluation and appraisal reports due between November 1, 1995 and February 1, 1999 for local

governments over 2,500 persons and between August 1, 2000 and February 1, 2004 for local governments with fewer than 2,500 persons. In 1998, the evaluation and appraisal report requirements were substantially revised by s. 14, 1998-176, Laws of Florida. One effect of these revisions was to eliminate the need for local governments with fewer than 2,500 persons to adopt an evaluation and appraisal report during the first round. Rule 9J-33 was amended on March 23, 1999 to reflect this change. These smaller municipalities were included in the schedule for the second round of evaluation and appraisal reports due between November 1, 2003 and June 1, 2011, published by the department in the Florida Administrative Weekly on September 21, 2001 and subsequently amended on July 9, 2004.

Rulemaking Authority 163.3191(1), 163.3191(9), 163.3191(12) FS. Law Implemented 163.3191 FS. History—New _____.

9J-42.003 Schedule.

Local governing bodies shall submit their adopted evaluation and appraisal report to the department for sufficiency review based on the schedule set forth below:

Evaluation and Report (EAR) Schedule Third
Round 2010 – 2018

<u>County/Municipality</u>	<u>Due Date</u>
<u>ALACHUA COUNTY</u>	<u>9/1/2016</u>
<u>ALACHUA CITY</u>	<u>9/1/2017</u>
<u>ARCHER</u>	<u>10/1/2017</u>
<u>GAINESVILLE</u>	<u>11/1/2017</u>
<u>HAWTHORNE</u>	<u>12/1/2017</u>
<u>HIGH SPRINGS</u>	<u>1/1/2018</u>
<u>LACROSSE</u>	<u>2/1/2018</u>
<u>MICANOPY</u>	<u>3/1/2018</u>
<u>NEWBERRY</u>	<u>4/1/2018</u>
<u>WALDO</u>	<u>4/1/2018</u>
<u>BAKER COUNTY</u>	<u>3/1/2015</u>
<u>GLEN SAINT MARY</u>	<u>3/1/2016</u>
<u>MACCLENNY</u>	<u>4/1/2016</u>
<u>BAY COUNTY</u>	<u>10/1/2013</u>
<u>CALLAWAY</u>	<u>10/1/2014</u>
<u>LYNN HAVEN</u>	<u>11/1/2014</u>
<u>MEXICO BEACH</u>	<u>11/1/2014</u>
<u>PANAMA CITY</u>	<u>12/1/2014</u>
<u>PANAMA CITY BEACH</u>	<u>12/1/2014</u>
<u>PARKER</u>	<u>1/1/2015</u>
<u>SPRINGFIELD</u>	<u>4/1/2015</u>

<u>BRADFORD COUNTY</u>	<u>12/1/2016</u>
<u>BROOKER</u>	<u>12/1/2017</u>
<u>HAMPTON</u>	<u>1/1/2018</u>
<u>LAWTEY</u>	<u>2/1/2018</u>
<u>STARKE</u>	<u>3/1/2018</u>
<u>BREVARD COUNTY</u>	<u>8/1/2013</u>
<u>CAPE CANAVERAL</u>	<u>8/1/2014</u>
<u>COCOA</u>	<u>9/1/2014</u>
<u>COCOA BEACH</u>	<u>10/1/2014</u>
<u>GRANT VALKARIA</u>	<u>*TBD</u>
<u>INDIALANTIC</u>	<u>11/1/2014</u>
<u>INDIAN HARBOR BEACH</u>	<u>12/1/2014</u>
<u>MALABAR</u>	<u>1/1/2015</u>
<u>MELBOURNE</u>	<u>2/1/2015</u>
<u>MELBOURNE BEACH</u>	<u>3/1/2015</u>
<u>MELBOURNE VILLAGE</u>	<u>4/1/2015</u>
<u>PALM BAY</u>	<u>5/1/2015</u>
<u>PALM SHORES</u>	<u>6/1/2015</u>
<u>ROCKLEDGE</u>	<u>7/1/2015</u>
<u>SATELLITE BEACH</u>	<u>8/1/2015</u>
<u>TITUSVILLE</u>	<u>9/1/2015</u>
<u>WEST MELBOURNE</u>	<u>10/1/2015</u>
<u>BROWARD COUNTY</u>	<u>3/1/2011</u>
<u>COCONUT CREEK</u>	<u>3/1/2012</u>
<u>COOPER CITY</u>	<u>3/1/2012</u>
<u>CORAL SPRINGS</u>	<u>4/1/2012</u>
<u>DANIA BEACH</u>	<u>4/1/2012</u>
<u>DAVIE</u>	<u>5/1/2012</u>
<u>DEERFIELD BEACH</u>	<u>5/1/2012</u>
<u>FORT LAUDERDALE</u>	<u>6/1/2012</u>
<u>HALLANDALE BEACH</u>	<u>6/1/2012</u>
<u>HILLSBORO BEACH</u>	<u>7/1/2012</u>
<u>HOLLYWOOD</u>	<u>7/1/2012</u>
<u>LAUDERDALE- BY-THE-SEA</u>	<u>8/1/2012</u>
<u>LAUDERDALE LAKES</u>	<u>8/1/2012</u>
<u>LAUDERHILL</u>	<u>9/1/2012</u>
<u>LAZY LAKE</u>	<u>9/1/2012</u>
<u>LIGHTHOUSE POINT</u>	<u>10/1/2012</u>
<u>MARGATE</u>	<u>10/1/2012</u>
<u>MIRAMAR</u>	<u>11/1/2012</u>
<u>NORTH LAUDERDALE</u>	<u>11/1/2012</u>
<u>OAKLAND PARK</u>	<u>12/1/2012</u>
<u>PARKLAND</u>	<u>1/1/2013</u>
<u>PEMBROKE PARK</u>	<u>1/1/2013</u>
<u>PEMBROKE PINES</u>	<u>2/1/2013</u>
<u>PLANTATION</u>	<u>2/1/2013</u>
<u>POMPANO BEACH</u>	<u>3/1/2013</u>
<u>SEA RANCH LAKES</u>	<u>4/1/2013</u>

<u>SOUTH WEST RANCHES</u>	<u>6/1/2013</u>	<u>FLAGLER COUNTY</u>	<u>8/1/2016</u>
<u>SUNRISE</u>	<u>4/1/2013</u>	<u>BEVERLY BEACH</u>	<u>8/1/2017</u>
<u>TAMARAC</u>	<u>5/1/2013</u>	<u>BUNNELL</u>	<u>9/1/2017</u>
<u>WEST PARK</u>	<u>6/1/2013</u>	<u>FLAGLER BEACH</u>	<u>10/1/2017</u>
<u>WESTON</u>	<u>5/1/2013</u>	<u>MARINELAND</u>	<u>11/1/2017</u>
<u>WILTON MANORS</u>	<u>6/1/2013</u>	<u>PALM COAST</u>	<u>11/1/2017</u>
<u>CALHOUN COUNTY</u>	<u>1/1/2017</u>	<u>FRANKLIN COUNTY</u>	<u>9/1/2013</u>
<u>ALTHA</u>	<u>1/1/2018</u>	<u>APALACHICOLA</u>	<u>9/1/2014</u>
<u>BLOUNTSTOWN</u>	<u>1/1/2018</u>	<u>CARRABELLE</u>	<u>10/1/2014</u>
<u>CHARLOTTE COUNTY</u>	<u>12/1/2010</u>	<u>GADSDEN COUNTY</u>	<u>9/1/2016</u>
<u>PUNTA GORDA</u>	<u>12/1/2011</u>	<u>CHATTAHOOCHEE</u>	<u>9/1/2017</u>
 		<u>GREENSBORO</u>	<u>10/1/2017</u>
<u>CITRUS COUNTY</u>	<u>7/1/2011</u>	<u>GRETNA</u>	<u>11/1/2017</u>
<u>CRYSTAL RIVER</u>	<u>7/1/2012</u>	<u>HAVANA</u>	<u>12/1/2017</u>
<u>INVERNESS</u>	<u>8/1/2012</u>	<u>MIDWAY</u>	<u>1/1/2018</u>
 		<u>QUINCY</u>	<u>2/1/2018</u>
<u>CLAY COUNTY</u>	<u>1/1/2014</u>	 	
<u>GREEN COVE SPRINGS</u>	<u>1/1/2015</u>	<u>GILCHRIST COUNTY</u>	<u>10/1/2016</u>
<u>KEYSTONE HEIGHTS</u>	<u>2/1/2015</u>	<u>BELL</u>	<u>10/1/2017</u>
<u>ORANGE PARK</u>	<u>3/1/2015</u>	<u>FANNING SPRINGS</u>	<u>11/1/2017</u>
<u>PENNEY FARMS</u>	<u>4/1/2015</u>	<u>TRENTON</u>	<u>12/1/2017</u>
<u>COLLIER COUNTY</u>	<u>1/1/2011</u>	<u>GLADES COUNTY</u>	<u>7/1/2015</u>
<u>EVERGLADES CITY</u>	<u>1/1/2012</u>	<u>MOORE HAVEN</u>	<u>7/1/2016</u>
<u>MARCO ISLAND</u>	<u>3/1/2012</u>	 	
<u>NAPLES</u>	<u>2/1/2012</u>	<u>GULF COUNTY</u>	<u>8/1/2014</u>
 		<u>PORT ST. JOE</u>	<u>8/1/2015</u>
<u>COLUMBIA COUNTY</u>	<u>9/1/2015</u>	<u>WEWAHITCHKA</u>	<u>9/1/2015</u>
<u>FORT WHITE</u>	<u>10/1/2016</u>	 	
<u>LAKE CITY</u>	<u>4/1/2017</u>	<u>HAMILTON COUNTY</u>	<u>10/1/2015</u>
 		<u>JASPER</u>	<u>9/1/2016</u>
<u>DESOTO COUNTY</u>	<u>7/1/2015</u>	<u>JENNINGS</u>	<u>10/1/2016</u>
<u>ARCADIA</u>	<u>7/1/2016</u>	<u>WHITE SPRINGS</u>	<u>1/1/2017</u>
<u>DIXIE COUNTY</u>	<u>1/1/2015</u>	<u>HARDEE COUNTY</u>	<u>7/1/2015</u>
<u>CROSS CITY</u>	<u>1/1/2016</u>	<u>BOWLING GREEN</u>	<u>8/1/2016</u>
<u>HORSESHOE BEACH</u>	<u>2/1/2016</u>	<u>WAUCHULA</u>	<u>9/1/2016</u>
 		<u>ZOLFO SPRINGS</u>	<u>10/1/2016</u>
<u>DUVAL COUNTY</u>	<u>10/1/2014</u>	 	
<u>ATLANTIC BEACH</u>	<u>10/1/2015</u>	<u>HENDRY COUNTY</u>	<u>4/1/2015</u>
<u>BALDWIN</u>	<u>11/1/2015</u>	<u>CLEWISTON</u>	<u>5/1/2016</u>
<u>JACKSONVILLE BEACH</u>	<u>12/1/2015</u>	<u>LA BELLE</u>	<u>5/1/2016</u>
<u>NEPTUNE BEACH</u>	<u>1/1/2016</u>	 	
 		<u>HERNANDO COUNTY</u>	<u>8/1/2011</u>
<u>ESCAMBIA COUNTY</u>	<u>8/1/2014</u>	<u>BROOKSVILLE</u>	<u>1/1/2013</u>
<u>CENTURY</u>	<u>10/1/2015</u>	<u>WEEKI WACHEE</u>	<u>2/1/2013</u>
<u>PENSACOLA</u>	<u>8/1/2015</u>		

<u>HIGHLANDS CO</u>	<u>2/1/2015</u>	<u>LADY LAKE</u>	<u>3/1/2017</u>
<u>AVON PARK</u>	<u>2/1/2016</u>	<u>LEESBURG</u>	<u>4/1/2017</u>
<u>LAKE PLACID</u>	<u>3/1/2016</u>	<u>MASCOTTE</u>	<u>5/1/2017</u>
<u>SEBRING</u>	<u>4/1/2016</u>	<u>MINNEOLA</u>	<u>5/1/2017</u>
		<u>MONTVERDE</u>	<u>6/1/2017</u>
<u>HILLSBOROUGH COUNTY</u>	<u>7/1/2012</u>	<u>MOUNT DORA</u>	<u>7/1/2017</u>
<u>PLANT CITY</u>	<u>7/1/2013</u>	<u>TAVARES</u>	<u>8/1/2017</u>
<u>TAMPA</u>	<u>8/1/2013</u>	<u>UMATILLA</u>	<u>9/1/2017</u>
<u>TEMPLE TERRACE</u>	<u>9/1/2013</u>		
		<u>LEE COUNTY</u>	<u>2/1/2011</u>
<u>HOLMES COUNTY</u>	<u>8/1/2015</u>	<u>BONITA SPRINGS</u>	<u>10/1/2012</u>
<u>BONIFAY</u>	<u>8/1/2016</u>	<u>CAPE CORAL</u>	<u>2/1/2012</u>
<u>ESTO</u>	<u>9/1/2016</u>	<u>FORT MYERS</u>	<u>4/1/2012</u>
<u>NOMA</u>	<u>10/1/2016</u>	<u>FORT MYERS BEACH</u>	<u>4/1/2012</u>
<u>PONCE DE LEON</u>	<u>11/1/2016</u>	<u>SANIBEL</u>	<u>5/1/2012</u>
<u>WESTVILLE</u>	<u>12/1/2016</u>		
		<u>LEON COUNTY</u>	<u>7/1/2014</u>
<u>INDIAN RIVER COUNTY</u>	<u>12/1/2015</u>	<u>TALLAHASSEE</u>	<u>7/1/2014</u>
<u>FELLSMERE</u>	<u>5/1/2017</u>		
<u>INDIAN RIVER SHORES</u>	<u>6/1/2017</u>	<u>LEVY COUNTY</u>	<u>7/1/2013</u>
<u>ORCHID</u>	<u>7/1/2017</u>	<u>BRONSON</u>	<u>7/1/2014</u>
<u>SEBASTIAN</u>	<u>8/1/2017</u>	<u>CEDAR KEY</u>	<u>8/1/2014</u>
<u>VERO BEACH</u>	<u>9/1/2017</u>	<u>CHIEFLAND</u>	<u>9/1/2014</u>
		<u>INGLIS</u>	<u>10/1/2014</u>
<u>JACKSON COUNTY</u>	<u>8/1/2015</u>	<u>OTTER CREEK</u>	<u>11/1/2014</u>
<u>ALFORD</u>	<u>8/1/2016</u>	<u>WILLISTON</u>	<u>12/1/2014</u>
<u>BASCOM</u>	<u>9/1/2016</u>	<u>YANKEETOWN</u>	<u>1/1/2015</u>
<u>CAMPBELLTON</u>	<u>11/1/2016</u>		
<u>COTTONDALE</u>	<u>12/1/2016</u>	<u>LIBERTY</u>	<u>7/1/2016</u>
<u>GRACEVILLE</u>	<u>1/1/2017</u>	<u>BRISTOL</u>	<u>8/1/2017</u>
<u>GRAND RIDGE</u>	<u>2/1/2017</u>		
<u>GREENWOOD</u>	<u>3/1/2017</u>	<u>MADISON COUNTY</u>	<u>10/1/2016</u>
<u>JACOB CITY</u>	<u>4/1/2017</u>	<u>GREENVILLE</u>	<u>12/1/2017</u>
<u>MALONE</u>	<u>5/1/2017</u>	<u>LEE</u>	<u>1/1/2018</u>
<u>MARIANNA</u>	<u>6/1/2017</u>	<u>MADISON CITY</u>	<u>2/1/2018</u>
<u>SNEADS</u>	<u>6/1/2017</u>		
		<u>MANATEE COUNTY</u>	<u>9/1/2011</u>
<u>JEFFERSON COUNTY</u>	<u>11/1/2014</u>	<u>ANNA MARIA</u>	<u>3/1/2013</u>
<u>MONTICELLO</u>	<u>12/1/2015</u>	<u>BRADENTON</u>	<u>4/1/2013</u>
		<u>BRADENTON BEACH</u>	<u>5/1/2013</u>
<u>LAFAYETTE COUNTY</u>	<u>7/1/2016</u>	<u>HOLMES BEACH</u>	<u>6/1/2013</u>
<u>MAYO</u>	<u>7/1/2017</u>	<u>PALMETTO</u>	<u>7/1/2013</u>
<u>LAKE COUNTY</u>	<u>8/1/2015</u>	<u>MARION COUNTY</u>	<u>12/1/2016</u>
<u>ASTATULA</u>	<u>8/1/2016</u>	<u>BELLEVIEW</u>	<u>12/1/2017</u>
<u>CLERMONT</u>	<u>9/1/2016</u>	<u>DUNNELLON</u>	<u>1/1/2018</u>
<u>EUSTIS</u>	<u>11/1/2016</u>	<u>MCINTOSH</u>	<u>2/1/2018</u>
<u>FRUITLAND PARK</u>	<u>12/1/2016</u>	<u>OCALA</u>	<u>3/1/2018</u>
<u>GROVELAND</u>	<u>1/1/2017</u>	<u>REDDICK</u>	<u>4/1/2018</u>
<u>HOWEY IN THE HILLS</u>	<u>2/1/2017</u>		

<u>MARTIN COUNTY</u>	<u>10/1/2015</u>	<u>NASSAU COUNTY</u>	<u>12/1/2014</u>
<u>JUPITER ISLAND</u>	<u>1/1/2017</u>	<u>CALLAHAN</u>	<u>2/1/2016</u>
<u>OCEAN BREEZE PARK</u>	<u>11/1/2016</u>	<u>FERNANDINA BEACH</u>	<u>1/1/2016</u>
<u>SEWALLS POINT</u>	<u>12/1/2016</u>	<u>HILLIARD</u>	<u>3/1/2016</u>
<u>STUART</u>	<u>10/1/2016</u>		
		<u>OKALOOSA COUNTY</u>	<u>11/1/2013</u>
<u>MIAMI-DADE COUNTY</u>	<u>11/1/2010</u>	<u>CINCO BAYOU</u>	<u>2/1/2015</u>
<u>AVENTURA</u>	<u>12/1/2012</u>	<u>CRESTVIEW</u>	<u>3/1/2015</u>
<u>BAL HARBOUR VILLAGE</u>	<u>1/1/2013</u>	<u>DESTIN</u>	<u>4/1/2015</u>
<u>BAY HARBOR ISLANDS</u>	<u>2/1/2013</u>	<u>FORT WALTON BEACH</u>	<u>5/1/2015</u>
<u>BISCAYNE PARK</u>	<u>3/1/2013</u>	<u>LAUREL HILL</u>	<u>5/1/2015</u>
<u>CORAL GABLES</u>	<u>4/1/2013</u>	<u>MARY ESTHER</u>	<u>2/1/2015</u>
<u>CUTLER BAY</u>	<u>12/1/2012</u>	<u>NICEVILLE</u>	<u>7/1/2015</u>
<u>DORAL</u>	<u>*TBD</u>	<u>SHALIMAR</u>	<u>7/1/2015</u>
<u>EL PORTAL</u>	<u>11/1/2011</u>	<u>VALPARAISO</u>	<u>6/1/2015</u>
<u>FLORIDA CITY</u>	<u>11/1/2011</u>		
<u>GOLDEN BEACH</u>	<u>11/1/2011</u>	<u>OKEECHOBEE COUNTY</u>	<u>1/1/2017</u>
<u>HIALEAH</u>	<u>12/1/2011</u>	<u>OKEECHOBEE CITY</u>	<u>1/1/2018</u>
<u>HIALEAH GARDENS</u>	<u>12/1/2011</u>		
<u>HOMESTEAD</u>	<u>1/1/2012</u>	<u>ORANGE COUNTY</u>	<u>7/1/2013</u>
<u>INDIAN CREEK VILLAGE</u>	<u>1/1/2012</u>	<u>APOPKA</u>	<u>8/1/2014</u>
<u>KEY BISCAYNE</u>	<u>2/1/2012</u>	<u>BAY LAKE</u>	<u>7/1/2014</u>
<u>MEDLEY</u>	<u>3/1/2012</u>	<u>BELLE ISLE</u>	<u>9/1/2014</u>
<u>MIAMI</u>	<u>3/1/2012</u>	<u>EATONVILLE</u>	<u>10/1/2014</u>
<u>MIAMI BEACH</u>	<u>4/1/2012</u>	<u>EDGEWOOD</u>	<u>6/1/2015</u>
<u>MIAMI GARDENS</u>	<u>12/1/2012</u>	<u>LAKE BUENA VISTA</u>	<u>7/1/2014</u>
<u>MIAMI LAKES</u>	<u>5/1/2013</u>	<u>MAITLAND</u>	<u>7/1/2015</u>
<u>MIAMI SHORES</u>	<u>4/1/2012</u>	<u>OAKLAND</u>	<u>8/1/2015</u>
<u>MIAMI SPRINGS</u>	<u>5/1/2012</u>	<u>OCOEE</u>	<u>9/1/2015</u>
<u>NORTH BAY</u>	<u>5/1/2012</u>	<u>ORLANDO</u>	<u>11/1/2014</u>
<u>NORTH MIAMI</u>	<u>6/1/2012</u>	<u>REEDY CREEK</u>	<u>7/1/2014</u>
<u>NORTH MIAMI BEACH</u>	<u>6/1/2012</u>	<u>WINDERMERE</u>	<u>10/1/2015</u>
<u>OPA LOCKA</u>	<u>7/1/2012</u>	<u>WINTER GARDEN</u>	<u>11/1/2015</u>
<u>PALMETTO BAY</u>	<u>9/1/2012</u>	<u>WINTER PARK</u>	<u>12/1/2015</u>
<u>PINECREST</u>	<u>8/1/2012</u>		
<u>SOUTH MIAMI</u>	<u>9/1/2012</u>	<u>OSCEOLA COUNTY</u>	<u>3/1/2015</u>
<u>SUNNY ISLES BEACH</u>	<u>10/1/2012</u>	<u>KISSIMMEE</u>	<u>4/1/2016</u>
<u>SURFSIDE</u>	<u>10/1/2012</u>	<u>SAINT CLOUD</u>	<u>5/1/2016</u>
<u>SWEETWATER</u>	<u>11/1/2012</u>		
<u>VIRGINIA GARDENS</u>	<u>11/1/2012</u>	<u>PALM BEACH COUNTY</u>	<u>10/1/2011</u>
<u>WEST MIAMI</u>	<u>12/1/2012</u>	<u>ATLANTIS</u>	<u>10/1/2012</u>
		<u>BELLE GLADE</u>	<u>10/1/2012</u>
<u>MONROE COUNTY</u>	<u>8/1/2011</u>	<u>BOCA RATON</u>	<u>11/1/2012</u>
<u>ISLAMORADA</u>	<u>12/1/2012</u>	<u>BOYNTON BEACH</u>	<u>11/1/2012</u>
<u>KEY COLONY BEACH</u>	<u>8/1/2012</u>	<u>BRINY BREEZES</u>	<u>12/1/2012</u>
<u>KEY WEST</u>	<u>2/1/2013</u>	<u>CLOUD LAKE</u>	<u>12/1/2012</u>
<u>LAYTON</u>	<u>9/1/2012</u>	<u>DELRAY BEACH</u>	<u>1/1/2013</u>
<u>MARATHON</u>	<u>8/1/2012</u>	<u>GLEN RIDGE</u>	<u>1/1/2013</u>
		<u>GOLF VILLAGE</u>	<u>2/1/2013</u>
		<u>GREENACRES</u>	<u>3/1/2013</u>

<u>GULFSTREAM</u>	<u>3/1/2013</u>	<u>NORTH REDINGTON BEACH</u>	<u>2/1/2014</u>
<u>HVERHILL</u>	<u>4/1/2013</u>	<u>OLDSMAR</u>	<u>2/1/2014</u>
<u>HIGHLAND BEACH</u>	<u>4/1/2013</u>	<u>PINELLAS PARK</u>	<u>3/1/2014</u>
<u>HYPOLUXO</u>	<u>5/1/2013</u>	<u>REDINGTON BEACH</u>	<u>3/1/2014</u>
<u>JUNO BEACH</u>	<u>5/1/2013</u>	<u>REDINGTON SHORES</u>	<u>4/1/2014</u>
<u>JUPITER</u>	<u>6/1/2013</u>	<u>SAFETY HARBOR</u>	<u>4/1/2014</u>
<u>JUPITER INLET COLONY</u>	<u>6/1/2013</u>	<u>SEMINOLE CITY</u>	<u>5/1/2014</u>
<u>LAKE CLARKE SHORES</u>	<u>7/1/2013</u>	<u>SOUTH PASADENA</u>	<u>5/1/2014</u>
<u>LAKE PARK</u>	<u>7/1/2013</u>	<u>ST. PETERSBURG</u>	<u>6/1/2014</u>
<u>LAKE WORTH</u>	<u>8/1/2013</u>	<u>ST. PETE BEACH</u>	<u>6/1/2014</u>
<u>LANTANA</u>	<u>8/1/2013</u>	<u>TARPON SPRINGS</u>	<u>1/1/2014</u>
<u>LOXAHATCHEE GROVES</u>	<u>5/1/2015</u>	<u>TREASURE ISLAND</u>	<u>2/1/2014</u>
<u>MANALAPAN</u>	<u>9/1/2013</u>		
<u>MANGONIA PARK</u>	<u>9/1/2013</u>	<u>POLK COUNTY</u>	<u>4/1/2015</u>
<u>NORTH PALM BEACH</u>	<u>10/1/2013</u>	<u>AUBURNDALE</u>	<u>4/1/2016</u>
<u>OCEAN RIDGE</u>	<u>10/1/2013</u>	<u>BARTOW</u>	<u>4/1/2016</u>
<u>PAHOKEE</u>	<u>11/1/2013</u>	<u>DAVENPORT</u>	<u>5/1/2016</u>
<u>PALM BEACH (TOWN)</u>	<u>11/1/2013</u>	<u>DUNDEE</u>	<u>5/1/2016</u>
<u>PALM BEACH GARDENS</u>	<u>12/1/2013</u>	<u>EAGLE LAKE</u>	<u>5/1/2016</u>
<u>PALM BEACH SHORES</u>	<u>12/1/2013</u>	<u>FORT MEADE</u>	<u>6/1/2016</u>
<u>PALM SPRINGS</u>	<u>1/1/2014</u>	<u>FROSTPROOF</u>	<u>6/1/2016</u>
<u>RIVIERA BEACH</u>	<u>1/1/2014</u>	<u>HAINES CITY</u>	<u>6/1/2016</u>
<u>ROYAL PALM BEACH</u>	<u>2/1/2014</u>	<u>HIGHLAND PARK</u>	<u>6/1/2016</u>
<u>SOUTH BAY</u>	<u>2/1/2014</u>	<u>HILLCREST HEIGHTS</u>	<u>8/1/2016</u>
<u>SOUTH PALM BEACH</u>	<u>2/1/2014</u>	<u>LAKE ALFRED</u>	<u>8/1/2016</u>
<u>TEQUESTA</u>	<u>3/1/2014</u>	<u>LAKE HAMILTON</u>	<u>9/1/2016</u>
<u>WELLINGTON</u>	<u>3/1/2014</u>	<u>LAKE WALES</u>	<u>9/1/2016</u>
<u>WEST PALM BEACH</u>	<u>3/1/2014</u>	<u>LAKELAND</u>	<u>10/1/2016</u>
		<u>MULBERRY</u>	<u>10/1/2016</u>
<u>PASCO COUNTY</u>	<u>10/1/2011</u>	<u>POLK CITY</u>	<u>11/1/2016</u>
<u>DADE CITY</u>	<u>3/1/2013</u>	<u>WINTER HAVEN</u>	<u>12/1/2016</u>
<u>NEW PORT RICHEY</u>	<u>3/1/2013</u>		
<u>PORT RICHEY</u>	<u>4/1/2013</u>	<u>PUTNAM COUNTY</u>	<u>11/1/2016</u>
<u>SAINT LEO</u>	<u>4/1/2013</u>	<u>CRESCENT CITY</u>	<u>11/1/2017</u>
<u>SAN ANTONIO</u>	<u>5/1/2013</u>	<u>INTERLACHEN</u>	<u>12/1/2017</u>
<u>ZEPHYRHILLS</u>	<u>5/1/2013</u>	<u>PALATKA</u>	<u>1/1/2018</u>
		<u>POMONA PARK</u>	<u>2/1/2018</u>
<u>PINELLAS COUNTY</u>	<u>8/1/2012</u>	<u>WELAKA</u>	<u>3/1/2018</u>
<u>BELLEAIR</u>	<u>8/1/2013</u>		
<u>BELLEAIR BEACH</u>	<u>8/1/2013</u>	<u>SANTA ROSA COUNTY</u>	<u>10/1/2014</u>
<u>BELLEAIR BLUFFS</u>	<u>9/1/2013</u>	<u>GULF BREEZE</u>	<u>11/1/2015</u>
<u>BELLEAIR SHORE</u>	<u>9/1/2013</u>	<u>JAY</u>	<u>12/1/2015</u>
<u>CLEARWATER</u>	<u>10/1/2013</u>	<u>MILTON</u>	<u>1/1/2016</u>
<u>DUNEDIN</u>	<u>10/1/2013</u>		
<u>GULFPORT</u>	<u>11/1/2013</u>	<u>SARASOTA COUNTY</u>	<u>7/1/2011</u>
<u>INDIAN ROCKS BEACH</u>	<u>11/1/2013</u>	<u>LONGBOAT KEY</u>	<u>9/1/2012</u>
<u>INDIAN SHORES</u>	<u>12/1/2013</u>	<u>NO PORT</u>	<u>10/1/2012</u>
<u>KENNETH CITY</u>	<u>12/1/2013</u>	<u>SARASOTA CITY</u>	<u>11/1/2012</u>
<u>LARGO</u>	<u>1/1/2014</u>	<u>VENICE</u>	<u>12/1/2012</u>
<u>MADEIRA BEACH</u>	<u>1/1/2014</u>		

<u>SEMINOLE COUNTY</u>	<u>9/1/2013</u>
<u>ALTAMONTE SPRINGS</u>	<u>11/1/2014</u>
<u>CASSELBERRY</u>	<u>12/1/2014</u>
<u>LAKE MARY</u>	<u>1/1/2015</u>
<u>LONGWOOD</u>	<u>2/1/2015</u>
<u>OVIEDO</u>	<u>3/1/2015</u>
<u>SANFORD</u>	<u>4/1/2015</u>
<u>WINTER SPRINGS</u>	<u>5/1/2015</u>
<u>ST. JOHNS COUNTY</u>	<u>9/1/2014</u>
<u>HASTINGS</u>	<u>9/1/2015</u>
<u>ST. AUGUSTINE</u>	<u>10/1/2015</u>
<u>ST. AUGUSTINE BEACH</u>	<u>11/1/2015</u>
<u>ST. LUCIE COUNTY</u>	<u>11/1/2015</u>
<u>FORT PIERCE</u>	<u>2/1/2017</u>
<u>PORT ST. LUCIE</u>	<u>4/1/2017</u>
<u>ST. LUCIE VILLAGE</u>	<u>3/1/2017</u>
<u>SUMTER COUNTY</u>	<u>1/1/2017</u>
<u>BUSHNELL</u>	<u>1/1/2018</u>
<u>CENTER HILL</u>	<u>1/1/2018</u>
<u>COLEMAN</u>	<u>2/1/2018</u>
<u>WEBSTER</u>	<u>2/1/2018</u>
<u>WILDWOOD</u>	<u>3/1/2018</u>
<u>SUWANNEE COUNTY</u>	<u>8/1/2016</u>
<u>BRANFORD</u>	<u>8/1/2017</u>
<u>LIVE OAK</u>	<u>9/1/2017</u>
<u>TAYLOR COUNTY</u>	<u>7/1/2014</u>
<u>PERRY</u>	<u>7/1/2015</u>
<u>UNION COUNTY</u>	<u>11/1/2016</u>
<u>LAKE BUTLER</u>	<u>11/1/2017</u>
<u>RAIFORD</u>	<u>11/1/2017</u>
<u>WORTHINGTON SPRINGS</u>	<u>11/1/2017</u>
<u>VOLUSIA COUNTY</u>	<u>9/1/2013</u>
<u>DAYTONA BEACH</u>	<u>9/1/2014</u>
<u>DAYTONA BEACH SHORES</u>	<u>10/1/2014</u>
<u>DEBARY</u>	<u>7/1/2015</u>
<u>DELAND</u>	<u>12/1/2014</u>
<u>DELTONA</u>	<u>6/1/2015</u>
<u>EDGEWATER</u>	<u>8/1/2015</u>
<u>HOLLY HILL</u>	<u>9/1/2015</u>
<u>LAKE HELEN</u>	<u>2/1/2015</u>
<u>NEW SMYRNA BEACH</u>	<u>11/1/2015</u>
<u>OAK HILL</u>	<u>3/1/2015</u>
<u>ORANGE CITY</u>	<u>4/1/2015</u>

<u>ORMOND BEACH</u>	<u>12/1/2015</u>
<u>PIERSON</u>	<u>1/1/2016</u>
<u>PONCE INLET</u>	<u>5/1/2015</u>
<u>PORT ORANGE</u>	<u>2/1/2016</u>
<u>SOUTH DAYTONA</u>	<u>1/1/2015</u>
<u>WAKULLA COUNTY</u>	<u>9/1/2014</u>
<u>SOPCHOPPY</u>	<u>9/1/2015</u>
<u>ST. MARKS</u>	<u>10/1/2015</u>
<u>WALTON COUNTY</u>	<u>8/1/2013</u>
<u>DEFUNIAK SPRINGS</u>	<u>8/1/2014</u>
<u>FREEPORT</u>	<u>9/1/2014</u>
<u>PAXTON</u>	<u>10/1/2014</u>

<u>WASHINGTON COUNTY</u>	<u>7/1/2015</u>
<u>CARYVILLE</u>	<u>7/1/2016</u>
<u>CHIPLEY</u>	<u>8/1/2016</u>
<u>EBRO</u>	<u>9/1/2016</u>
<u>VERNON</u>	<u>10/1/2016</u>
<u>WAUSAU</u>	<u>11/1/2016</u>

*TBD – Newly Incorporated municipality: When the adopted plan is effective the Evaluation and Appraisal due date will be determined.

Rulemaking Authority 163.3191(1), 163.3191(9), 163.3191(12) FS. Law Implemented 163.3191 FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Ray Eubanks, Community Program Administrator,
Department of Community Affairs, 2555 Shumard Oak
Boulevard, Sadowski Building, Tallahassee, Florida
32399-2100, (850)922-1767

NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Thomas G. Pelham, Secretary,
Department of Community Affairs, 2555 Shumard Oak
Boulevard, Tallahassee, Florida 32399-2100

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: July 23, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: June 12, 2009

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NO.:	RULE TITLE:
12A-19.080	Distribution Adjustments Resulting From Misallocation of Tax

PURPOSE AND EFFECT: Section 202.18(3)(c), F.S., requires the Department to make any adjustments to the distribution of proceeds of the local communications services tax that are necessary to reflect the proper amounts due to individual jurisdictions.

The purpose of the creation of Rule 12A-19.080, F.A.C. (Distribution Adjustments Resulting From Misallocation of Tax), is to develop procedures that will be used by the Department for determining when misallocations of communications services tax have occurred, for notifying the affected jurisdictions of the misallocations, and how distribution adjustments will be made.

SUMMARY: The proposed creation of Rule 12A-19.080, F.A.C. (Distribution Adjustments Resulting From Misallocation of Tax), provides local governments and other affected parties a process and timeline on what and how to expect distribution adjustments resulting from misallocation of tax to or between local governments and component parts of the communications services tax.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

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: 202.26(3)(a) FS.

LAW IMPLEMENTED: 202.18(3)(c), 202.22(5), 202.231, 202.35(3) FS.

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

DATE AND TIME: August 31, 2009, 1:00 p.m.

PLACE: Room 118, Carlton Building, 501 South Calhoun Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Larry Green at (850)922-4830. 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: Carla Bruce, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4839

THE FULL TEXT OF THE PROPOSED RULE IS:

12A-19.080 Distribution Adjustments Resulting From Misallocation of Tax.

(1) The purpose of this rule is to establish procedures when the Department determines that misallocations of communications services taxes require adjustments to distributions of the taxes. This determination will occur annually, with the adjustment cycle running from February 1 through January 31 of the subsequent year.

(2) DEFINITIONS: For purposes of this rule, the following terms are defined:

(a) "Distribution adjustments" are the reallocation of tax between local taxing jurisdictions or reallocation of tax distributed incorrectly to either the state, gross receipts or local portion of Communications Services Tax. This reallocation may be the result of incorrect local jurisdictional siting, misapplication of tax on the return, or other filing errors causing tax misallocation.

(b) "Siting" is the assignment of a service address to a local taxing jurisdiction.

(c) A "completed audit" is as an audit that has been paid and all formal or informal protest rights have been exercised or expired.

(3) DISTRIBUTION THRESHOLDS.

(a) The Department's determination will occur annually on or about November 15 and notice of this determination will be mailed to each affected local jurisdiction.

1. When the distribution adjustment is less than ninety percent (90%) of the average monthly distributions to the affected jurisdiction for the immediately preceding six months, the Department will make such adjustments in the month immediately following the Department's determination that misallocations occurred.

2.a. When the distribution adjustment is equal to or exceeds ninety percent (90%) of the average monthly distributions to the affected jurisdiction for the immediately preceding six months, the Department will make such adjustments beginning with the March distribution, unless affected jurisdictions seek another form of reallocation as described in sub-subparagraph 2.b. The adjustments will be made over a time period that equals the time period that the misallocations occurred.

b. Affected jurisdictions may seek another form of reallocation of proceeds other than by monthly Department distributions. The affected jurisdictions may execute a written agreement specifying a method of adjustment. A copy of the written agreement must be provided to the Department no later than the first day of the month following 90 days after the date the Department transmits notice of the misallocation.

(b) Example: A jurisdiction's average monthly distribution is \$10,000. The jurisdiction's sum total of adjustments for the adjustment cycle is (\$9,000). All adjustments are from audits with a 36-month audit period. The (\$9,000) will be allocated equally over a 36-month period with a monthly adjustment of (\$250). [(\$9000) / 36 months = (\$250)].

(c) Example: A jurisdiction's average monthly distribution is \$10,000. The jurisdiction's sum total of adjustments for the adjustment cycle is (\$8,000.00). The (\$8,000) adjustment will be made to the jurisdiction's December distribution.

(4) DISTRIBUTION ADJUSTMENT TIMELINE.

(a) On February 1, distribution adjustments will be combined into one electronic file organized by county and then jurisdiction within the county. For each local jurisdiction, the file will identify the taxpayer names, federal identification numbers, and the amount of the distribution adjustment. The file will be posted to the Local Government Communications Services Tax Information Sharing System. All local jurisdictions will have 30 days to review and make general inquiries regarding their proposed distribution adjustment. A local jurisdiction may make the inquiry to the Florida Department of Revenue, Local Government Unit, by mail at 5050 W. Tennessee St., Tallahassee, FL 32399-0100, or by e-mail to local-govt-unit@dor.state.fl.us, or by phone to (850)921-9181. All general inquiries regarding proposed distribution adjustments must be postmarked or otherwise time stamped or received by March 1.

(b) At any time, a local government may request to review adjustment documentation. Local governments who seek to review the documentation regarding their distribution adjustment(s) must submit a written letter specifying which adjustment(s) the local jurisdiction wishes to review. The letter must include:

1. The name of the local government;
2. The requestor's name, mailing address, phone number and email address;
3. The requestor's signature; and
4. Specification of which adjustment(s) by taxpayer name and federal identification number the local government is requesting to review. The federal identification number can be found in the Adjustment Distribution File or Distribution Data Download file posted on the Local Government Communications Services Tax Information Sharing System. The letter should be sent to the Florida Department of Revenue, Security and Disclosure Officer, P. O. Box 37372, Tallahassee, FL 32315-7372.

(c) On April 1, a final adjustments file will be posted to the Local Government Communications Services Tax Information Sharing System.

(d) On or about November 15, if the Department determines that misallocations have occurred, it will mail notification of this determination to each affected local jurisdiction.

(e) The December distribution of communications services tax will include adjustments for those jurisdictions whose net adjustments are less than ninety percent (90%) of the average monthly distributions to the affected jurisdiction for the six months immediately proceeding November 1.

(f) March Distribution of the subsequent year: For those jurisdictions whose net adjustments are equal to or in excess of the ninety percent (90%) of the average monthly distributions to the affected jurisdiction for the six months immediately preceding November 1, the first distribution adjustments will

occur in March, unless the Department has received a written agreement specifying a different method of adjustment from affected jurisdictions by March 1.

(g) If any date specified above falls on a Saturday, Sunday, or federal or state legal holiday, the specific action will occur on the next succeeding workday.

(5) All information posted to the Local Government Communications Services Tax Information Sharing System for all jurisdictions to review is confidential taxpayer information pursuant to Section 213.053, F.S. This information shall not be distributed by the local government, except for use(s) as described in Section 213.053(8)(v), F.S.

Rulemaking Authority 202.26(3)(a) FS. Law Implemented 202.18(3)(c), 202.22(5), 202.231, 202.35(3) FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Carla Bruce, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4839
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor Charlie Crist and members of the Florida Cabinet, Attorney General Bill McCollum, Chief Financial Officer Alex Sink, and Agriculture Commissioner Charles H. Bronson, as agency head of the Department of Revenue

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 28, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: The proposed creation of Rule 12A-19.080, F.A.C. (Distribution Adjustments Resulting From Misallocation of Tax), was noticed in the Florida Administrative Weekly on March 6, 2009 (Vol. 35, No. 9, p. 1052). A rule development workshop was held on April 1, 2009, in Room 118, Carlton Building, 501 S. Calhoun Street, Tallahassee, Florida, to allow members of the public to ask questions and make comments concerning the proposed rule. In response, changes were made to proposed subsection (1) and proposed paragraphs (4)(a) and (c) of the proposed rule.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-602.201
 RULE TITLE: Inmate Property

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify distinctions in permissible use and storage of religious items used for worship or for wearing at all times and to amend the list of religious items inmates are permitted to possess for worship or for wearing at all times.

SUMMARY: The proposed rule clarifies distinctions in permissible use and storage of religious items used for worship or for wearing at all times and amends the list of religious items inmates may possess for worship or for wearing at all times.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will not have an impact on small business. 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: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kendra Lee Jowers, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-602.201 Inmate Property.

(1) through (15) No change.

(16) Religious Property.

(a) Unless otherwise prohibited by Department rule, inmates shall be permitted to possess, for personal use, religious publications as defined in Rule 33-503.001, F.A.C., that are in compliance with admissibility requirements of Rule 33-501.401, F.A.C. Inmates shall be permitted to possess the following religious items or material:

(b) Unless otherwise prohibited by Department rule or by paragraph (d) of this subsection, inmates shall be permitted to possess the following items adhering to the tenets of a particular religion for wearing at all times or for use during individual worship. Such items must be documented on Form DC6-224, Inmate Personal Property List. When an inmate makes a change in religious preference, the inmate must dispose of all of the items associated with the previous religion unless such items are also associated with the new religious preference. Disposal may be by mailing at the inmate's expense or by waste disposal and must be done before the inmate shall be permitted to possess items adhering to the new

religious preference. An inmate shall be allowed to maintain the following items in his cell or housing area unless individualized security concerns outlined in paragraph (g) of this subsection require storage and usage elsewhere. Inmates shall not be transported to the chapel for the purpose of using a religious item if the inmate possesses the item in his housing area.

1. Items for wearing or carrying at all times: Religious publications as defined in Rule 33-503.001, F.A.C., for personal use that are in compliance with admissibility requirements of Rule 33-501.401, F.A.C.

a. Jewish – black yarmulke, white Tallit Katan;

b. Catholic – scapular;

c. Muslim – white koofi for men, white or blue headscarves for women (women may possess up to four scarves);

d. Buddhist – Rakusu;

e. Assembly of Yashua – black yarmulke;

f. Rastafarian – white or blue headscarves for women (possession limit of four);

g. One set of prayer beads, such as Rosary, Dhikr, Orisha, Mala, or Japa-Mala beads;

h. One religious symbol or medallion, such as a cross, Star of David, or talisman. Religious symbols shall not be more than two inches in length or diameter, and symbols worn about the neck shall be worn under the shirt on a jewelry-type chain. Religious symbols that are designed to be affixed to clothing with a pin are not permitted.

2. Items for individual worship: Items adhering to the tenets of a particular religion for wearing at all times or use during individual worship. Items may include:

a. Jewish – Tallit (white or white with blue trim) no larger than 66" x 66", one set of tefillin; Jewish – yarmulke;

b. Muslim – prayer rug no larger than 30" x 42"; Catholic – rosary beads;

c. Native American – medicine bag, headband, feather; Muslim – prayer rug, koofi;

d. Asatru or Odinism – runes and accompanying cloth bag; Native American – medicine bag, headband, and;

e. Greek Orthodox – prayer rope; Asatru or Odinism – runes and accompanying cloth bag.

f. Wiccan or Thelema – tarot cards;

g. No more than two pictures or images depicting gods, saints, or other religious or spiritual entities. Such pictures or images may be no larger than 8.5 x 11 inches.

3. Religious symbols such as a cross, Star of David, talisman, or other religious medallion. Religious symbols shall not be more than 2 inches in length or diameter. Religious symbols and items worn about the neck shall be worn under the shirt.

(c) The following religious items pose a general security risk when allowed in an inmate’s cell or dorm. Inmates shall be permitted to use the following religious items or materials only under the supervision of the chaplain or an approved volunteer. These items shall be stored in the chapel:

1. Buddhist – meditation cushion or Zafu;
2. Wiccan – stones or crystals.

(d) Limitations on Use of Religious Property.

1. Inmates in disciplinary or administrative confinement are not permitted to store or use religious property, other than religious publications as provided in paragraph (a) of this subsection, unless the inmate obtains prior written approval from the warden or designee.

2. Inmates in a transitional care unit or housed at Corrections Mental Health Institution (CMHI) shall only be permitted to possess religious items for wearing or carrying at all times, unless the warden or designee finds that the inmate’s possession of an item poses a safety or security threat.

3. Inmates in an isolation cell, observation cell, isolation management room, crisis stabilization unit, or on self-harm observation status are not permitted to store or use religious property, other than religious publications as provided in paragraph (a) of this subsection, under any circumstance.

4. Inmates on close or maximum management status shall be permitted to possess items for wearing or carrying at all times unless the warden or designee finds that the inmate’s possession of the item poses a safety or security threat. An inmate who wishes to possess a religious item for individual worship shall submit a request using form DC6-236, Inmate Request, to the chaplain for evaluation pursuant to paragraph (g) of this subsection.

~~(b) Inmates shall not be permitted to possess the following religious items or materials which adhere to the tenets of a particular religion for individual worship or group worship which pose a security risk when allowed in an inmate’s cell or dorm. Inmates shall be permitted to use the following religious items or materials only under the supervision of the chaplain and items shall be stored in the chapel.~~

- ~~1. Jewish – prayer shawl, tefillin;~~
- ~~2. Wiccan – tarot cards; and~~
- ~~3. Buddhist – meditation cushion or Zafu.~~

~~(e) Inmates shall not be permitted to possess religious items or materials intended for use in group worship. These group worship items shall not be stored at the institution, but may be brought in by volunteers for the religious observance. Group worship items include:~~

- ~~1. Alcoholic beverages or wine;~~
- ~~2. Wiccan – stones or crystals.~~

~~(e)(d) Religious property and other religious items shall be acquired through an authorized a legitimate vendor, canteen purchase, bona fide religious organization, or authorized donor.~~

~~(f)(e) The chaplain shall serve as advisor to staff and inmates in the area of religious property at the institution. The chaplaincy services administrator shall provide advice and guidance to the department regarding approved religions and other department religious issues.~~

~~(g)(f) Inmate requests for religious property shall be reviewed by the chaplain to determine whether the item is required by the inmate’s particular religion and security personnel to determine whether the item presents a threat to security and order. In determining whether an item presents a threat to security and order, security staff shall consider the following:~~

- ~~1. The nature of the item requested and the particular dangers to security and order that the item presents;~~
- ~~2. The characteristics of the institution and of the general inmate population at the institution;~~
- ~~3. The custody level and record of the inmate requesting the item.~~

(17) No change.

Rulemaking Specific Authority 944.09 FS. Law Implemented 944.09 FS. History–New 6-4-81, Formerly 33-3.025, Amended 11-3-87, 11-13-95, 5-20-96, 1-8-97, 6-1-97, 7-6-97, 10-15-97, 2-15-98, 3-16-98, 8-4-98, 12-7-98, Formerly 33-3.0025, Amended 11-21-00, 9-12-01, 5-16-02, 7-8-03, 8-18-04, 1-25-05, 10-23-06, 2-27-08, 12-25-08,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
George Sapp, Deputy Secretary of Institutions
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Walter A McNeil, Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 5, 2009
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 15, 2009

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: 61H1-19.008
RULE TITLE: Committees

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to remove the annual reporting requirements for committees.

SUMMARY: Annual reporting requirements for committees shall be removed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board determined the proposed rule will not have an impact on small business.

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: 120.53, 473.304 FS.
 LAW IMPLEMENTED: 120.53, 20.30(5) FS.
 IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Veloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607

THE FULL TEXT OF THE PROPOSED RULE IS:

61H1-19.008 Committees.

(1) The Board may appoint such advisory committees as it deems necessary to effectively administer, implement and carry out the provisions of Chapters 455 and 473, F.S., and the rules promulgated pursuant thereto. Such committees shall be guided and assisted administratively by the Department and the Board.

(2) Committees shall operate under the same administrative rules and procedures which are applicable to, and used by, the Board. ~~Committees shall, on or before December 1 of each year, make an evaluation of the activities under their charge for the preceding fiscal year and the related fees and costs and shall report findings and recommendations to the Board.~~

(3) A vacancy shall occur upon the failure of any committee member who is not a Board member to attend two consecutive meetings of the committee to which he was duly appointed.

Rulemaking Specific Authority 120.53, 473.304 FS. Law Implemented 120.53, ~~20.30(5)~~ FS. History—New 2-3-81, Formerly 21A-19.08, Amended 12-2-92, Formerly 21A-19.008, Amended

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Accountancy
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Accountancy
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 17, 2009
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 26, 2009

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: 61H1-20.001
 RULE TITLE: Types of Certified Public Accountants and Firms

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to further define the types of certified public accountants and firms based on SB 1640 passed in the 2009 legislative session.

SUMMARY: Types of certified public accountants and firms will be further defined.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board determined the proposed rule will not have an impact on small business.

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: 455.271, 473.304 FS.

LAW IMPLEMENTED: 455.271 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Veloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607

THE FULL TEXT OF THE PROPOSED RULE IS:

61H1-20.001 Types of Certified Public Accountants and Firms Licensee.

(1) “Certified public accountant,” or “CPA,” Licensee shall be deemed and construed to mean a person, who partnership or corporation which holds an active, inactive, delinquent, or temporary license issued under Chapter 473, F.S., or who is practicing public accounting in this state pursuant to the practice privilege granted in Section 473.3141, F.S.

(2) “Florida certified public accountant” shall be deemed and construed to mean a person who holds an active, inactive, delinquent, or temporary license issued under Chapter 473, F.S.

(3) “Non-Florida certified public accountant” shall be deemed and construed to mean a person who is practicing public accounting in this state pursuant to the practice privilege granted in Section 473.3141, F.S.

(4) “Firm” shall be deemed and construed to mean any legal entity that holds an active, delinquent, or temporary license issued under Chapter 473, F.S., or its state of domicile.

(5) “Florida firm” shall be deemed and construed to mean any legal entity that holds an active, delinquent, or temporary license issued under Chapter 473, F.S.

(6) “Non-Florida firm” shall be deemed and construed to mean any legal entity that is practicing public accounting pursuant to a license issued in its state of domicile.

(7)(2) A “suspended certified public accountant” is prohibited from practicing public accounting as a sole proprietor, partner or shareholder and using the “CPA”

designation. A suspended certified public accountant ~~Licensee~~ may be an employee under the supervision of a certified public accountant who holds an active license.

Rulemaking Specific Authority 455.271, 473.304 FS. Law Implemented 455.271 FS. History—New 12-4-79, Formerly 21A-20.01, Amended 10-20-86, Formerly 21A-20.001, Amended 8-13-06, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Accountancy
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Accountancy
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 17, 2009
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 26, 2009

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NOS.:	RULE TITLES:
61H1-33.001	Certified Public Accountants Required to Comply with this Chapter
61H1-33.003	Continuing Professional Education
61H1-33.0032	Board Approval of CPA Ethics Continuing Education by Providers

PURPOSE AND EFFECT: The Board proposes the rule amendments in order to delete the annual laws and rules examination requirement; to clarify the ethics continuing professional education (CPE) requirement; and to change the biennial reporting date from July 15 to December 31.

SUMMARY: The annual laws and rules examination requirement will be deleted; the ethics CPE requirement will be clarified; and the biennial reporting date will be changed from July 15 to December 31.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board determined the proposed rule will not have an impact on small business.

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: 120.55(1)(a)4., 455.213(6), 455.2177, 455.2178, 455.2179, 473.304, 473.305, 473.312, 473.313 FS.

LAW IMPLEMENTED: 455.213(6), 455.2177, 455.2178, 455.2179, 473.305, 473.311, 473.312, 473.313 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Veloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607

THE FULL TEXT OF THE PROPOSED RULES IS:

61H1-33.001 Certified Public Accountants Required to Comply with this Chapter.

(1) Each Florida certified public accountant ~~who is licensed to practice public accounting in Florida~~ shall be required to reestablish his/her professional knowledge and competency in conformity with this rule by the completion of continuing professional education programs ~~and passing the examination on Chapters 455, 473, F.S., and related administrative rules approved by the Board. A grade of at least 80 is a passing grade. Each certified public accountant shall, on or before December 31, prior to biennial license renewal, complete on line or mail his completed answers to the examination on Chapters 455, 473, F.S., and related administrative rules to the Department of Business and Professional Regulation, or its designee.~~

(2) Each Florida certified public accountant ~~who received an original Florida certification after December 31, 1978,~~ shall commence his/her reestablishment period on the date indicated on his/her Florida certificate. The initial designated reestablishment period for such Florida certified public accountant ~~licensee~~ shall end on the third December 31st ~~June 30th~~ following the date indicated on his/her Florida certificate. Each succeeding reestablishment period shall begin on January 1 and end on December 31st, July 1, and end on June 30 two years thereafter.

~~(3) The scan sheet for the Laws and Rules Examination must be postmarked or completed on line by or on December 31. No Laws and Rules Examination scan sheet will be accepted if it is postmarked or completed on line after December 31.~~

~~(3)(4)~~ See Rule 61H1-37.001, F.A.C., for reinstatement of suspended Florida certified public accountants and Rule 61H1-33.006, F.A.C., for inactive Florida certified public accountants ~~licensees~~ who desire to become active Florida certified public accountants ~~licensees~~, which rules relate to continuing professional education requirements.

Rulemaking Specific Authority 473.304, 473.312, 473.313 FS. Law Implemented 473.311, 473.312, 473.313 FS. History—New 12-4-79, Amended 2-3-81, 12-19-82, Formerly 21A-33.01, Amended 4-8-86, Formerly 21A-33.001, Amended 5-24-07, 11-18-07, _____.

61H1-33.003 Continuing Professional Education.

(1)(~~a~~) In any given reestablishment period, each current/active Florida certified public accountant must have completed at any time or times during the two-year period, at least 80 hours of educational instruction or training in public accounting subjects or courses of study, as defined hereinafter,

of which at least 20 hours must have been in accounting-related and/or auditing-related subjects and of which no more than 20 hours may be in behavioral subjects and at least four hours shall be in Florida Board-approved ethics beginning with the reestablishment period ending June 30, 2006.

~~(b) Licensees who do not meet the requirements by June 30th will be granted an automatic extension until September 15th provided the licensee submits an additional 8 hours in Accounting and Auditing subjects. An automatic extension will be granted until December 31st provided the licensee submits an additional 16 hours in Accounting and Auditing subjects. Licensees utilizing the automatic extension must submit the required information postmarked or recorded on-line by September 15th or December 31st.~~

(2) Educational instruction or training in public accounting subjects or courses of study is hereby defined as formal programs of learning, as defined below, which contribute directly to professional competency following licensure to practice public accountancy. Unless otherwise approved by the Board pursuant to Section 120.542, F.S., subjects or courses of study qualifying an individual for the purpose of this rule shall be limited to:

(a) Accounting and auditing subjects to consist of:

1. Accounting-related subjects or courses, including, but not limited to, financial accounting (including current authoritative literature in generally accepted accounting principles in the United States ~~and the Pronouncements of the Accounting Principles Board and the Financial Accounting Standards Board~~), and accounting for specialized industries.

2. Auditing-related subjects or courses, including, but not limited to, general auditing theory and practice (including current authoritative literature in generally accepted auditing standards in the United States ~~and the Statements on Auditing Standards promulgated by the American Institute of Certified Public Accountants~~), auditing for specialized industries (including governmental auditing requirements) and audit applications to computers and information systems; and other category courses to consist of:

(b) Technical business subjects to consist of:

1. Taxation.

2. Management services and management advisory services.

3. General business including, but not limited to, economics, business law, production or operational systems, marketing, finance, quantitative applications in business and business policy, and computers and information systems without audit applications; and

(c) Behavioral subjects to consist of:

1. Oral and written communications.

2. The social environment of business.

3. Administration of a public accounting practice including, but not limited to, behavioral sciences, managerial effectiveness and management by objectives.

(3) Effective July 1, 1999, educational instruction or training in public accounting subjects or courses of study is hereby defined as formal programs of learning as defined below, which contribute directly to professional competency following licensure to practice public accountancy. Subjects or courses of study qualifying an individual for the purposes of this shall be limited to:

(a) Accounting and auditing subjects to consist of: Accounting and financial reporting subjects, the body of knowledge dealing with recent pronouncements of authoritative accounting principles issued by the standard-setting bodies, and any other related subject generally classified within the accounting discipline. Subjects include auditing subjects related to the examination of financial statements, operations systems, and programs; the review of internal and management controls; and the reporting on the results of audit findings, compilation and review. It also includes assurance services that relate to Standards for Attest Engagements.

(b) Technical business subjects to consist of:

1. Taxation including tax compliance and tax planning.

2. Consulting services including management advisory services; personal financial planning services; planning and control systems dealing with planning, organizing and controlling any phase of individual financial activity or business activity; designing, implementing, and evaluating operating systems as well as business advisory services and personal financial planning.

3. Management including practice management for the public practitioner; financial management of an organization including information systems, budgeting and asset management, planning, buying and selling businesses, contracting for goods and services and foreign operation; budgeting; cost analysis; human resource management; and financial management.

4. Specialized knowledge and applications including subjects related to specialized industries such as not for profit organizations, health care, oil and gas.

(c) The ethics courses shall be obtained from a provider approved pursuant to Rule 61H1-33.0032, F.A.C. and consist of:

1. A review of Chapters 455 and 473, F.S., and the related administrative rules.

2. The ethics course may include other subjects including but not limited to: ethical conduct, core values and competencies, professional responsibility, responsibility to clients and the public, case studies that require the application of ethics principles, national professional standards and interpretations, and appropriate national issues related to the practice of accounting.

(d) Behavioral subjects including oral and written communications and the social environment of business. All courses not covered above are considered behavior except for business meetings, social functions, committee service and courses in elementary accounting or basic mathematics which do not qualify for credit.

(4) No change.

(5) In order for a Florida certified public accountant licensee to receive credit for programs of learning, as defined above, the following formalities and further requirements must be met:

(a) Courses taken at institutions of higher education:

1. Higher education credit courses taken from an accredited institution as defined in subsection 61H1-27.001(1), F.A.C., shall be credited for continuing professional education purposes at the rate of 15 hours for each semester hour of higher education credit and 10 hours for each quarter hour of higher education credit, provided the number of contact hours (hours in the classroom) totals at least 90% of the continuing professional education credit so determined. Otherwise, continuing professional education credit shall be limited to the actual number of contact hours.

2. Higher education non-credit courses shall be credited for continuing professional education purposes equivalent to the actual number of contact hours.

3. Continuing professional education credit for instructing a higher education course shall be twice the credit which would have been granted participants for the first presentation of a specific course of program, the same as the credit granted a participant for the second presentation and none thereafter, except as permitted by subparagraph 61H1-33.003(4)(b)4., F.A.C.

4. No continuing professional education credit shall be permitted for attending or instructing accounting courses considered to be elementary.

(b) Other professional education or training:

1. Professional development courses shall be credited for continuing professional education purposes in full hours only, equivalent to the actual number of contact hours (hours in the classroom which must include at least fifty minutes of continuous participation) provided an outline (defined as a schedule of activity listing major topics of discussion) is prepared in advance and retained; a course is at least one contact hour in length; the course conducted by a qualified instructor, lecturer or discussion leader; and a record of registration and attendance is maintained. For this purpose, a one-day program will be granted eight hours credit if the total lapsed time is at least eight hours and the contact time is approximately 400 minutes. An instructor, lecturer or discussion leader will be considered qualified if, through formal training or experience, he has obtained sufficient knowledge of the subject matter to competently instruct the course. A course participant will be granted credit for only that

portion of a course actually attended. If a record of registration and attendance is not maintained by the sponsoring organization, the course participant must be able to prove registration and attendance.

2. Formal organization in-firm educational programs shall be credited for continuing professional education purposes to the same extent and by the same requirements as other professional development courses.

3. Instructors, lecturers, panelists and discussion leaders for professional development courses and formal organized in-firm educational programs shall be credited for continuing professional education purposes at twice the credit granted participants for the first presentation of a specific course or program, the same as the credit granted a participant for the second presentation and none thereafter, except as permitted in subparagraph 61H1-33.003(4)(b)4., F.A.C. Co-panelists and co-discussion leaders shall be credited for the portion of specific course or program they must prepare to discuss and lead as a co-panelist or co-discussion leader.

4. To the extent course content has been substantially revised, the revised portion shall be considered a first presentation for the purposes of subparagraph 61H1-33.003(4)(b)3., F.A.C.

(6) Each Florida certified public accountant shall, as a part of the biennial licensure renewal, on or before December 31 July 15 prior to his/her biennial license renewal, report on forms prescribed by the Board, compliance with programs of continuing professional education requirements completed during the applicable reestablishment period. Each Florida certified public accountant's documentation supporting such compliance programs shall be retained through the two years following a two-year reestablishment period. Documentation is to be retained to support evidence of completion of the required hours to enable a random audit by the Department of Business and Professional Regulation to determine compliance with the requirements. If staff review or review by the Committee on Continuing Professional Education determines that courses are either improperly classified or do not otherwise meet the requirements of the chapter, then the Florida certified public accountant licensee will be given 60 days from the date of notification, ~~but no later than December 31~~ to comply with the continuing professional education requirements. Florida certified public accountants Licensees who complete the continuing professional education requirements timely but who are found to be deficient after December 31 of their renewal year must correct the error and pay a \$50 fine within 60 days.

(7) No change.

Rulemaking Specific Authority 120.55(1)(a)4., 455.213(6), 455.2177, 455.2178, 455.2179, 473.304, 473.305, 473.312 FS. Law Implemented 455.213(6), 455.2177, 455.2178, 455.2179, 473.305, 473.312(1)(a), (c) FS. History–New 12-4-79, Amended 2-3-81, 4-5-83, 10-19-83, 8-20-85, Formerly 21A-33.03, Amended 9-18-88, 7-7-92, 12-2-92, Formerly 21A-33.003, Amended 12-14-93, 1-26-98, 12-17-00, 8-21-01, 3-21-05, 5-18-05, 7-10-05, 7-23-06,_____.

61H1-33.0032 Board Approval of CPA Ethics Continuing Education by Providers.

(1) through (3)(h) No change.

(i) The fee as established in subsection 61H1-31.001(13)(45), F.A.C. If such application is withdrawn or denied, no portion of the fee will be refundable.

(4) through (6) No change.

Rulemaking Specific Authority 120.55(1)(a)4., 455.213(6), 455.2178, 455.2179, 473.304, 473.312 FS. Law Implemented 455.213(6), 455.2178, 455.2179, 473.312(1)(a), (c) FS. History–New 6-30-05, Amended 9-24-07, 12-11-07,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Accountancy

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Accountancy

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 17, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 26, 2009

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: 61H1-38.005 RULE TITLE: Scholarships

PURPOSE AND EFFECT: The Board proposes the rule amendment to increase the maximum scholarship available to \$6,000.00.

SUMMARY: The maximum scholarship available will be increased to \$6,000.00.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board determined the proposed rule will not have an impact on small business.

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: 473.304(1), 473.3065(3) FS.

LAW IMPLEMENTED: 473.3065 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Veloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607

THE FULL TEXT OF THE PROPOSED RULE IS:

61H1-38.005 Scholarships.

(1) Scholarships will be awarded in the amount of at least \$3,000.00, not to exceed \$6,000.00, per semester up to a maximum of two (2) semesters.

(2) Scholarship checks will be made payable jointly to the institution and the student and will be mailed during August for those enrolled in the fall term and during December for those enrolled in the winter term.

(3) A maximum of \$100,000.00 may be expended for all scholarships each year.

(4) A minimum of \$1,000.00 must be maintained in the program account.

Rulemaking Specific Authority 473.304(1), 473.3065(3) FS. Law Implemented 473.3065 FS. History–New 9-22-99, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Accountancy

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Accountancy

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 17, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 26, 2009

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: 61J2-24.001 RULE TITLE: Disciplinary Guidelines

PURPOSE AND EFFECT: To eliminate the fine and penalty for a license issued by mistake and to update citations.

SUMMARY: This rule addresses elimination of the fine and penalty for a license issued by mistake and updates citations.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board determined the proposed rules will not have an impact on small business.

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: 455.2273, 475.05 FS.

LAW IMPLEMENTED: 455.227, 455.2273, 475.22, 475.24, 475.25, 475.42, 475.453 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N802, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J2-24.001 Disciplinary Guidelines.

(1) Pursuant to Section 455.2273, F.S., the Commission sets forth below a range of disciplinary guidelines from which disciplinary penalties will be imposed upon licensees guilty of violating Chapter 455 or 475, F.S. The purpose of the disciplinary guidelines is to give notice to licensees of the range of penalties which normally will be imposed for each count during a formal or an informal hearing. For purposes of this rule, the order of penalties, ranging from lowest to highest, is: reprimand, fine, probation, suspension, and revocation or denial. Pursuant to Section 475.25(1), F.S., combinations of these penalties are permissible by law. Nothing in this rule shall preclude any discipline imposed upon a licensee pursuant to a stipulation or settlement agreement, nor shall the range of penalties set forth in this rule preclude the Probable Cause Panel from issuing a letter of guidance.

VIOLATIONS

(a) Section 475.22, F.S.

Broker fails to maintain office and sign at entrance of office

(b) Section 475.24, F.S.

Failure to register a branch office

(c) Section 475.25(1)(b), F.S.

Guilty of fraud, misrepresentation, concealment, false promises, false pretenses, dishonest dealing by trick, scheme or device, culpable negligence or breach of trust. Guilty of violating a duty imposed by law or by the terms of a listing agreement; aided, assisted or conspired with another; or formed an intent, design or scheme to engage in such misconduct and committed an overt act in furtherance of such intent, design or scheme

(d) Section 475.25(1)(c), F.S.

False, deceptive or misleading advertising

(e) Section 475.25(1)(d), F.S.

(2) As provided in Section 475.25(1), F.S., the Commission may, in addition to other disciplinary penalties, place a licensee on probation. The placement of the licensee on probation shall be for such a period of time and subject to such conditions as the Commission may specify. Standard probationary conditions may include, but are not limited to, requiring the licensee: to attend pre-licensure courses; to satisfactorily complete a pre-licensure course; to attend post-licensure courses; to satisfactorily complete a post-licensure course; to attend continuing education courses; to submit to and successfully complete the state-administered examination; to be subject to periodic inspections and interviews by a DBPR investigator; if a broker, to place the license on a broker associate status; or, if a broker, to file escrow account status reports with the Commission or with a DBPR investigator at such intervals as may be prescribed.

(3) The penalties are as listed unless aggravating or mitigating circumstances apply pursuant to subsection (4). The verbal identification of offenses is descriptive only; the full language of each statutory provision cited must be consulted in order to determine the conduct included.

RECOMMENDED RANGE OF PENALTY

(a) The usual action of the Commission shall be to impose a suspension of up to 90 days.

(b) The usual action of the Commission shall be to impose a suspension of up to 90 days.

(c) In the case of fraud, misrepresentation and dishonest dealing, the usual action of the Commission shall be to impose a penalty of revocation.

In the case of concealment, false promises and false pretenses, the usual action of the Commission shall be to impose a penalty of a 3 to 5 year suspension and an administrative fine not to exceed \$5,000.

In the case of culpable negligence and breach of trust, the usual action of the Commission shall be to impose an administrative fine not to exceed \$5,000 and to a 1 year suspension.

In the case of violating a duty imposed by law or a listing agreement; aided, assisted or conspired; or formed an intent, design or scheme to engage in such misconduct, the usual action of the Commission shall be to impose an administrative fine not to exceed \$5,000 and up to a 5 year suspension.

(d) The usual action of the Commission shall be to impose an administrative fine not to exceed \$5,000 and up to a 1 year suspension

(e) The usual action of the Commission shall be to

Failed to account or deliver to any person as required by agreement or law, escrowed property
(f) Section 475.25(1)(e), F.S.
Violated any rule or order or provision under Chapters 475 and 455, F.S.
(g) Section 475.25(1)(f), F.S.
Convicted or found guilty of a crime related to real estate or involves moral turpitude or fraudulent or dishonest dealing.
(h) Section 475.25(1)(g), F.S.
Has license disciplined or acted against or an application denied by another jurisdiction

(i) Section 475.25(1)(h), F.S.
Has shared a commission with or paid a fee to a person not properly licensed under Chapter 475, F.S.
(j) Section 475.25(1)(i), F.S.
Impairment by drunkenness, or use of drugs or temporary mental derangement
(k) Section 475.25(1)(j), F.S.
Rendered an opinion that the title to property sold is good or merchantable when not based on opinion of a licensed attorney or has failed to advise prospective buyer to consult an attorney on the merchantability of title or to obtain title insurance
(l) Section 465.25(1)(k), F.S.
Has failed, if a broker, to deposit any money in an escrow account immediately upon receipt until disbursement is properly authorized. Has failed, if a sales associate, to place any money to be escrowed with his registered employer
(m) Section 475.25(1)(l), F.S.
Has made or filed a report or record which the licensee knows to be false or willfully failed to file a report or record or willfully impeded such filing as required by State or Federal Law.
(n) Section 475.25(1)(m), F.S.
Obtained a license by fraud, misrepresentation or concealment

impose an administrative fine not to exceed \$5,000 and up to a 5 year suspension.
(f) The usual action of the Commission shall be to impose an 8 year suspension to revocation and an administrative fine not to exceed \$5,000.
(g) The usual action of the Commission shall be to impose a 7 year suspension to revocation and an administrative finenot to exceed \$5,000.

(h) Imposition of discipline comparable to the discipline which would have been imposed if the substantive violation had occurred in Florida or suspension of the license until the license is unencumbered in the jurisdiction in which the disciplinary action was originally taken, and an administrative fine not to exceed \$5,000.
(i) The usual action of the Commission shall be to impose an administrative fine not to exceed \$5,000 and up to a 5 year suspension.

(j) The usual action of the Commission shall be to impose a penalty of suspension for the period of incapacity.
(k) The usual action of the Commission shall be to impose an administrative fine not to exceed \$5,000 and up to a 6 month suspension.

(l) The usual action of the Commission shall be to impose an administrative fine not to exceed \$5,000 and a 90 day suspension to revocation.

(m) The usual action of the Commission shall be to impose an administrative fine not to exceed \$5,000 and up to a 2 year suspension.

(n) In the case of a licensee who renews the license without having complied with Rule 61J2-3.009, F.A.C., and the act is discovered by the DBPR, the usual action of the Commission shall be to impose a penalty of revocation. In the case of a licensee who renews the license without having complied with Rule 61J2-3.009, F.A.C., and the licensee brings the matter to attention of the DBPR, the usual action of the Commission shall be to impose an administrative fine not to exceed \$5,000. In all other cases, the usual action of the Commission shall be to impose a penalty of revocation and an administrative fine not to exceed \$5,000 and a penalty of revocation.

(o) Section 475.25(1)(n), F.S.
 Confined in jail, prison or mental institution; or through mental disease can no longer practice with skill and safety

(p) Section 475.25(1)(o), F.S.
 Guilty for the second time of misconduct in the practice of real estate that demonstrates incompetent, dishonest or negligent dealings with investors

(q) Section 475.25(1)(p), F.S.
 Failed to give Commission 30 day written notice after a guilty or nolo contendere plea or convicted of any felony_

(r) Section 475.25(1)(q), F.S.
 Licensee has failed to give the Transaction Broker Notice or Single Agent Notice at the requisite period of time under the provisions of Section 475.278, F.S.; failed to properly secure the Consent to Transition to Transaction Broker or Designated Sales Associate forms as required in Section 475.2755 or 475.278, F.S.; failed to act in a manner as prescribed in Section 475.2755 or 475.278, F.S.

(s) Section 475.25(1)(r), F.S.
 Failed to follow the requirements of a written listing agreement_

(t) Section 475.25(1)(s), F.S.
 Has had a registration suspended, revoked or otherwise acted against in any jurisdiction.

(u) Section 475.25(1)(t), F.S.
 Violated the Uniform Standards of Professional Appraisal Practice as defined in Section 475.611, F.S.

(v) Section 475.25(1)(u), F.S.
 Has failed, if a broker, to direct, control, or manage a broker associate or sales associate employed by such broker.

(w) Section 475.25(1)(v), F.S.
 Has failed, if a broker, to review the brokerage's trust accounting procedures in order to ensure compliance with this chapter.

~~(x) Section 475.25(2), F.S.
 License issued by error of the Commission~~

~~(x)(y)~~ Section 475.42(1)(a), F.S.
 Practice without a valid and current license

~~(y)(z)~~ Section 475.42(1)(b), F.S.
 Practicing beyond scope as a sales associate

~~(z)(aa)~~ Section 475.42(1)(c), F.S.
 Broker employs a sales associate who is not the holder of a valid and current license_

~~(aa)(bb)~~ Section 475.42(1)(d), F.S.
 A sales associate shall not collect any money in connection with any real estate brokerage transaction except in the name of the employer

(o) The usual action of the Commission shall be to impose a penalty of revocation_

(p) The usual action of the Commission shall be to impose an administrative fine of not to exceed \$5,000 and a 1 year suspension to revocation.

(q) The usual action of the Commission shall be to impose a 5 year suspension to revocation.

(r) The usual action of the Commission shall be to impose an administrative fine not to exceed \$5,000 and up to a 5 year suspension.

(s) The usual action of the Commission shall be to impose an administrative fine not to exceed \$5,000 and up to a 3 year suspension.

(t) The usual action of the Commission shall be to impose a 6 year suspension to revocation and an administrative fine not to exceed \$5,000.

(u) The usual action of the Commission shall be to impose a 5 year suspension to revocation.

(v) The usual action of the Commission shall be to impose an administrative fine not to exceed \$ 5,000, and up to a 1 year suspension to revocation.

(w) The usual action of the Commission shall be to impose an administrative fine not to exceed \$ 5,000, and a 1 year suspension to revocation.

~~(x) The usual action of the Commission shall be to impose a penalty of an administrative fine not to exceed \$5,000, and a 1 year suspension to revocation.~~

~~(x)(y)~~ The usual action of the Commission shall be to impose an administrative fine not to exceed \$5,000 and a 3 year suspension to revocation.

~~(y)(z)~~ The usual action of the Commission shall be to impose a 3 year suspension to revocation.

~~(z)(aa)~~ The usual action of the Commission shall be to impose an administrative fine not to exceed \$5,000 and a 90 day to a 2 year suspension.

~~(aa)(bb)~~ The usual action of the Commission shall be to impose an administrative fine not to exceed \$5,000 and up to a 3 year suspension.

~~(bb)(ee)~~ Section 475.42(1)(e), F.S.
A violation of any order or rule of the Commission

~~(cc)(dd)~~ Section 475.42(1)(g), F.S.
Makes false affidavit or affirmation or false testimony before the Commission.

~~(dd)(ee)~~ Section 475.42(1)(h), F.S.
Fails to comply with subpoena

~~(ee)(ff)~~ Section 475.42(1)(i), F.S.
Obstructs or hinders the enforcement of Chapter 475, F.S.

~~(ff)(gg)~~ Section 475.42(1)(j), F.S.
No broker or sales associate shall place upon the public records any false, void or unauthorized information that affects the title or encumbers any real property

~~(gg)(hh)~~ Section 475.42(1)(k), F.S.
Failed to register trade name with the Commission

~~(hh)(ii)~~ Section 475.42(1)(l), F.S.
No person shall knowingly conceal information relating to violations of Chapter 475, F.S.

~~(ii)(jj)~~ Section 475.42(1)(m), F.S.
Fails to have a current license as a broker or sales associate while listing or selling one or more timeshare periods per year

~~(jj)(kk)~~ Section 475.42(1)(n), F.S.
Licensee fails to disclose all material aspects of the resale of timeshare period or timeshare plan and the rights and obligations of both buyer or seller

~~(kk)(H)~~ Section 475.42(1)(o), F.S.
Publication of false or misleading information; promotion of sales, leases and rentals

~~(ll)(mm)~~ Section 475.451, F.S.
School teaching real estate practice fails to obtain a permit from the department and does not abide by regulations of Chapter 475, F.S., and rules adopted by the Commission

~~(mm)(nn)~~ Section 475.453, F.S.
Broker or sales associate participates in any rental information transaction that fails to follow the guidelines adopted by the Commission and Chapter 475, F.S.

~~(nn)(oo)~~ Section ~~475.5015~~ ~~475.25(1)(e)~~, F.S.
Failure to keep and make available to the department such books, accounts, and records as will enable the department to determine whether the broker is in compliance with the provisions of this chapter.

(4)(a) When either the Petitioner or Respondent is able to demonstrate aggravating or mitigating circumstances to the Commission in a Section 120.57(2), F.S., hearing or to a Division of Administrative Hearings hearing officer in a Section 120.57(1), F.S., hearing by clear and convincing evidence, the Commission or hearing officer shall be entitled

~~(bb)(ee)~~ The usual action of the Commission shall be to impose an 8 year suspension to revocation and an administrative fine not to exceed \$5,000.

~~(cc)(dd)~~ The usual action of the Commission shall be to impose of an administrative fine not exceed \$5,000 and up to a 3 year suspension

~~(dd)(ee)~~ The usual action of the Commission shall be to impose an administrative fine not to exceed \$5,000 and a 6 month to a 5 year suspension.

~~(ee)(ff)~~ The usual action of the Commission shall be to impose revocation.

~~(ff)(gg)~~ The usual action of the Commission shall be to impose a 5 year suspension to revocation.

~~(gg)(hh)~~ The usual action of the Commission shall be to impose an administrative fine not to exceed \$5,000 and up to a 6 month suspension

~~(hh)(ii)~~ The usual action of the Commission shall be to impose an administrative fine not to exceed \$5,000 and up to a 3 year suspension

~~(ii)(jj)~~ The usual action of the Commission shall be to impose revocation

~~(jj)(kk)~~ The usual action of the Commission shall be to impose revocation

~~(kk)(H)~~ The usual action of the Commission shall be to impose an administrative fine not to exceed \$5,000 and up to a 1 year suspension

~~(ll)(mm)~~ The usual action of the Commission shall be to impose an administrative fine not to exceed \$5,000 and up to a 6 month suspension

~~(mm)(nn)~~ The usual action of the Commission shall be to impose an administrative fine not to exceed \$5,000 and up to a 3 year suspension

~~(nn)(oo)~~ The usual action of the Commission shall be to impose an administrative fine not to exceed \$5,000 and up to a 3 month suspension.

to deviate from the above guidelines in imposing or recommending discipline, respectively, upon a licensee. Whenever the Petitioner or Respondent intends to introduce such evidence to the Commission in a Section 120.57(2), F.S.,

hearing, advance notice of no less than seven (7) days shall be given to the other party or else the evidence can be properly excluded by the Commission.

(b) Aggravating or mitigating circumstances may include, but are not limited to, the following:

1. The degree of harm to the consumer or public.
2. The number of counts in the Administrative Complaint.
3. The disciplinary history of the licensee.
4. The status of the licensee at the time the offense was committed.
5. The degree of financial hardship incurred by a licensee as a result of the imposition of a fine or suspension of the license.

6. Violation of the provision of Chapter 475 FS, wherein a letter of guidance as provided in Section 455.225(4)(3), F.S., previously has been issued to the licensee.

Rulemaking Specific Authority 455.2273, 475.05 FS. Law Implemented 455.227, 455.2273, 475.22, 475.24, 475.25, 475.42, 475.421, 475.422, 475.452, 475.453, 475.455, 475.482 FS. History—New 11-24-86, Amended 10-13-88, 4-20-89, 5-20-90, 12-29-91, 11-8-92, 6-28-93, Formerly 21V-24.001, Amended 11-16-93, 2-29-96, 12-30-97, 11-29-98, 1-18-00, 2-5-04, 1-30-06, 12-25-07, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Real Estate Commission

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Real Estate Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 15, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 1, 2008

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-304.310 RULE TITLE: Apalachicola River Basin TMDLs

PURPOSE AND EFFECT: The purpose of the rule is to adopt Total Maximum Daily Loads (TMDLs) and their allocations for fecal coliform, dissolved oxygen, and nutrient impaired waters in the Apalachicola River Basin.

SUMMARY: This TMDL addresses fecal coliform, dissolved oxygen, and nutrient impairments in the Apalachicola River Basin. Specifically, the TMDL rules being proposed for adoption are fecal coliform TMDLs for Flat Creek and Sweetwater Creek, and dissolved oxygen and nutrient TMDLs for Little Gully Creek. These waterbodies were verified as impaired using the methodology established in Chapter

62-303, F.A.C., Identification of Impaired Surface Waters. The methodology used to develop the fecal coliform TMDLs was the percent reduction method. This rulemaking has been given OGC case number 09-0719.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

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

RULEMAKING AUTHORITY: 403.061, 403.067 FS.

LAW IMPLEMENTED: 403.061, 403.062, 403.067 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: September 3, 2009, 9:30 a.m.

PLACE: Florida Department of Environmental Protection, 2600 Blair Stone Road, Room 609, Bob Martinez Center, Tallahassee, Florida 32399-2400

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: Ms. Pat Waters at (850)245-8449. 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: Jan Mandrup-Poulsen, Division of Environmental Assessment and Restoration, Bureau of Watershed Restoration, Mail Station 3555, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8448

THE FULL TEXT OF THE PROPOSED RULE IS:

62-304.310 Apalachicola River Basin TMDLs.

(1) Huckleberry Creek. The Total Maximum Daily Load (TMDL) for Huckleberry Creek is a median of 6.85 x 10⁹ colonies/day for fecal coliform, and is allocated as follows:

(a)(4) The Wasteload Allocation (WLA) for discharges subject to the Department's National Pollutant Discharge Elimination System (NPDES) Permitting Program is to meet the Class III water quality criteria for fecal coliform in Chapter 62-302, F.A.C.

(b)(2) The Load Allocation (LA) for nonpoint sources is a median of 6.85 x 10⁹ colonies/day for fecal coliform, which constitutes a 68.33 percent reduction of current fecal coliform loading, and

(c)(3) The Margin of Safety is implicit.

(2) Flat Creek. The fecal coliform TMDL for Flat Creek is 400 counts/100mL, and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the NPDES Municipal Stormwater Permitting Program, to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria, is not applicable.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the January 2007 to December 2007 period, will require a 38 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(3) Little Gully Creek. The TMDLs to address the low dissolved oxygen and nutrient impairments are an 11.3 percent reduction in both total nitrogen (TN) and total phosphorus (TP) and are allocated as follows:

(a) The WLA for point sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program, to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen criteria and nutrient targets, is not applicable.

(c) The LA for nonpoint sources is an 11.3 percent reduction in current anthropogenic loadings of both TN and TP, and

(d) The Margin of Safety is implicit.

(e) While the LA for nutrients has been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the reductions from anthropogenic nonpoint sources that will result in the required reduction of nutrients. However, it is not the intent of the TMDL to abate natural background conditions.

(4) Sweetwater Creek. The fecal coliform TMDL for Sweetwater Creek is 400 counts/100 mL, and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program, to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria, is not applicable.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the January 2007 to December 2007 period, will require a 40 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

Rulemaking Specific Authority 403.061, 403.067 FS. Law Implemented 403.061, 403.062, 403.067 FS. History--New 6-22-05, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Drew Bartlett, Deputy Director, Division of Environmental Assessment and Restoration

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Michael Sole, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 28, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 19, 2009

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.:

RULE TITLE:

62-304.315

Chipola River Basin TMDLs

PURPOSE AND EFFECT: The purpose of the rule is to adopt Total Maximum Daily Loads (TMDLs), and their allocations, for a fecal coliform impaired water in the Chipola River Basin. SUMMARY: This TMDL addresses fecal coliform impairments in the Chipola River Basin. Specifically, the TMDL rule being proposed for adoption is for Otter Creek. This waterbody was verified as impaired using the methodology established in Chapter 62-303, F.A.C., Identification of Impaired Surface Waters. The methodology used to develop the TMDL was the percent reduction method. This rulemaking has been given OGC case number 09-2871.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

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

RULEMAKING AUTHORITY: 403.061, 403.067 FS.

LAW IMPLEMENTED: 403.061, 403.062, 403.067 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: September 3, 2009, 9:30 a.m.

PLACE: Florida Department of Environmental Protection, 2600 Blair Stone Road, Room 609, Bob Martinez Center, Tallahassee, Florida 32399-2400

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: Ms. Pat Waters at (850)245-8449 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: Jan Mandrup-Poulsen, Division of Environmental Assessment and Restoration, Bureau of Watershed Restoration, Mail Station 3555, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8448

THE FULL TEXT OF THE PROPOSED RULE IS:

62-304.315 Chipola River Basin TMDLs.

Otter Creek. The fecal coliform total maximum daily load (TMDL) for Otter Creek is 400 counts/100mL, and is allocated as follows:

(1) The Waste load Allocation (WLA) for wastewater sources is not applicable.

(2) The WLA for discharges subject to the Department's National Pollutant Discharge Elimination System (NPDES) Municipal Stormwater Permitting Program is not applicable.

(3) The Load Allocation (LA) for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2001 to 2008 period, will require a 35 percent reduction of sources contributing to exceedances of the criteria, and

(4) The Margin of Safety is implicit.

(5) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

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

NAME OF PERSON ORIGINATING PROPOSED RULE: Drew Bartlett, Deputy Director, Division of Environmental Assessment and Restoration

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Michael Sole, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 28, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 19, 2009

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-304.415
 RULE TITLE: Lower St. Johns River Basin TMDLs
 PURPOSE AND EFFECT: The purpose of the rule is to adopt Total Maximum Daily Loads (TMDLs), and their allocations, for fecal coliforms, dissolved oxygen, lead, and nutrients in the Lower St. Johns River Basin.

SUMMARY: This TMDL addresses fecal coliform, dissolved oxygen, lead, and nutrient impairments in the Lower St. Johns River Basin. Specifically, the TMDL rules being proposed for adoption are fecal coliform TMDLs for Greene Creek, Grog Branch, Julington Creek, Little Black Creek, Mill Creek, Ortega River, Peters Creek, Pottsburg Creek, and Strawberry Creek; dissolved oxygen and nutrient TMDLs for Dog Branch, Middle Trout River, Mill Creek, Ortega River, and Swimming Pen Creek; a dissolved oxygen TMDL for Sixteen Mile Creek; nutrient TMDLs for Arlington River and Doctors Lake, and lead TMDLs for Black Creek, South Fork of Black Creek, and Peters Creek. These waterbodies were verified as impaired using the methodology established in Chapter 62-303, F.A.C., Identification of Impaired Surface Waters. The methodologies used to develop the fecal coliform TMDLs were either the percent reduction or the load duration curve methods. The nutrient targets for water segments impaired for nutrients and/or dissolved oxygen were developed using a Trophic State Index or general linear model regression methods. Nutrient TMDLs were developed using the percent reduction method. Lead TMDLs were developed using the percent reduction method. This rulemaking has been given OGC case number 09-2853.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

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

RULEMAKING AUTHORITY: 403.061, 403.067 FS.

LAW IMPLEMENTED: 403.061, 403.062, 403.067 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: September 3, 2009, 9:30 a.m.

PLACE: Florida Department of Environmental Protection, 2600 Blair Stone Road, Room 609, Bob Martinez Center, Tallahassee, Florida 32399-2400

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: Ms. Pat Waters at (850)245-8449. 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: Jan Mandrup-Poulsen, Division of Environmental Assessment and Restoration, Bureau of Watershed Restoration, Mail Station 3555, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8448

THE FULL TEXT OF THE PROPOSED RULE IS:

62-304.415 Lower St. Johns River Basin TMDLs.

Lower St. Johns River.

(1) through (25) No change.

(26) Arlington River. The TMDL for Arlington River is a 30 percent reduction in total nitrogen (TN) to address a nutrient impairment, and is allocated as follows:

(a) The WLA for wastewater sources is not applicable,

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the TN target which, based on the measured concentrations from the 1973 to 2008 period, will require a 30 percent reduction of TN for sources contributing to the nutrient impairment.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the TN target which, based on the measured concentrations from the 1973 to 2008 period, will require a 30 percent reduction of TN for sources contributing to the nutrient impairment, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for TN have been expressed as the percent reductions needed to attain the applicable Class III nutrient criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream TN concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(f) The percent reduction for TN identified in this TMDL is established to be consistent with the TMDLs for TN identified in subsections (1) and (2) of this rule. The required reductions are not additive to the extent they are protective of this waterbody and the mainstem of the Lower St Johns River.

(27) Black Creek. The TMDL for Black Creek is a lead concentration of 0.545 ug/L and is allocated as follows:

(a) The WLA for wastewater facilities discharging lead is that they shall not exceed the lead criterion.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the lead criterion which, based on the measured concentrations from the 2001 to 2008 period, will require a 73.2 percent reduction from sources contributing to exceedances of the lead criterion.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the lead criterion which, based on the measured concentrations from the 2001 to 2008 period, will require a 73.2 percent reduction from sources contributing to exceedances of the lead criterion, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for lead has been expressed as the percent reduction needed to attain the applicable Class III lead criterion, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream lead concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(28) Black Creek – South Fork. The TMDL for the Black Creek – South Fork is a lead concentration of 0.545 ug/L and is allocated as follows:

(a) The WLA for wastewater sources discharging lead is that they shall not exceed the lead criterion.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the lead criterion which, based on the measured concentrations from the 2001 to 2008 period, will require a 76.8 percent reduction from sources contributing to exceedances of the lead criterion.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the lead criterion which, based on the measured concentrations from the 2001 to 2008 period, will require a 76.8 percent reduction from sources contributing to exceedances of the lead criterion, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for lead has been expressed as the percent reduction needed to attain the applicable Class III lead criterion, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the

required reduction of in-stream lead concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(29) Doctors Lake. The TMDL for Doctors Lake is a 50 percent reduction in TN to address the nutrient impairment, and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the TN which, based on the measured concentrations from the 1971 to 2008 period, will require a 50 percent reduction of TN for sources contributing to exceedances of the nutrient criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the TN target which, based on the measured concentrations from the 1971 to 2008 period, will require a 50 percent reduction of TN for sources contributing to exceedances of the nutrient criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for TN have been expressed as the percent reductions needed to attain the applicable Class III nutrient criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream TN concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(f) The percent reduction for TN identified in this TMDL is established to be consistent with the TMDLs for TN identified in subsections (1) and (2) of this rule. The required reductions are not additive to the extent they are protective of this waterbody and the mainstem of the Lower St Johns River.

(30) Dog Branch. The TMDLs for Dog Branch are a 30 percent reduction in TN and a 30 percent reduction in total phosphorus (TP) to address low Dissolved Oxygen (DO) and nutrient impairments, and are allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the TN and TP targets which, based on the measured concentrations from the 1985 to 2008 period, will require a 30 percent reduction in TN and a 30 percent reduction in TP from sources contributing to exceedances of the DO and nutrient criteria.

(c) The LAs for nonpoint sources are to address anthropogenic sources in the basin such that in-stream concentrations meet the TN and TP targets which, based on the measured concentrations from the 1985 to 2008 period, will require a 30 percent reduction of TN and a 30 percent reduction of TP from sources contributing to exceedances of the DO and nutrient criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for TN and TP have been expressed as the percent reductions needed to attain the applicable Class III DO and nutrient criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream TN and TP concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(f) The percent reductions for TN and TP identified in this TMDL are established to be consistent with the TMDLs for TN and TP identified in subsections (1) and (2), as applicable, of this rule. The required reductions are not additive to the extent they are protective of this waterbody and the mainstem of the Lower St Johns River.

(31) Greene Creek. The TMDL for Greene Creek is 400 counts/100mL for fecal coliform, and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2002 to 2008 period, will require a 45 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2002 to 2008 period, will require a 45 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform has been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(32) Grog Branch. The TMDL for Grog Branch is 400 counts/100mL for fecal coliform, and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2001 to 2008 period, will require a 59 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on

the measured concentrations from the 2001 to 2008 period, will require a 59 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(33) Julington Creek. The TMDL for Julington Creek is 400 counts/100mL for fecal coliform, and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2001 to 2008 period, will require a 59 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2001 to 2008 period, will require a 59 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(34) Little Black Creek. The TMDL for Little Black Creek is 400 counts/100mL for fecal coliform, and is allocated as follows:

(a) The WLA for the Ridaught Landing Wastewater Treatment Facility is that it must meet its NPDES permit conditions.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2001 to 2008 period, will require a 27 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on

the measured concentrations from the 2001 to 2008 period, will require a 27 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(35) Middle Trout River. The TMDLs for Middle Trout River are a 30 percent reduction in TN and a 70 percent reduction in TP to address the DO and nutrient impairments, and are allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the TN and TP targets which, based on the measured concentrations from the 1967 to 2008 period, will require a 30 percent reduction of TN and a 70 percent reduction of TP from sources contributing to exceedances of the DO and nutrient criteria.

(c) The LAs for nonpoint sources are to address anthropogenic sources in the basin such that in-stream concentrations meet the TN and TP targets which, based on the measured concentrations from the 1967 to 2008 period, will require a 30 percent reduction of TN and a 70 percent reduction of TP from sources contributing to exceedances of the DO and nutrient criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for TN and TP have been expressed as the percent reductions needed to attain the applicable Class III DO and nutrient criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream TN and TP concentrations. However, it is not the intent of the TMDL to abate natural background conditions.

(f) The percent reduction for TN identified in this TMDL is established to be consistent with the TMDLs for TN identified in subsections (1) and (2) of this rule. The required reductions are not additive to the extent they are protective of this waterbody and the mainstem of the Lower St Johns River.

(36) Mill Creek. The TMDL for Mill Creek is 400 counts/100mL for fecal coliform, and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on

the measured concentrations from the 2002 to 2008 period, will require a 72 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2002 to 2008 period, will require a 72 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(37) Mill Creek. The TMDLs for Mill Creek are a 30 percent reduction in TN and a 30 percent reduction in TP to address the DO and nutrient impairments, and are allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the TN and TP targets which, based on the measured concentrations from the 1992 to 2008 period, will require a 30 percent reduction of TN and a 30 percent reduction of TP from sources contributing to exceedances of the DO and nutrient criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the TN and TP targets which, based on the measured concentrations from the 1992 to 2008 period, will require a 30 percent reduction of TN and a 30 percent reduction of TP from sources contributing to exceedances of the DO and nutrient criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for TN and TP have been expressed as the percent reductions needed to attain the applicable Class III DO and nutrient criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream TN and TP concentrations. However, it is not the intent of the TMDL to abate natural background conditions.

(f) The percent reductions for TN and TP identified in this TMDL are established to be consistent with the TMDLs for TN and TP identified in subsections (1) and (2), as applicable, of this rule. The required reductions are not additive to the extent they are protective of this waterbody and the mainstem of the Lower St Johns River.

(38) Ortega River. The TMDL for Ortega River is 400 counts/100mL for fecal coliform, and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2001 to 2008 period, will require a 72 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2001 to 2008 period, will require a 72 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(39) Ortega River. The TMDL for Ortega River is a 30 percent reduction in TN to address the DO and nutrient impairments, and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the TN target which, based on the measured concentrations from the 1967 to 2008 period, will require a 30 percent reduction of TN from sources contributing to exceedances of the DO and nutrient criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the TN target which, based on the measured concentrations from the 1967 to 2008 period, will require a 30 percent reduction of TN from sources contributing to exceedances of the DO and nutrient criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for TN have been expressed as the percent reductions needed to attain the applicable Class III DO and nutrient criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream TN concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(f) The percent reduction for TN identified in this TMDL is established to be consistent with the TMDLs for TN identified in subsections (1) and (2) of this rule. The required reductions are not additive to the extent they are protective of this waterbody and the mainstem of the Lower St Johns River.

(40) Peters Creek. The TMDL for Peters Creek is 400 counts/100mL for fecal coliform, and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2004 to 2007 period, will require a 41 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2004 to 2007 period, will require a 41 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(41) Peters Creek. The TMDL for Peters Creek is a lead concentration of 0.545 ug/L and is allocated as follows:

(a) The WLA for wastewater sources discharging lead is that they shall not exceed the lead criterion.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the lead criterion which, based on the measured concentrations from the 2001 to 2008 period, will require a 80 percent reduction from sources contributing to exceedances of the lead criterion.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the lead criterion which, based on the measured concentrations from the 2001 to 2008 period, will require a 80 percent reduction from sources contributing to exceedances of the lead criterion, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for lead has been expressed as the percent reduction needed to attain the applicable Class III lead criterion, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream lead concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(42) Pottsburg Creek. The TMDL for Pottsburg Creek is 400 counts/100mL for fecal coliform, and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2001 to 2007 period, will require a 50 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2001 to 2007 period, will require a 50 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(43) Sixteen Mile Creek. The TMDLs for Sixteen Mile Creek are a 30 percent reduction in TN and a 30 percent reduction in TP to address the DO impairment, and are allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the total nitrogen and total phosphorus targets which, based on the measured concentrations from the 1987 to 2008 period, will require a 30 percent reduction of TN and a 30 percent reduction of TP from sources contributing to exceedances of the DO criteria.

(c) The LAs for nonpoint sources are to address anthropogenic sources in the basin such that in-stream concentrations meet the TN and TP targets which, based on the measured concentrations from the 1987 to 2008 period, will require a 30 percent reduction of TN and a 30 percent reduction of TP from sources contributing to exceedances of the DO criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for TN and TP have been expressed as the percent reductions needed to attain the applicable Class III DO criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream TN and TP concentrations. However, it is not the intent of the TMDL to abate natural background conditions.

(f) The percent reductions for TN and TP identified in this TMDL are established to be consistent with the TMDLs for TN and TP identified in subsections (1) and (2), as applicable, of

this rule. The required reductions are not additive to the extent they are protective of this waterbody and the mainstem of the Lower St Johns River.

(44) Strawberry Creek. The TMDL for Strawberry Creek is 400 counts/100mL for fecal coliform, and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2001 to 2007 period, will require a 58 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2001 to 2007 period, will require a 58 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(45) Swimming Pen Creek. The TMDL for Swimming Pen Creek is a 30 percent reduction in TN to address the DO and nutrient impairments, and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the TN target which, based on the measured concentrations from the 1973 to 2008 period, will require a 30 percent reduction of TN from sources contributing to exceedances of the DO and nutrient criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the TN target which, based on the measured concentrations from the 1973 to 2008 period, will require a 30 percent reduction of TN from sources contributing to exceedances of the DO and nutrient criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for TN have been expressed as the percent reductions needed to attain the applicable Class III DO and nutrient criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream TN concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(f) The percent reduction for TN identified in this TMDL is established to be consistent with the TMDLs for TN identified in subsections (1) and (2) of this rule. The required reductions are not additive to the extent they are protective of this waterbody and the mainstem of the Lower St Johns River.

Rulemaking Specific Authority 403.061, 403.067 FS. Law Implemented 403.061, 403.062, 403.067 FS. History--New 12-13-03, Amended 5-15-06, 6-3-08,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Drew Bartlett, Deputy Director, Division of Environmental Assessment and Restoration

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Michael Sole, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 28, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 23, 2009

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.:	RULE TITLE:
62-304.505	Middle St. Johns River Basin TMDLS

PURPOSE AND EFFECT: The purpose of the rule is to adopt Total Maximum Daily Loads (TMDLs) and their allocations for waters in the Middle St. Johns River Basin that are impaired for fecal coliform, low dissolved oxygen, and nutrients.

SUMMARY: These TMDLs address fecal coliform, dissolved oxygen, and nutrient impairments in the Middle St. Johns River Basin. Specifically, the TMDL rules being proposed for adoption are fecal coliform TMDLs for Gee Creek, Little Econlockhatchee River, Smith Canal, and Soldier Creek, and dissolved oxygen and nutrient TMDLs for Lake Harney, Lake Monroe, Smith Canal, the St. Johns River above Lake Jesup, the St. Johns River above Lake Monroe, the St. Johns River above Wekiva River, and the St. Johns River Downstream of Lake Harney. These water segments were verified as impaired using the methodology established in Chapter 62-303, F.A.C., Identification of Impaired Surface Waters. The methodologies used to develop the fecal coliform TMDLs were either the percent reduction or the load duration analysis method. The nutrient targets for water segments impaired for nutrients and dissolved oxygen were developed using trophic state index, paleolimnological data, and reference lake methods. The TMDLs for nutrients were simulated using the hydrologic simulation program – Fortran (HSPF) model. This rulemaking has been given OGC case number 09-0721.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

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

RULEMAKING AUTHORITY: 403.061, 403.067 FS.

LAW IMPLEMENTED: 403.061, 403.062, 403.067 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: September 3, 2009, 9:30 a.m.

PLACE: Florida Department of Environmental Protection, 2600 Blair Stone Road, Room 609, Bob Martinez Center, Tallahassee, Florida 32399-2400.

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: Ms. Pat Waters at (850)245-8449. 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: Jan Mandrup-Poulsen, Division of Environmental Assessment and Restoration, Bureau of Watershed Restoration, Mail Station 3555, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8448

THE FULL TEXT OF THE PROPOSED RULE IS:

62-304.505 Middle St. Johns River Basin TMDLs.

(1) through (5) No change.

(6) Gee Creek. The fecal coliform TMDL for Gee Creek is 5.63×10^{10} counts/day, and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's National Pollutant Discharge Elimination System (NPDES) Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2001 to 2008 period, will require a 79 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2001 to 2008 period, will require a 79 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(7) Lake Harney. The TMDLs to address the low dissolved oxygen and nutrient impairments are 1,522 tons/year of total nitrogen (TN) and 109 tons/year of total phosphorus (TP), and are allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLAs for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen criteria and nutrient targets, based on the measured concentrations from the 1996 to 2003 period, will require a 39 percent reduction of TN and 33 percent reduction of TP at sources contributing to exceedances of the criteria.

(c) The LAs for nonpoint sources to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen criteria and nutrient targets, based on the measured concentrations from the 1996 to 2003 period, will require a 39 percent reduction of TN and 33 percent reduction of TP at sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for TN and TP have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream TN and TP concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(8) Little Econlockhatchee River. The fecal coliform TMDL for the Little Econlockhatchee River is 6.26×10^{11} counts/day, and is allocated as follows:

(a) The WLA for the Iron Bridge Regional Water Reclamation Facility (FL0037966) is that it must meet its NPDES permit limits.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2001 to 2008 period, will require a 57 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on

the measured concentrations from the 2001 to 2008 period, will require a 57 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(9) Smith Canal. The fecal coliform TMDL for Smith Canal is 400 counts/100mL, and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2001 to 2008 period, will require a 67 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2001 to 2008 period, will require a 67 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(10) Smith Canal. The TMDL to address the low dissolved oxygen impairment for Smith Canal is 1.95 tons/year of TP, and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen criteria, based on the measured concentrations from the 1996 to 2003 period, will require a 26 percent reduction of TP at sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen criteria, based on the measured concentrations from the 1996 to 2003 period, will require a 26 percent reduction of TP at sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for TP have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream TP concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(11) Soldier Creek. The fecal coliform TMDL for Soldier Creek is 2.87×10^{10} counts/day, and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria, based on the measured concentrations from the 2001 to 2008 period, will require a 37 percent reduction at sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2001 to 2008 period, will require a 37 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class I criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(12) St. Johns River above Lake Monroe and Lake Monroe. The TMDLs to address the low dissolved oxygen and nutrient impairments are 1,892 tons/year of TN and 143 tons/year of TP, and are allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLAs for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen criteria and nutrient targets, based on the measured concentrations from the 1996 to 2003 period, are a 38 percent reduction of TN and 31 percent reduction of TP at sources contributing to exceedances of the criteria.

(c) The LAs for nonpoint sources to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen criteria and nutrient targets, based on the measured concentrations from the 1996 to 2003 period, are a 38 percent reduction of TN and 31 percent reduction of TP at sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for TN and TP have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream TN and TP concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(13) St. Johns River above Wekiva River. The TMDLs to address the low dissolved oxygen and nutrients are 1,906 tons/year of TN and 144 tons/year of TP, and are allocated as follows:

(a) The WLAs for the Sanford/North Wastewater Treatment Facility (FL0020141) are 9 tons/year of TN and 1 ton/year of TP.

(b) The WLAs for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen criteria and nutrient targets, based on the measured concentrations from the 1996 to 2003 period, will require a 37 percent reduction of TN and 31 percent reduction of TP at sources contributing to exceedances of the criteria.

(c) The LAs for nonpoint sources to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen criteria and nutrient targets, based on the measured concentrations from the 1996 to 2003 period, will require a 37 percent reduction of TN and 31 percent reduction of TP at sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for TN and TP have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream TN and TP concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(14) St. Johns River Downstream of Lake Harney and St. Johns River above Lake Jesup. The TMDLs to address the low dissolved oxygen and nutrient impairments are 1,697 tons/year of TN and 125 tons/year of TP, and are allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLAs for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen criteria and nutrient targets, based on the measured concentrations from the 1996 to 2003 period, will require a 37 percent reduction of TN and 32 percent reduction of TP at sources contributing to exceedances of the criteria.

(c) The LAs for nonpoint sources to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen criteria and nutrient targets, based on the

measured concentrations from the 1996 to 2003 period, will require a 37 percent reduction of TN and 32 percent reduction of TP at sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for TN and TP have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream TN and TP concentration. However, it is not the intent of the TMDL to abate natural background conditions.

Rulemaking Specific Authority 403.061, 403.067 FS. Law Implemented 403.061, 403.062, 403.067 FS. History—New 8-3-06, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Drew Bartlett, Deputy Director, Division of Environmental Assessment and Restoration

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Michael Sole, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 28, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 19, 2009

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-304.600

RULE TITLE:

Tampa Bay Basin TMDLs

PURPOSE AND EFFECT: The purpose of the rule is to adopt Total Maximum Daily Loads (TMDLs) and their allocations for waters in the Tampa Bay Basin that are impaired for fecal coliform, dissolved oxygen, and nutrients.

SUMMARY: These TMDLs address fecal coliform, dissolved oxygen, and nutrient impairments in the Tampa Bay Basin. Specifically, the TMDL rules being proposed for adoption are fecal coliform TMDLs for Allen Creek (tidal), Alligator Creek, Bellows Lake Outlet, Bishop Creek (freshwater and tidal segments), Brushy Creek, Bullfrog Creek (freshwater and tidal segments), Cross Canal (North), Double Branch, Little Bullfrog Creek, Lower Rocky Creek, Moccasin Creek (tidal), Mullet Creek (freshwater and tidal segments), Rocky Creek, Smacks Bayou, and Sweet Water Creek, dissolved oxygen TMDLs for Bishop Creek (Tidal), Brushy Creek, Cross Canal (North), Double Branch, Mullet Creek (Tidal), Sweet Water Creek, and Tampa Bypass Canal Tributary, and nutrient and dissolved oxygen TMDLs for Alligator Creek, Alligator Lake, Allen Creek (Tidal), Bellows Lake (East Lake), and Bellows Lake Outlet (East Lake Outlet), Bullfrog Creek (Tidal), Cockroach Bay, Coffee Pot Bayou, Lake Tarpon Canal (Marine), Lake Tarpon Canal (Fresh), Lower Rocky Creek, Moccasin Creek (Tidal), and Smacks Bayou. These waterbodies were verified as impaired using the methodology

established in Chapter 62-303, F.A.C., Identification of Impaired Surface Waters. The methodologies used to develop the fecal coliform TMDLs were either the percent reduction or load duration analysis method. The methodologies used to develop the nutrient and dissolved oxygen TMDLs included reference waterbodies, and/or the percent reduction methods. This rulemaking has been given OGC case number 09-0718.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

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

RULEMAKING AUTHORITY: 403.061, 403.067 FS.

LAW IMPLEMENTED: 403.061, 403.062, 403.067 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: September 3, 2009, 9:30 a.m.

PLACE: Florida Department of Environmental Protection, 2600 Blair Stone Road, Room 609, Bob Martinez Center, Tallahassee, Florida 32399-2400

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: Ms. Pat Waters at (850)245-8449. 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: Jan Mandrup-Poulsen, Division of Environmental Assessment and Restoration, Bureau of Watershed Restoration, Mail Station 3555, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8448

THE FULL TEXT OF THE PROPOSED RULE IS:

62-304.600 Tampa Bay Basin TMDLs.

(1) Allen Creek (tidal). The fecal coliform TMDL for Allen Creek (tidal) is 400 counts/100mL and is allocated as follows:

(a) The Wasteload Allocation (WLA) for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's National Pollutant Discharge Elimination System (NPDES) Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on

the measured concentrations from 2008, will require a 77 percent reduction of sources contributing to exceedances of the criteria.

(c) The Load Allocation (LA) for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from 2008, will require a 77 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(2) Allen Creek (Tidal). The TMDL to address the low dissolved oxygen and nutrient impairments in Allen Creek (Tidal) is an annual average 0.75 mg/L of total nitrogen (TN), and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen and nutrient criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 52 percent reduction of TN at sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen and nutrient criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 52 percent reduction of TN at sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for TN have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream TN concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(3) Alligator Creek. The fecal coliform TMDL for Alligator Creek is 4.4×10^{10} counts/day, and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on

the measured concentrations from the 2000 to 2007 period, will require a 51 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 51 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(4) Alligator Creek. The TMDL to address the low dissolved oxygen and nutrient impairments in Alligator Creek is an annual average for TN of 0.72 mg/L and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen and nutrient criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 41 percent reduction for TN at sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen and nutrient criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 41 percent reduction for TN at sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for TN has been expressed as the percent reduction needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream TN concentrations. However, it is not the intent of the TMDL to abate natural background conditions.

(5) Alligator Lake. The TMDLs to address the low dissolved oxygen and nutrient impairments in Alligator Lake are an annual average of 0.72 mg/L and 2.00 mg/L for TN and annual median 5-day biochemical oxygen demand (BOD₅), respectively, and are allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLAs for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen and nutrient criteria

which, based on the measured concentrations from the 2000 to 2007 period, will require a 19 percent reduction and 46 percent reduction for TN and BOD₅, respectively, of sources contributing to exceedances of the criteria.

(c) The LAs for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen and nutrient criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 19 percent reduction and 46 percent reduction for TN and BOD₅, respectively, of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for TN and BOD₅ have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream TN and BOD₅ concentrations. However, it is not the intent of the TMDL to abate natural background conditions.

(6) Bellows Lake Outlet (also known as East Lake Outfall). The fecal coliform TMDL for Bellows Lake Outlet is 400 counts/100mL, and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations in 2008, will require a 80 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations in 2008, will require a 80 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(7) Bellows Lake Outlet (also known as East Lake Outfall). The TMDLs to address the low dissolved oxygen and nutrient impairments in Bellows Lake Outlet are an annual average TN of 1.40 mg/L, TP of 0.055 mg/L, and BOD₅ of 2.00 mg/L, and are allocated as follows:

(a) The WLA for wastewater point sources is not applicable.

(b) The WLAs for discharges subject to the Department's Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen and nutrient criteria which, based on the measured concentrations in the 2005-2006 period, will require a 50 percent reduction of TN, a 53 percent reduction in TP, and a 68 percent reduction in BOD₅ of sources that are contributing to exceedances of the criteria.

(c) The LAs for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen and nutrient criteria which, based on the measured concentrations in the 2005-2006 period, will require a 50 percent reduction of TN, a 53 percent reduction in TP, and a 68 percent reduction in BOD₅ of sources that are contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the WLA and LA have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the reductions from anthropogenic sources that will result in the required reduction of nutrients and BOD₅. However, it is not the intent of the TMDL to abate natural background conditions.

(8) Bellows Lake (also known as East Lake). The TMDLs to address the low dissolved oxygen (addresses downstream impairment) and nutrient impairments are an annual average TN of 1.40 mg/L, TP of 0.055 mg/L, and BOD₅ of 2.00 mg/L and are allocated as follows:

(a) The WLA for wastewater point sources is not applicable.

(b) The WLAs for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen and nutrient criteria which, based on the measured concentrations in the 2005-2006 period, will require a 50 percent reduction of TN, a 53 percent reduction in TP, and a 68 percent reduction in BOD₅ of sources that are contributing to exceedances of the criteria.

(c) The LAs for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen and nutrient criteria which, based on the measured concentrations in the 2005-2006 period, will require a 50 percent reduction of TN, a 53 percent reduction in TP, and a 68 percent reduction in BOD₅ of sources that are contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the WLA and LA have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the reductions from anthropogenic sources that will result in the required reduction of nutrients and BOD₅. However, it is not the intent of the TMDL to abate natural background conditions.

(9) Bishop Creek (freshwater). The fecal coliform TMDL for Bishop Creek (freshwater) is 400 counts/100mL, and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 64 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 64 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(10) Bishop Creek (tidal). The fecal coliform TMDL for Bishop Creek (tidal) is 400 counts/100mL, and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from 2008, will require a 64 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from 2008, will require a 64 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(11) Bishop Creek (Tidal). The TMDL to address the low dissolved oxygen impairments in Bishop Creek (Tidal) is an annual average 0.75 mg/L of TN and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 33 percent reduction of TN at sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 33 percent reduction of TN at sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for TN have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream TN concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(12) Brushy Creek. The fecal coliform TMDL for Brushy Creek is 400 counts/100mL, and is allocated as follows:

(a) The WLA for the Hillsborough County Dale Mabry Advanced Wastewater Treatment Plant (FL0036820) is that it must meet its NPDES permit limits.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2004 to 2007 period, will require a 36 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2004 to 2007 period, will require a 36 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform has been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(13) Brushy Creek. The TMDL to address the low dissolved oxygen impairment in Brushy Creek is an annual average 0.75 mg/L of TN and is allocated as follows:

(a) The WLA for the Hillsborough County Dale Mabry Advanced Wastewater Treatment Plant (FL0036820) is 54,794 lbs/year of TN.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 32 percent reduction of TN of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 32 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for TN has been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream TN concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(14) Bullfrog Creek (freshwater). The fecal coliform TMDL for Bullfrog Creek (freshwater) is 1.66×10^{11} counts/day, and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 72 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 72 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(15) Bullfrog Creek (tidal). The fecal coliform TMDL for Bullfrog Creek (tidal) is 400 counts/100mL, and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream

concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 46 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 46 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(16) Bullfrog Creek (tidal). The TMDL to address the low dissolved oxygen and nutrients in Bullfrog Creek (tidal) is an annual average total nitrogen (TN) concentration of 0.65 mg/L and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the Class III marine dissolved oxygen and nutrient criteria which, based on the measured concentrations from the 2000 to 2006 period, will require a 47 percent reduction of TN of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the Class III marine dissolved oxygen and nutrient criteria which, based on the measured concentrations from the 2000 to 2006 period, will require a 47 percent reduction of TN of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for TN have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream TN concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(17) Cockroach Bay. The TMDLs to address the low dissolved oxygen and nutrient impairments are an annual average of 0.54 mg/L and 2.00 mg/L for TN and BOD₅, respectively, and are allocated as follows:

(a) The WLA for wastewater point sources is not applicable.

(b) The WLAs for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen and nutrient criteria which, based on measured concentrations from year 2000, will require a 54 percent reduction in current anthropogenic loadings of TN and a 38 percent reduction in current anthropogenic loadings of BOD₅ of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen and nutrient criteria which, based on measured concentrations from year 2000, will require a 54 percent reduction of TN and a 38 percent reduction of BOD₅ of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the WLA and LA have been expressed as the percent reductions needed to attain the applicable Class II criteria, it is the reductions from anthropogenic sources that will result in the required reduction of nutrients and BOD₅. However, it is not the intent of the TMDL to abate natural background conditions.

(18) Coffee Pot Bayou. The TMDL to address the low dissolved oxygen and nutrient impairments are an annual average of 0.63 mg/L and 2.00 mg/L for TN and BOD₅, respectively, and are allocated as follows:

(a) The WLA for wastewater point sources is not applicable.

(b) The WLAs for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program are to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen and nutrient criteria which, based on measured concentrations from the 2000 – 2007 period, will require a 33 percent reduction of TN and a 40 percent reduction of BOD₅ of sources contributing to exceedances of the criteria.

(c) The LAs for nonpoint sources are to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen and nutrient criteria which, based on measured concentrations from the 2000 – 2007 period, will require a 33 percent reduction of TN and a 40 percent reduction of BOD₅ of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the WLA and LA have been expressed as the percent reductions needed to attain the applicable Class II criteria, it is the reductions from anthropogenic sources that will result in the required reduction of nutrients and BOD₅. However, it is not the intent of the TMDL to abate natural background conditions.

(19) Cross Canal (North). The fecal coliform TMDL for Cross Canal (North) is 400 counts/100mL, and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2005 to 2007 period, will require a 64 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2005 to 2007 period, will require a 64 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform has been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(20) Cross Canal (North). The TMDL to address the low dissolved oxygen impairment in Cross Canal (North) is an annual average 0.75 mg/L of TN and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 55 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 55 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for TN have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream TN concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(21) Double Branch. The fecal coliform TMDL for Double Branch is 400 counts/100mL, and is allocated as follows:

(a) The WLA for the Hillsborough County Northwest Regional Wastewater Reclamation Facility (FL0041670) is that it must meet the its NPDES permit conditions.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 41 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 41 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(22) Double branch. The TMDL to address the low dissolved oxygen and nutrient impairments in Double Branch is an annual average 0.75 mg/L of TN and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen criteria which, based on the measured concentrations from the 2000 to 2008 period, will require a 43 percent reduction of TN at sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen criteria which, based on the measured concentrations from the 2000 to 2008 period, will require a 43 percent reduction of TN at sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for TN have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream TN concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(23) Lake Tarpon Canal (Freshwater). The TMDL to address the low dissolved oxygen and nutrient impairments in Lake Tarpon Canal (Freshwater) is an annual average 0.75 mg/L of TN and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen and nutrients criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 36 percent reduction of TN at sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen and nutrients criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 36 percent reduction of TN at sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for TN have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream TN concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(24) Lake Tarpon Canal (Marine). The TMDLs to address the low dissolved oxygen and nutrient impairments in Lake Tarpon Canal (Marine) are an annual average 0.75 mg/L and 0.18 mg/L of TN and TP, respectively, and are allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLAs for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program are to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen and nutrient criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 33 percent reduction and 27 percent reduction for TN and TP, respectively, of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen and nutrient criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 33 percent reduction and 27 percent reduction for TN and TP, respectively, of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for TN and TP have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream TN and TP concentrations. However, it is not the intent of the TMDL to abate natural background conditions.

(25) Little Bullfrog Creek. The fecal coliform TMDL for Little Bullfrog Creek is 400 counts/100mL, and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2004 to 2007 period, will require a 74 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2004 to 2007 period, will require a 74 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform has been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(26) Lower Rocky Creek. The fecal coliform TMDL for Lower Rocky Creek is 400 counts/100mL, and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 71 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 71 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(27) Lower Rocky Creek. The TMDL to address the low dissolved oxygen and nutrient impairments in Lower Rocky Creek is an annual average 0.75 mg/L of TN and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen and nutrient criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 55 percent reduction of TN at sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen and nutrient criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 55 percent reduction of TN at sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for TN have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream TN concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(28) Moccasin Creek (tidal). The fecal coliform TMDL for Moccasin Creek (tidal) is 400 counts/100mL, and is allocated as follows:

(a) The WLA for wastewater sources is not applicable,

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2005 to 2006 period, will require a 60 percent reduction of sources contributing to exceedances of the criteria,

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2005 to 2006 period, will require a 60 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(29) Moccasin Creek. The TMDLs to address the low dissolved oxygen and nutrient impairments in Moccasin Creek are an annual average 0.75 mg/L and 0.18 mg/L of TN and TP, respectively, and are allocated as follows:

(a) The WLA for wastewater sources is not applicable,

(b) The WLAs for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program are to address anthropogenic sources in the basin such that in-stream

concentrations meet the dissolved oxygen and nutrient criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 41 percent reduction and 40 percent reduction for TN and TP, respectively, of sources contributing to exceedances of the criteria,

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen and nutrient criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 41 percent reduction and 40 percent reduction for TN and TP, respectively, of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for TN and TP have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream TN and TP concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(30) Mullet Creek (freshwater). The fecal coliform TMDL for Mullet Creek (freshwater) is 400 counts/100mL, and is allocated as follows:

(a) The WLA for wastewater sources is not applicable,

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2000 to 2005 period, will require a 57 percent reduction of sources contributing to exceedances of the criteria,

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2000 to 2005 period, will require a 57 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(31) Mullet Creek (tidal). The fecal coliform TMDL for Mullet Creek (tidal) is 400 counts/100mL, and is allocated as follows:

(a) The WLA for wastewater sources is not applicable,

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on

the measured concentrations from 2006, will require a 49 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from 2006, will require a 49 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(32) Mullet Creek (Tidal). The TMDL to address the low dissolved oxygen impairment in Mullet Creek Tidal is an annual average 0.75 mg/L of TN and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 37 percent reduction of TN at sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 37 percent reduction of TN at sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for TN have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream TN concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(33) Rocky Creek. The fecal coliform TMDL for Rocky Creek is 400 counts/100mL, and is allocated as follows:

(a) WLAs for the Hillsborough County Rivers Oaks Advanced Wastewater Treatment Facility (FL0027821) and the Hillsborough County Northwest Regional Wastewater Reclamation Facility (FL0041670) is that they meet the facilities' permit limits.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on

the measured concentrations from the 2000 to 2007 period, will require a 58 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 58 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(34) Smacks Bayou. The fecal coliform TMDL for Smacks Bayou is 400 counts/100mL, and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 1995 to 1996 period, will require a 75 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 1995 to 1996 period, will require a 75 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(35) Smacks Bayou. The TMDLs to address the low dissolved oxygen and nutrient impairments are an annual average of 0.63 mg/L and 2.00 mg/L for TN and BOD₅, respectively. These TMDLs are applicable to sources in the 45th Avenue Northeast Canal subbasin and the 54th Avenue East Canal subbasin within the Smacks Bayou watershed and are allocated as follows:

(a) The WLA for wastewater point sources is not applicable.

(b) The WLAs for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen and nutrient criteria which, based on measured concentrations in the canals from the 1992 to 2005 period, will require a 51 percent reduction of TN and a 30 percent reduction of BOD₅ of sources contributing to exceedances of the criteria.

(c) The LAs for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen and nutrient criteria which, based on measured concentrations in the canals from the 1992 to 2005 period, will require a 51 percent reduction of TN and a 30 percent reduction of BOD₅ of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the WLA and LA have been expressed as the percent reductions needed to attain the applicable Class II criteria, it is the reductions from anthropogenic sources that will result in the required reduction of nutrients and BOD₅. However, it is not the intent of the TMDL to abate natural background conditions.

(36) Sweetwater Creek. The fecal coliform TMDL for Sweetwater Creek is 400 counts/100mL, and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 44 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 44 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(37) Sweetwater Creek. The TMDL to address the low dissolved oxygen impairment in Sweetwater Creek is an annual average 0.75 mg/L of TN and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 23 percent reduction of TN at sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen criteria which, based on the measured concentrations from the 2000 to 2007 period, will require a 23 percent reduction of TN at sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for TN have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream TN concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(38) Tampa Bypass Canal Tributary. The TMDLs to address the low dissolved oxygen and nutrient impairments in the Tampa Bypass Canal Tributary are an annual average TN concentration of 1.73 mg/L and an annual average TP concentration of 0.415 mg/L and are allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen criteria which, based on the measured concentrations from the year 2005, will require a 31 percent reduction of TN and 34 percent reduction of TP at sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen criteria which, based on the measured concentrations from the year 2005, will require a 31 percent reduction of TN and 34 percent reduction of TP at sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for TN and TP have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream TN and TP concentrations. However, it is not the intent of the TMDL to abate natural background conditions.

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

NAME OF PERSON ORIGINATING PROPOSED RULE:
Drew Bartlett, Deputy Director, Division of Environmental Assessment and Restoration

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Michael Sole, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 28, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 1, 2009

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-304.605
RULE TITLE: Alafia River TMDLs

PURPOSE AND EFFECT: The purpose of the rule is to adopt Total Maximum Daily Loads (TMDLs) and their allocations for waters in the Alafia River Basin that are impaired for fecal coliform, dissolved oxygen, and nutrients.

SUMMARY: These TMDLs address fecal coliform, dissolved oxygen, and nutrient impairments in the Alafia River Basin. Specifically, the TMDL rules being proposed for adoption are fecal coliform TMDLs for English Creek, Mustang Ranch Creek (formerly known as English Creek), Poley Creek and Turkey Creek, and nutrient and dissolved oxygen TMDLs for the Alafia River Above Hillsborough Bay, and Mustang Ranch Creek (formerly known as English Creek). These waterbodies were verified as impaired using the methodology established in Chapter 62-303, F.A.C., Identification of Impaired Surface Waters. The methodology used to develop the fecal coliform TMDLs was the percent reduction method. The methodologies used to develop the nutrient and dissolved oxygen TMDLs include reference waterbodies and percent reduction analysis methods. This rulemaking has been given OGC case number 09-0722.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

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

RULEMAKING AUTHORITY: 403.061, 403.067 FS.

LAW IMPLEMENTED: 403.061, 403.062, 403.067 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: September 3, 2009, 9:30 a.m.

PLACE: Florida Department of Environmental Protection, 2600 Blair Stone Road, Room 609, Bob Martinez Center, Tallahassee, Florida 32399-2400

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: Ms. Pat Waters at (850)245-8449. 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: Jan Mandrup-Poulsen, Division of Environmental Assessment and Restoration, Bureau of Watershed Restoration, Mail Station 3555, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8448

THE FULL TEXT OF THE PROPOSED RULE IS:

62-304.605 Alafia River TMDLs.

(1) Thirty Mile Creek. The Total Maximum Daily Load (TMDL) for Thirty Mile Creek is a monthly average total nitrogen (TN) concentration of 3.0 mg/L, and is allocated as follows:

~~(a)(4)~~ The Wasteload Allocation (WLA) for discharges subject to the Department's National Pollutant Discharge Elimination System (NPDES) Permitting Program is a monthly average TN concentration of 3.0 mg/L,

~~(b)(2)~~ The Load Allocation (LA) for nonpoint sources is an annual average TN concentration of 1.6 mg/L, and

~~(c)(3)~~ The Margin of Safety is implicit.

(2) Alafia River Above Hillsborough Bay. The TMDL to address the low dissolved oxygen and nutrient impairments for the Alafia River Above Hillsborough Bay is an annual average TN concentration of 0.65 mg/L and is allocated as follows:

(a) The WLA for the Mosaic Fertilizer Riverview Chemical Complex is 5140 lb/year of TN.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the Class III marine dissolved oxygen and nutrient criteria which, based on the measured concentrations from the 2000 to 2006 period, will require a 54 percent reduction of TN at sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the Class III marine dissolved oxygen and nutrient criteria which, based on the measured concentrations from the 2000 to 2006 period, will require a 54 percent reduction of TN at sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for TN have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic

point and nonpoint sources that will result in the required reduction of in-stream TN concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(3) English Creek. The fecal coliform TMDL for English Creek is 400 counts/100mL, and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2001 to 2008 period, will require a 40 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2001 to 2008 period, will require a 40 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(4) Mustang Ranch Creek. The TMDLs to address the low dissolved oxygen and nutrient impairments are an annual average TN concentration of 1.73 mg/L and an annual average TP concentration of 0.415 mg/L and are allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the Class III freshwater dissolved oxygen criteria which, based on the measured concentrations for the 2005 to 2007 period, will require a 50 percent reduction of TN and 45 percent reduction of TP at sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the Class III freshwater dissolved oxygen criteria which, based on the measured concentrations from the 2005 to 2007 period, will require a 50 percent reduction of TN and 45 percent reduction of TP at sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for TN and TP have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result

in the required reduction of in-stream TN and TP concentrations. However, it is not the intent of the TMDL to abate natural background conditions.

(5) Mustang Ranch Creek. The fecal coliform TMDL for Mustang Ranch Creek is 400 counts/100mL, and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2001 to 2008 period, will require a 88 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2001 to 2008 period, will require an 88 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(6) Poley Creek. The fecal coliform TMDL for Poley Creek is 400 counts/100mL, and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2001 to 2008 period, will require a 67 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2001 to 2008 period, will require a 67 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(7) Turkey Creek. The fecal coliform TMDL for Turkey Creek is 400 counts/100mL, and is allocated as follows:

(a) The WLA for the Hillsborough County Valrico Advance Wastewater Treatment Facility (AWWTF FL0040983) must meet its NPDES permit conditions.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2001 to 2008 period, will require a 64 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2001 to 2008 period, will require a 64 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

Rulemaking Specific Authority 403.061, 403.067 FS. Law Implemented 403.061, 403.062, 403.067 FS. History--New 6-22-05, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Drew Bartlett, Deputy Director, Division of Environmental Assessment and Restoration

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Michael Sole, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 28, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 19, 2009

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-304.610
RULE TITLE: Hillsborough River Basin TMDLs

PURPOSE AND EFFECT: The purpose of the rule is to adopt Total Maximum Daily Loads (TMDLs), and their allocations, for water segments impaired for fecal coliform, low dissolved oxygen, and nutrients in the Hillsborough River Basin.

SUMMARY: These TMDLs address fecal coliform, low dissolved oxygen, and nutrient impairments in the Hillsborough River Basin. Specifically, the TMDL rules being proposed for adoption are fecal coliform TMDLs for Mill Creek and Trout Creek, dissolved oxygen and nutrient TMDLs for Baker Creek, Big Ditch, Channelized Stream, Mill Creek,

Trout Creek, and Two Hole Branch, and dissolved oxygen TMDLs for Spartman Branch. These waterbodies were verified as impaired using the methodology established in Chapter 62-303, F.A.C., Identification of Impaired Surface Waters. The methodology used to develop the fecal coliform TMDLs was the percent reduction method. The methodology used to develop the dissolved oxygen and nutrient TMDLs was either a combination of the Watershed Assessment Model (WAMView) and the Water Quality Analysis Simulation Program (WASP) or an empirical method. This rulemaking has been given OGC case number 09-0720.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

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

RULEMAKING AUTHORITY: 403.061, 403.067 FS.

LAW IMPLEMENTED: 403.061, 403.062, 403.067 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: September 3, 2009, 9:30 a.m.

PLACE: Florida Department of Environmental Protection, 2600 Blair Stone Road, Room 609, Bob Martinez Center, Tallahassee, Florida 32399-2400

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: Ms. Pat Waters at (850)245-8449. 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: Jan Mandrup-Poulsen, Division of Environmental Assessment and Restoration, Bureau of Watershed Restoration, Mail Station 3555, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8448

THE FULL TEXT OF THE PROPOSED RULE IS:

62-304.610 Hillsborough River Basin TMDLs.

(1) through (9) No change.

(10) Baker Creek. The Total Maximum Daily Loads (TMDLs) to address the low dissolved oxygen and nutrient impairments are 23,652 pounds per year of Total Nitrogen (TN) and 2,342 pounds per year of Total Phosphorus (TP) and are allocated as follows:

(a) The Wasteload Allocation (WLA) for wastewater point sources is not applicable.

(b) The WLAs for discharges subject to the Department's National Pollutant Discharge Elimination System (NPDES) Municipal Stormwater Permitting Program are an 80 percent reduction in anthropogenic loadings of TN and an 80 percent reduction in anthropogenic loadings of TP for the 1996 to 2002 period at sources contributing to exceedances of the criteria.

(c) The Load Allocations (LAs) for nonpoint sources are an 80 percent reduction in anthropogenic loadings of TN and an 80 percent reduction in anthropogenic loadings of TP for the 1996 to 2002 period at sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reductions of in-stream TN and TP concentrations. However, it is not the intent of the TMDL to abate natural background conditions.

(11) Big Ditch. The TMDLs to address the low dissolved oxygen and nutrient impairments are 14,699 pounds per year of TN and 13,078 pounds per year of TP and are allocated as follows:

(a) The WLAs for the Hillsborough County CF Industries, Inc. Plant City Chemical Complex (FL0000078) are 1,138 pounds per year of TN and 847 pounds per year of TP.

(b) The WLAs for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program are a 76 percent reduction in anthropogenic loadings of TN and a 76 percent reduction in anthropogenic loadings of TP for the 2005 to 2006 period for sources contributing to exceedances of the criteria.

(c) The LAs for nonpoint sources are a 76 percent reduction in anthropogenic loadings of TN and a 76 percent reduction in anthropogenic loadings of TP for the 2005 to 2006 period for sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reductions of in-stream TN and TP concentrations. However, it is not the intent of the TMDL to abate natural background conditions.

(12) Channelized Stream. The TMDLs to address the low dissolved oxygen and nutrient impairments are 4,821 pounds per year of TN and 2,135 pounds per year of TP and are allocated as follows:

(a) The WLA for wastewater point sources is not applicable.

(b) The WLAs for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program are an 81 percent reduction in anthropogenic loadings of TN and an 81 percent reduction in anthropogenic loadings of TP for the year 2005 for sources contributing to exceedances of the criteria, and

(c) The LAs for nonpoint sources are an 81 percent reduction in anthropogenic loadings of TN and an 81 percent reduction in anthropogenic loadings of TP for the year 2005 for sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reductions of in-stream TN and TP concentrations. However, it is not the intent of the TMDL to abate natural background conditions.

(13) Mill Creek. The fecal coliform TMDL for Mill Creek is 400 counts/100mL for fecal coliform, and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2001 to 2007 period, will require a 66 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2001 to 2007 period, will require a 66 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(14) Mill Creek. The TMDLs to address the low dissolved oxygen and nutrient impairments are 2,569 pounds per year of TN and 795 pounds per year of TP and are allocated as follows:

(a) The WLAs for the Hillsborough County Crystals International, Inc. (FL0037389) are 48.9 pounds per year of TN and 4.0 pounds per year of TP.

(b) The WLAs for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program are an 80 percent reduction in anthropogenic loadings of TN and an 80

percent reduction in anthropogenic loadings of TP for the 1996 to 2002 period for sources contributing to exceedances of the criteria, and

(c) The LAs for nonpoint sources are an 80 percent reduction in anthropogenic loadings of TN and an 80 percent reduction in anthropogenic loadings of TP for the 1996 to 2002 period for sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reductions of in-stream TN and TP concentrations. However, it is not the intent of the TMDL to abate natural background conditions.

(15) Spartman Branch. The TMDLs to address the low dissolved oxygen impairment are 3,110 pounds per year of total TN and 531 pounds per year of TP and are allocated as follows:

(a) The WLA for wastewater point sources is not applicable.

(b) The WLAs for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program are an 80 percent reduction in anthropogenic loadings of TN and an 80 percent reduction in anthropogenic loadings of TP for the 1996 to 2002 period for sources contributing to exceedances of the criteria, and

(c) The LAs for nonpoint sources are an 80 percent reduction in anthropogenic loadings of TN and an 80 percent reduction in anthropogenic loadings of TP for the 1996 to 2002 period for sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reductions of in-stream TN and TP concentrations. However, it is not the intent of the TMDL to abate natural background conditions.

(16) Trout Creek. The fecal coliform TMDL for Trout Creek is 400 counts/100mL for fecal coliform, and is allocated as follows:

(a) The WLA for the Hillsborough County Pebble Creek Village WWTF (FL0039896) must meet its NPDES permit conditions.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on

the measured concentrations from the 2001 to 2007 period, will require a 53 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2001 to 2007 period, will require a 53 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(17) Trout Creek. The TMDLs to address the low dissolved oxygen and nutrient impairments are 18,031 pounds per year of TN and 838 pounds per year of TP and are allocated as follows:

(a) The WLAs for the Hillsborough County Pebble Creek Village Wastewater Treatment Facility (FL0039896) are 1,827 pounds per year of TN and 341 pounds per year of TP.

(b) The WLAs for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program are a 50 percent reduction in anthropogenic loadings of TN and a 72 percent reduction in anthropogenic loadings of TP for the 1996 to 2002 period for sources contributing to exceedances of the criteria, and

(c) The LAs for nonpoint sources are a 50 percent reduction in anthropogenic loadings of TN and a 72 percent reduction in anthropogenic loadings of TP for the 1996 to 2002 period for sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reductions of in-stream TN and TP concentrations. However, it is not the intent of the TMDL to abate natural background conditions.

(18) Two Hole Branch. The TMDLs to address the low dissolved oxygen and nutrient impairments are 4,459 pounds per year of TN and 1,307 pounds per year of TP and are allocated as follows:

(a) The WLA for wastewater point sources is not applicable.

(b) The WLAs for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program are a 61 percent reduction in anthropogenic loadings of TN and a 61

percent reduction in anthropogenic loadings of TP for the years 2002 and 2005 for sources contributing to exceedances of the criteria, and

(c) The LAs for nonpoint sources are a 61 percent reduction in anthropogenic loadings of TN and a 61 percent reduction in anthropogenic loadings of TP for the years 2002 and 2005 for sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reductions of in-stream TN and TP concentrations. However, it is not the intent of the TMDL to abate natural background conditions.

Rulemaking Specific Authority 403.061, 403.067 FS. Law Implemented 403.061, 403.062, 403.067 FS. History—New 12-22-04, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Drew Bartlett, Deputy Director, Division of Environmental Assessment and Restoration

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Michael Sole, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 28, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 19, 2009

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-304.615
RULE TITLE: Manatee River Basin TMDLs

PURPOSE AND EFFECT: The purpose of the rule is to adopt Total Maximum Daily Loads (TMDLs) and their allocations for waters in the Manatee River Basin that are impaired for fecal coliform, low dissolved oxygen, and nutrients.

SUMMARY: These TMDLs address fecal coliform, low dissolved oxygen, and nutrient impairments in the Manatee River Basin. Specifically, the TMDL rules being proposed for adoption are fecal coliform TMDLs for Braden River above Ward Lake, Cedar Creek, Gilly Creek, Nonsense Creek, and Rattlesnake Slough, dissolved oxygen TMDL for Nonsense Creek, and dissolved oxygen and nutrient TMDLs for Rattlesnake Slough. These waterbodies were verified as impaired using the methodology established in Chapter 62-303, F.A.C., Identification of Impaired Surface Waters. The methodology used to develop these TMDLs was the percent reduction method. This rulemaking has been given OGC case number 09-0717.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

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

RULEMAKING AUTHORITY: 403.061, 403.067 FS.

LAW IMPLEMENTED: 403.061, 403.062, 403.067 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: September 3, 2009, 9:30 a.m.

PLACE: Florida Department of Environmental Protection, 2600 Blair Stone Road, Room 609, Bob Martinez Center, Tallahassee, Florida 32399-2400

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: Ms. Pat Waters at (850)245-8449. 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: Jan Mandrup-Poulsen, Division of Environmental Assessment and Restoration, Bureau of Watershed Restoration, Mail Station 3555, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8448

THE FULL TEXT OF THE PROPOSED RULE IS:

62-304.615 Manatee River Basin TMDLs.

(1) Braden River above Ward Lake. The fecal coliform Total Maximum Daily Load (TMDL) for Braden River above Ward Lake is 400 counts/100mL and is allocated as follows:

(a) The Wasteload Allocation (WLA) for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's National Pollutant Discharge Elimination System (NPDES) Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2001 to 2007 period, will require a 43 percent reduction of sources contributing to exceedances of the criteria.

(c) The Load Allocation (LA) for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2001 to 2007 period, will require a 43 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class I criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(2) Cedar Creek. The fecal coliform TMDL for Cedar Creek is 400 counts/100mL and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2001 to 2008 period, will require a 61 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2001 to 2008 period, will require a 61 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class I criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(3) Gilly Creek. The fecal coliform TMDL for Gilly Creek is 400 counts/100mL and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2001 to 2008 period, will require a 56 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2001 to 2008 period, will require a 56 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class I criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result

in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(4) Nonsense Creek. The fecal coliform TMDL for Nonsense Creek is 400 counts/100mL and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2001 to 2008 period, will require a 57 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2001 to 2008 period, will require a 57 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class I criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(5) Nonsense Creek. The TMDLs to address the low dissolved oxygen condition are an annual median TN of 0.89 mg/L and an annual median 5-day biochemical oxygen demand (BOD₅) of 2.0 mg/L, and are allocated as follows:

(a) The WLA for wastewater point sources is not applicable.

(b) The WLAs for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program are a 27 percent reduction of current anthropogenic TN and a 36 percent reduction of current anthropogenic total BOD₅ loading based on measured concentrations from the 2001 to 2008 period.

(c) The LAs for nonpoint sources are a 27 percent reduction of current anthropogenic TN, and a 36 percent reduction of current anthropogenic total BOD₅ loadings based on measured concentrations from the 2001 to 2008 period, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for TN and BOD₅ have been expressed as the percent reductions needed to attain the applicable Class I criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream TN and BOD₅ concentrations. However, it is not the intent of the TMDL to abate natural background conditions.

(6) Rattlesnake Slough. The fecal coliform TMDL for Rattlesnake Slough is 400 counts/100mL and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2001 to 2008 period, will require a 48 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2001 to 2008 period, will require a 48 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class I criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(7) Rattlesnake Slough. The TMDLs to address the low dissolved oxygen and nutrient impairments in Rattlesnake Slough are 0.84 mg/L of total nitrogen (TN), 0.48 mg/L total phosphorus (TP), and 2.4 mg/L of 5-day biochemical oxygen demand (BOD₅) and are allocated as follows:

(a) The WLA for wastewater point sources is not applicable.

(b) The WLAs for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program are 30, 21, and 31 percent reductions of current anthropogenic TN, TP, and BOD₅ loadings, respectively, based on measured concentrations from the 2001 to 2008 period.

(c) The LAs for nonpoint sources are 30, 21, and 31 percent reductions of current anthropogenic TN, TP, and BOD₅ loadings, respectively, based on measured concentrations from the 2001 to 2008 period, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for nutrients and BOD₅ have been expressed as the percent reductions needed to attain the applicable Class I criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream nutrient and BOD₅. However, it is not the intent of the TMDL to abate natural background conditions.

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

NAME OF PERSON ORIGINATING PROPOSED RULE:
Drew Bartlett, Deputy Director, Division of Environmental Assessment and Restoration

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Michael Sole, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 28, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 19, 2009

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.:

RULE TITLE:

62-304.620

Little Manatee River Basin TMDLs

PURPOSE AND EFFECT: The purpose of the rule is to adopt Total Maximum Daily Loads (TMDLs), and their allocations, for fecal coliform impaired waters in the Little Manatee River Basin.

SUMMARY: This TMDL addresses fecal coliform impairments in the Little Manatee River Basin. Specifically, the TMDL rules being proposed for adoption are for Little Manatee River and South Fork Little Manatee River. These waterbodies were verified as impaired using the methodology established in Chapter 62-303, F.A.C., Identification of Impaired Surface Waters. The methodology used to develop the TMDLs was the percent reduction method. This rulemaking has been given OGC case number 09-2870.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

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

RULEMAKING AUTHORITY: 403.061, 403.067 FS.

LAW IMPLEMENTED: 403.061, 403.062, 403.067 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: September 3, 2009, 9:30 a.m.

PLACE: Florida Department of Environmental Protection, 2600 Blair Stone Road, Room 609, Bob Martinez Center, Tallahassee, Florida 32399-2400

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: Ms. Pat Waters at (850)245-8449. 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: Jan Mandrup-Poulsen, Division of Environmental Assessment and Restoration, Bureau of Watershed Restoration, Mail Station 3555, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8448

THE FULL TEXT OF THE PROPOSED RULE IS:

62-304.620 Little Manatee River Basin TMDLs.

(1) Little Manatee River. The fecal coliform Total Maximum Daily Load (TMDL) for Little Manatee River is 400 counts/100mL, and is allocated as follows:

(a) The Wasteload Allocation (WLA) for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's National Pollutant Discharge Elimination System (NPDES) Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2001 to 2008 period, will require a 79 percent reduction of sources contributing to exceedances of the criteria.

(c) The Load Allocation (LA) for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2001 to 2008 period, will require a 79 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(2) South Fork Little Manatee River. The fecal coliform TMDL for South Fork Little Manatee River is 400 counts/100mL, and is allocated as follows:

(a) The WLA for wastewater sources is not applicable.

(b) The WLA for discharges subject to the Department's NPDES Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2001 to 2008 period, will require a 43 percent reduction of sources contributing to exceedances of the criteria.

(c) The LA for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2001 to 2008 period, will require a 43 percent reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

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

NAME OF PERSON ORIGINATING PROPOSED RULE: Drew Bartlett, Deputy Director, Division of Environmental Assessment and Restoration

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Michael Sole, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 28, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 19, 2009

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-304.805
 RULE TITLE: Charlotte Harbor Basin TMDLs
 PURPOSE AND EFFECT: The purpose of the rule is to adopt Total Maximum Daily Loads (TMDLs), and their allocations, for a dissolved oxygen impaired water in the Charlotte Harbor Basin.

SUMMARY: This TMDL addresses dissolved oxygen impairments in the Charlotte Harbor Basin. Specifically, the TMDL rule being proposed for adoption is for Coral Creek – East Branch. This waterbody was verified as impaired using the methodology established in Chapter 62-303, F.A.C., Identification of Impaired Surface Waters. The target pollutant concentrations for the impaired water were established based on statistical analyses. The methodology used to develop the TMDL was the percent reduction method. This rulemaking has been given OGC case number 09-0716.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

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

RULEMAKING AUTHORITY: 403.061, 403.067 FS.

LAW IMPLEMENTED: 403.061, 403.062, 403.067 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: September 3, 2009, 9:30 a.m.

PLACE: Florida Department of Environmental Protection, 2600 Blair Stone Road, Room 609, Bob Martinez Center, Tallahassee, Florida 32399-2400

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: Ms. Pat Waters at (850)245-8449. 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: Jan Mandrup-Poulsen, Division of Environmental Assessment and Restoration, Bureau of Watershed Restoration, Mail Station 3555, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8448

THE FULL TEXT OF THE PROPOSED RULE IS:

62-304.805 Charlotte Harbor Basin TMDLs.

Coral Creek – East Branch.

The Total Maximum Daily Loads (TMDLs) to address the low dissolved oxygen condition for Coral Creek – East Branch are 0.74 mg/L total nitrogen (TN), 0.044 mg/L total phosphorus (TP), and 2.0 mg/L five-day biochemical oxygen demand (BOD₅), and are allocated as follows:

(1) The Wasteload Allocation (WLA) for wastewater sources is not applicable.

(2) The WLA for discharges subject to the Department's National Pollutant Discharge Elimination System (NPDES) Municipal Stormwater Permitting Program to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen criteria, based on the measured concentrations from the January 2007 to December 2007 period, will require a 31 percent reduction of TN, a 36 percent reduction of TP, and a 33 percent reduction of BOD₅ at sources contributing to exceedances of the criteria.

(3) The Load Allocation (LA) for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the dissolved oxygen criteria which, based on the measured concentrations from the January 2007 to December 2007 period, will require a 31 percent reduction of TN, a 36 percent reduction of TP, and a 33 percent reduction of BOD₅ at sources contributing to exceedances of the criteria, and

(4) The Margin of Safety is implicit.

(5) While the LA and WLA for TN and TP have been expressed as the percent reduction needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream TN and TP concentrations. However, it is not the intent of the TMDL to abate natural background conditions.

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

NAME OF PERSON ORIGINATING PROPOSED RULE: Drew Bartlett, Deputy Director, Division of Environmental Assessment and Restoration

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Michael Sole, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 28, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 19, 2009

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: RULE TITLE:

64B16-25.170 Probable Cause Panel

PURPOSE AND EFFECT: The Board proposes the rule amendment to expand probable cause candidates.

SUMMARY: The rule amendment will expand probable cause candidates.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board determined the proposed rule will not have an impact on small business.

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: 465.015 FS.

LAW IMPLEMENTED: 456.073, 465.013 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rebecca R. Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B16-25.170 Probable Cause Panel.

(1) No change.

(2) The probable cause panel shall be composed of two (2) persons, either current or former board members of the Board appointed by the chairman of the Board. One appointee must

~~be a current board member. The panel must include a former or current board member who is a licensed pharmacist. An appointee may be a former board member. No more than one (1) member of the panel may be a lay member. An affirmative vote of both members of the panel shall be required to find probable cause.~~

~~Rulemaking Specific Authority 465.015 FS. Law Implemented 456.073, 465.013 FS. History—New 10-17-79, Formerly 21S-8.08, 21S-8.008, 21S-25.170, 61F10-25.170, 59X-25.170, 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: June 9, 2009
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 17, 2009

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-27.400
RULE TITLE: Practice of Pharmacy
PURPOSE AND EFFECT: The Board proposes the rule repeal because the rule language has been moved to Rule 64B16-27.1001, F.A.C.
SUMMARY: The rule will be repealed because the rule language has been moved to another rule.
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board determined the proposed rule will not have an impact on small business.
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, 465.0155 FS.
LAW IMPLEMENTED: 465.003(11)(b), (13), 465.014, 465.026 FS.
IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rebecca R. Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3253
THE FULL TEXT OF THE PROPOSED RULE IS:

64B16-27.400 Practice of Pharmacy.

~~Those functions within the definition of the practice of the profession of pharmacy as defined by Section 465.003(13), F.S., are specifically reserved to a licensed pharmacist or a duly registered intern in this state acting under the direct and immediate personal supervision of a licensed pharmacist. The following subjects come solely within the purview of the licensed pharmacist.~~

- ~~(1) A licensed pharmacist or pharmacy intern must:~~
 - ~~(a) Supervise and be responsible for the controlled substance inventory;~~
 - ~~(b) Receive verbal prescriptions from a licensed practitioner;~~
 - ~~(c) Interpret and identify prescription contents;~~
 - ~~(d) Engage in consultation with a practitioner regarding interpretation of the prescription and data in a patient profile;~~
 - ~~(e) Engage in professional communication with licensed practitioners, nurses or other health professionals;~~
 - ~~(f) Advise or consult with a patient, both as to the prescription and the patient profile record;~~
 - ~~(g) Certify the finished prescription.~~
- ~~(2) When parenteral and bulk solutions of all sizes are prepared, regardless of the route of administration, the licensed pharmacist must:~~
 - ~~(a) Interpret and identify all incoming orders;~~
 - ~~(b) Mix all extemporaneous compounding or be physically present and give direction to the pharmacy technician for reconstruction, for addition of additives, or for bulk compounding of parenteral;~~
 - ~~(c) Physically examine, certify to the accuracy of the final preparation, thereby assuming responsibility for the final preparation;~~
 - ~~(d) Systematize all records and documentation of processing in such a manner that professional responsibility can be easily traced to a pharmacist.~~
- ~~(3) Only a Florida licensed pharmacist may make the final check of the completed prescription thereby assuming the complete responsibility for its preparation and accuracy.~~
- ~~(4) The pharmacist, as an integral aspect of dispensing, shall be directly and immediately available to the patient or the patient's agent for consultation and shall not dispense to a third party. No prescription shall be deemed to be properly dispensed unless the pharmacist is personally available.~~
- ~~(5) The pharmacist performing in this state any of the acts defined as "the practice of the profession of pharmacy" in Section 465.003(12), F.S., shall be actively licensed as a pharmacist in this state, regardless of whether the practice occurs in a permitted location (licensed facility) or other location.~~

~~(6) A pharmacist may take a meal break, not to exceed thirty minutes in length, during which the pharmacy department of a permittee shall not be considered closed, under the following conditions:~~

~~(a) The pharmacist shall be considered present and on duty during any such meal break if a sign has been prominently posted in the pharmacy indicating the specific hours of the day during which meal breaks may be taken by the pharmacist and assuring patients that a pharmacist is available on premises for consultation upon request during a meal break;~~

~~(b) The pharmacist shall be considered directly and immediately available to patients during such meal breaks if patients to whom medications are delivered during the meal break are verbally informed that they may request that a pharmacist contact them at the pharmacist's earliest convenience after the meal break, and if a pharmacist is available on premises during the meal break for consultation regarding emergency matters; only prescriptions with final certification by the pharmacist may be delivered;~~

~~(c) The activities of pharmacy technicians during such a meal break shall be considered to be under the direct and immediate personal supervision of a pharmacist if the pharmacist is available on premises during the meal break to respond to questions by the technicians, and if at the end of the meal break the pharmacist certifies all prescriptions prepared by pharmacy technicians during the meal break.~~

Rulemaking Specific Authority 465.005, 465.0155 FS. Law Implemented 465.003(11)(b), (13), 465.014, 465.026 FS. History-New 2-14-77, Formerly 21S-4.01, 21S-4.001, Amended 7-30-91, Formerly 21S-27.400, 61F10-27.400, Amended 1-30-96, 10-1-96, Formerly 59X-27.400, Amended 4-13-00, Repealed _____.

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: June 9, 2009

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-27.620
RULE TITLE: Disposition of Complimentary or Sample Medicinal Drugs Which Are Suitable for Dispensing

PURPOSE AND EFFECT: The Board proposes the rule repeal because the rule language has been moved to Rule 64B16-27.615, F.A.C.

SUMMARY: The rule will be repealed because the rule language has been moved to another rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board determined the proposed rule will not have an impact on small business.

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, 465.022, 499.028 FS.

LAW IMPLEMENTED: 465.022 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rebecca R. Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B16-27.620 Disposition of Complimentary or Sample Medicinal Drugs Which Are Suitable for Dispensing.

~~Complimentary or sample packages of medicinal drugs which are found to be unsuitable for the purpose of dispensing by reason of physical condition or failure to meet requirements of State or federal law shall be returned to the company of origin in accordance with the requirements of Chapter 499, F.S.~~

Rulemaking Specific Authority 465.005, 465.022, 499.028 FS. Law Implemented 465.022 FS. History-New 12-26-79, Formerly 21S-15.03, 21S-15.003, 21S-27.620, Amended 11-4-93, Formerly 61F10-27.620, 59X-27.620, Repealed _____.

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: June 9, 2009

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-28.114
RULE TITLE: Prescription Refills

PURPOSE AND EFFECT: The Board proposes the rule repeal because the rule language has been moved to Rule 64B16-27.211, F.A.C.

SUMMARY: The rule will be repealed because the rule language has been moved to another rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board determined the proposed rule will not have an impact on small business.

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, 465.014 FS.

LAW IMPLEMENTED: 465.014 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rebecca R. Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B16-28.114 Prescription Refills.

~~No prescription may be filled or refilled in excess of one (1) year from the date the original prescription was written. No prescription for a controlled substance listed in Schedule II may be refilled. No prescription for a controlled substance listed in Schedules III, IV, or V may be filled or refilled more than five times within a period of six (6) months after the date on which the prescription was written.~~

Rulemaking Specific Authority 465.005, 465.016(1), 465.022, 465.022(1)(a), 893.04 FS. Law Implemented 465.022 FS. History-New 12-18-74, Formerly 21S-1.28, 21S-1.028, Amended 7-31-91, Formerly 21S-28.114, 61F10-28.114, 59X-28.114, Amended 2-4-02, 7-41-02, Repealed _____.

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: June 9, 2009

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-17.005 RULE TITLE: Specific Regulations for Wildlife and Environmental Areas

PURPOSE AND EFFECT: The purpose of the proposed rule change is to revise regulations for the L. Kirk Edwards Wildlife and Environmental Area (WEA) in the Northwest Region. The effect of the proposed rule change will be to enable the agency to better manage fish and wildlife resources and public use on the WEA and to afford additional recreational opportunity to the public.

SUMMARY: The proposed rule change would revise area specific regulations on L. Kirk Edwards Wildlife and Environmental Area in the Northwest Region as follows: prohibit the use of center-fire rifles; allow taking wildlife with

bird dogs and retrievers during the gray squirrel and migratory game bird seasons only; allow motorized vehicles on named or numbered roads only; require vehicles to enter and exit at designated entrances; allow public access year-round from 1.5 hours before sunrise until 1.5 hours after sunset only; and prohibit the use of swamp buggies, tracked vehicles and all-terrain vehicles. On that portion of the area west of Chaires Cross Road, allow statewide seasons for migratory game birds and gray squirrel; and prohibit the take of wild hog during the gray squirrel season. On that portion of the area east of Chaires Cross Road, establish three (3) three-day spring turkey hunts (quota of 3 per hunt, no exemptions); legal to take – gobblers or bearded turkeys only; and allow only one turkey per quota permit.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will ___or will not ___X___ have an impact on small business. A SERC has ___ or has not ___X___ 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: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution; 375.313, 379.2223 FS.

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

DATES AND TIME: During the regular meeting of the Commission, September 9-11, 2009, 8:30 a.m. – 5:00 p.m. each day

PLACE: Mission Inn Resort & Club, 10400 County Road 48, Howey-in-the-Hills, FL 34737

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator, at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Diane Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-17.005 Specific Regulations for Wildlife and Environmental Areas.

(1) through (2) No change.

(3) Northwest Region.

(a) through (b) No change.

(c) L. Kirk Edwards – Leon County.

1. Open seasons for that portion of the area west of Chaires Cross Road: ~~season:~~

a. ~~Gray squirrel – During~~ the open season for gray squirrel established in Rule 68A-13.004, F.A.C.

~~b. 2. Migratory game birds – Migratory game birds may be taken~~ during seasons established in Rules 68A-13.003 and 68A-13.008, F.A.C.

2. Open seasons for that portion of the area east of Chaires Cross Road: Spring turkey – During the first three days of the spring turkey season of the Central Zone, and the Friday, Saturday, and Sunday of the third and fifth weekends of the spring turkey season of the Central Zone.

3. Legal to take: Migratory game birds, gray squirrel, gobbler and bearded turkey only. The take of wild hog is prohibited. Gobbler and bearded turkey may be taken during the spring turkey season only and the bag limit shall be one per quota permit.

4. General regulations:

a. Vehicles may be operated only on named or numbered roads and shall enter and exit at designated entrances. Vehicle access is prohibited from 1.5 hours after sunset until 1.5 hours before sunrise.

b. Taking wildlife with dogs, other than bird dogs or retrievers, is prohibited.

c. Taking wildlife with centerfire rifles is prohibited.

d. The use of swamp buggies, tracked vehicles, all-terrain vehicles or unlicensed and unregistered motorcycles is prohibited.

(4) through (5) No change.

PROPOSED EFFECTIVE DATE: As soon as possible following Commission action.

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.2223, 375.313 FS. History–New 7-1-83, Amended 11-30-83, 7-1-84, 8-21-85, Formerly 39-17.05, Amended 6-1-86, 8-13-87, 8-18-88, 8-17-89, 4-11-90, 7-1-91, 10-31-91, 4-14-92, 4-20-93, 7-1-94, 9-15-94, 3-30-95, 8-15-95, 7-1-96, 4-3-97, 10-28-97, 7-1-98, 8-11-98, 7-1-99, Formerly 39-17.005, Amended 7-1-00, 5-1-01, 6-2-02, 5-25-03, 7-1-04, 7-1-05, 7-1-06, 7-1-07, 7-1-08, 1-6-09, 7-1-09, _____.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Diane Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 17, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 5, 2008

DEPARTMENT OF FINANCIAL SERVICES

Division of Consumer Services

RULE NO.: 69J-7.003 RULE TITLE: Free Wind Inspections

PURPOSE AND EFFECT: Rule 69J-7.003, F.A.C., is being repealed. Section 215.5586, F.S., created the My Safe Florida Home (MSFH) program. Rule 69J-7.003, F.A.C., implemented that section, providing guidance regarding free home inspections and grants to certain homeowners to mitigate potential hurricane damage. The 2009 Florida Legislative Session did not provide funds to sustain the MSFH program which necessitates the repeal of Rule 69J-7.003, F.A.C.

SUMMARY: Repeal of Rule 69J-7.003, F.A.C., “Free Wind Inspections”.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

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: 215.5586(6) FS.

LAW IMPLEMENTED: 215.5586 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: Tuesday, September 1, 2009, 10:00 a.m.

PLACE: 142 Larson Building, 200 East Gaines Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Ellen Simon, (850)413-4270 or Ellen.Simon@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 IS: Ellen Simon, Chief Counsel, Department of Financial Services 200 East Gaines Street, Tallahassee, Florida 32399-0333 (850)413-4270

THE FULL TEXT OF THE PROPOSED RULE IS:

69J-7.003 Free Wind Inspections.

Rulemaking Specific Authority 215.5586(6) FS. Law Implemented 215.5586 FS. History—New 1-31-07, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Ellen Simon, Chief Counsel, Division of Legal Services, Department of Financial Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Alex Sink, Chief Financial Officer, Department of Financial Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 24, 2009

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Housing and Community Development

RULE NO.: RULE TITLE:
9B-3.047 State Building Code Adopted
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. 35, No. 19, May 15, 2009 issue of the Florida Administrative Weekly.

NOTE: This notice of change is corrective in nature, the Commission has proceeded through this rulemaking with the open and recognized intent to amend the 2007 edition of the code rather than the 2004 edition, and no substantive changes are occurring to the text of the Code approved by the Commission on June 9, 2009.

9B-3.047 State Building Code Adopted.

(1) The Florida Building Code, 2004 Edition, as updated by the Florida Building Commission on July 1, 2005, and as amended by the Commission on December 11, 2005, December 8, 2006, and May 21, 2007, ~~and June 9, 2009~~, incorporated herein by reference is hereby adopted as the building code for the State of Florida until February 28, 2009.

(2) Effective March 1, 2009, the Florida Building Code, 2007 edition, as updated by the Florida Building Commission, and as approved by the Commission on August 21, 2007, and amended by the Commission on December 10, 2008, and June 9, 2009, incorporated herein by reference is hereby adopted as the building code for the State of Florida.

(3) No change.

Rulemaking Specific Authority 553.73(1), (2), (6), (7) FS., Sections 21, 32, 33, 34, 36, 44, 46, 48, Chapter 2005-147, Laws of Florida, Section 1, Chapter 2006-65, Laws of Florida, Section 10, Chapter 2007-1, Laws of Florida. Law Implemented 553.72, 553.73(2), (3), (6), (7), (9) FS., Sections 21, 32, 33, 34, 36, 44, 46, 48, Chapter 2005-147, Laws of Florida, Section 1, Chapter 2006-65, Laws of Florida, Section 10, Chapter 2007-1, Laws of Florida. History—New 7-18-90, Amended 3-30-93, 10-17-93, 8-28-95, 9-24-96, 12-26-96, 4-27-97, 10-5-97, 10-14-97, 9-7-00, 11-28-00, 2-7-01, 12-16-01, 6-30-03, 4-3-05, 12-11-05, 12-8-06, 5-21-07, 10-1-08, 2-17-09,_____.

DEPARTMENT OF TRANSPORTATION

RULE NO.: RULE TITLE
14-10.025 Wall Murals
NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 34, No. 29, July 18, 2008 issue of the Florida Administrative Weekly has been withdrawn.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

COMMISSION FOR THE TRANSPORTATION DISADVANTAGED

RULE NO.: RULE TITLE:
41-2.007 Reporting Requirements
NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 35, No. 16, April 24, 2009 issue of the Florida Administrative Weekly.

In response to comments received from the Joint Administrative Procedures Committee, dated May 5, 2009. Subsection (1) of the rule shall be deleted in its entirety. The remaining subsections (2) through (9) shall be renumbered as subsections (1) through (8) and shall remain unchanged.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bobby Jernigan, Executive Director, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0405

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing
RULE NO.: RULE TITLE:
59A-7.020 Definitions
NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 35, No. 21, May 29, 2009 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

RULE NO.: 61G6-5.0061
 RULE TITLE: Registration of Additional New Business Entity or Transfers

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 33, No. 35, August 31, 2007 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

RULE NO.: 61G6-10.0065
 RULE TITLE: Reinstatement of Null and Void License Pursuant to Section 455.271(6)(b) of the Florida Statutes

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 33, No. 35, August 31, 2007 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE NO.: 61G19-5.002
 RULE TITLE: Disciplinary Guidelines

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. 35, No. 14, April 10, 2009 issue of the Florida Administrative Weekly.

VIOLATION

(a) Violating or failing to comply with any provision of this part, Chapter 455 or a valid rule or lawful order of the board or department, or subpoena of the department. (468.621(1)(a), F.S., 455.227(1)(b) and (q), F.S.)

(b) Obtaining certificate through fraud, deceit, or perjury. (468.621(1)(b), 455.227(1)(h), F.S.)

(c) Knowingly assisting any person to unlawfully practice building code

The change corrects the limit for the amount of fine for the first offence from \$5,000 to \$2,500.

The rule shall read as:

61G19-5.002 Disciplinary Guidelines.

(1) Purpose. Pursuant to Section 455.2273, F.S., the Board provides within this rule disciplinary guidelines which shall be imposed upon applicants or licensees whom it regulates under Chapter 468, Part XII, F.S. The purpose of this rule is to notify applicants and licensees of the ranges of penalties which will routinely be imposed unless the Board finds it necessary to deviate from the guidelines for the stated reasons given in Rule 61G19-5.003, F.A.C. The ranges of penalties provided below include the lowest and highest penalty and all penalties falling between. The purposes of the imposition of discipline are to punish the applicants or licensees for violations and to deter them from future violations; to offer opportunities for rehabilitation, when appropriate; and to deter other applicants or licensees from violations.

(2) Violations and Range of Penalties. In imposing discipline upon applicants and licensees, in proceedings pursuant to Sections 120.569, 120.57(1) and (2), F.S., the Board shall act in accordance with the following disciplinary guidelines and shall impose a penalty within the range corresponding to the violations set forth below. The verbal identification of offenses is descriptive only; the full language of each statutory provision cited must be consulted in order to determine the conduct included.

RECOMMENDED RANGE OF PENALTY

(a)1. Unless otherwise specified in this rule, in the case of an applicant, the usual action of the Board shall be from licensure with an administrative fine and probation to denial; in the case of a licensee, the usual action of the Board shall be to impose a penalty from reprimand to probation and a fine of up to ~~\$2,500~~ ~~4,500~~.

(a)2. After the first offense, a minimum of one year's probation to revocation or denial of licensure, and a fine of up to \$5,000 depending on the underlying offense and the magnitude of the violation.

The usual action of the Board shall be to impose a penalty of revocation and a fine of up to ~~\$2,500~~ ~~4,500~~.

(c)1. In the case of an applicant, the usual action of the Board shall be from licensure

administration, inspecting, or plans examination contrary to the provisions of this part or the building code adopted by the enforcement authority governing that person.

(468.621(1)(c), 455.227(1)(j), F.S.)

(d) Having been convicted of a felony.

(468.621(1)(d), F.S.)

(e) Guilt of or nolo plea entered to a crime directly related to building code administration or inspection.

(468.621(1)(e), 455.227(1)(c), F.S.)

(f) Knowingly making or filing a false report or failing to file a report as required.

(468.621(1)(f), 455.227(1)(l), F.S.)

(g) Committing willful misconduct, gross negligence, gross misconduct, repeated negligence, or negligence resulting in a significant danger to life or property.

(468.621(1)(g), F.S.)

1. Negligence

with an administrative fine and probation to denial. In the case of a licensee, the usual action of the Board shall be to impose a penalty from probation to suspension and a fine of up to ~~\$2,500~~ ~~1,500~~.

(c)2. After the first offense, the usual action of the Board shall be to impose a penalty from suspension to revocation and a fine of up to \$5,000.

(d)1. In the case of an applicant, the usual action of the Board shall be from licensure with an administrative fine and probation to denial. In the case of a licensee, the usual action of the Board shall be to impose a penalty from suspension to revocation and a fine of up to ~~\$2,500~~ ~~1,500~~.

(d)2. For a second offense in the case of an applicant, the usual action of the Board shall be from licensure with an administrative fine and suspension of at least 30 days followed by probation to denial. In the case of a licensee, the usual action of the Board shall be to impose a penalty from suspension followed by probation with conditions to revocation and a fine of up to ~~\$5,000~~ ~~4,000~~.

(d)3. After the second offense, the usual action of the Board shall be revocation and a fine of up to \$5,000.

(e)1. In the case of an applicant, the usual action of the Board shall be denial. In the case of a licensee, the usual action of the Board shall be to impose a penalty from suspension to revocation and a fine of up to ~~\$2,500~~ ~~1,500~~.

(e)2. After the first offense, the usual action of the Board shall be to impose a penalty of revocation and a fine of up to \$5,000.

(f)1. In the case of an applicant, the usual action of the Board shall be from licensure with an administrative fine and 30-day suspension followed by probation to denial. In the case of a licensee, the usual action of the Board shall be to impose a period of suspension to be followed by probation and a fine of up to ~~\$2,500~~ ~~1,500~~.

(f)2. After the first offense, in the case of an applicant, the usual action of the Board shall be denial. In the case of a licensee, the usual action of the Board shall be revocation and a fine of up to \$5,000.

1.a. In the case of an applicant, the usual action of the Board shall be from licensure with probation

2. Gross or repeated negligence, or gross misconduct.

3. Willful misconduct.

(h) Making misleading, deceptive or fraudulent representations.
(455.227(1)(a), and (m), F.S.)

1. Misleading or deceptive.

2. Fraudulent.

(i) through (m) No change.

(n) Practicing as a building code administrator, plans examiner, or inspector without a valid active certificate.
(468.607, 468.621(1)(a), F.S.)

to denial. In the case of a licensee, the usual action of the Board shall be to impose a penalty from probation to suspension and a fine of up to ~~\$2,500~~ \$5,000.

1.b. For a second offense in the case of an applicant, the usual action of the Board shall be from probation to denial and an administrative fine. In the case of a licensee, the usual action of the Board shall be to impose a penalty from suspension followed by probation and a fine of up to ~~\$5,000~~ 4,000.

1.c. After the second offense, the usual action of the Board shall be revocation and a fine of up to \$5,000.

2.a. In the case of an applicant, the usual action of the Board shall be denial. In the case of a licensee, the usual action of the Board shall be to impose a penalty from suspension to revocation and a fine of up to ~~\$2,500~~ 1,500.

2.b. After the first offense, the usual action of the Board shall be revocation and a fine of up to \$5,000.

3.a. In the case of an applicant, the usual action of the Board shall be denial. In the case of a licensee, the usual action of the Board shall be to impose a penalty of revocation and fine of up to ~~\$2,500~~ 1,500.

3.b. After the first offense, the usual action of the Board shall be to impose a penalty of revocation and a fine of up to \$5,000.

1.a. In the case of an applicant, the usual action of the Board shall be licensure with an administrative fine and probation or denial. In the case of a licensee, the usual action of the Board shall be to impose a penalty from reprimand to probation and a fine of up to ~~\$2,500~~ 1,500.

1.b. After the first offense, in the case of an applicant, the usual action of the Board shall be denial. In the case of a licensee, the usual penalty shall be suspension to revocation and a fine of up to \$5,000.

2.a. In the case of an applicant, the usual action of the Board shall be denial. In the case of a licensee, the usual action of the Board shall be to impose a penalty from suspension to revocation, a fine of up to ~~\$2,500~~ 1,500.

2.b. After the first offense, the usual action of the Board shall be to impose a penalty of revocation and a fine of up to \$5,000.

(n)1. In the case of an applicant, the usual action of the Board shall be licensure with an administrative fine and probation or denial. In the case of a licensee, the usual action by the Board shall be to impose a penalty from reprimand to probation and a fine of up to ~~\$2,500~~ 1,500.

(n)2. After the first offense, in the case of an applicant, the usual action of the Board shall be denial. For

(o) Having the authority to practice revoked or acted against, including the denial of licensure.
(455.227(1)(f), F.S.)

(p) Failing to report to the department any person who the licensee knows is in violation of Chapter 468, Part XII, Chapter 455, or the rules of the Board or Department.
(455.277(1)(I), F.S.)

(q) Failing to perform any statutory or legal obligations.
(455.227(1)(k), F.S.)

(r) through (u) No change.

(3) through (5) No change.

Rulemaking Specific Authority 455.227, 455.2273, 468.606 FS. Law Implemented 455.227, 455.2273, 468.607, 468.621, 468.629 FS. History—New 5-23-94, Amended 8-14-96, 8-3-97, 11-2-00, 4-10-06, 1-10-07,_____.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Robyn Barineau, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, FL 32399-0750

a licensee, the penalty shall be revocation and a fine of up to \$5,000.

(o)1. Imposition of discipline comparable to the discipline which would have been imposed if the substantive violation had occurred in Florida or suspension or licensure with an administrative fine and probation or denial of the license until the license is unencumbered in the jurisdiction in which disciplinary action was originally taken, and an administrative fine ~~up to \$2,500 ranging from \$250 to \$1,500.~~

(o)2. After the first offense, from imposition of discipline comparable to that which would have been imposed if a second or higher substantive violation had occurred in Florida to revocation or for an applicant from probation to denial of license and an administrative fine ~~up from \$1,000~~ to \$2,500.

(p)1. In case of an applicant, the usual action of the Board shall be denial or licensure with probation and an administrative fine. In case of the licensee, the usual action of the Board shall be to impose a penalty from reprimand to probation and a fine of up to \$1,500.

(p)2. After the first offense, in the case of an applicant the usual action of the Board shall be denial. In the case of a licensee, the usual action of the Board shall be to impose a penalty from suspension followed by probation to revocation and a fine of up to \$5,000.

(q)1. Unless otherwise specified in this rule, in the case of an applicant, the usual action of the Board shall be from licensure with an administrative fine and probation to denial; in the case of a licensee, the usual action of the board shall be to impose a penalty from reprimand to probation and a fine of up to ~~\$2,500~~ ~~1,500~~.

(q)2. After the first offense unless otherwise specified in this rule, the usual action of the Board shall be denial in the case of an applicant; in the case of a licensee, the usual action of the Board shall be to impose a penalty from probation to revocation and a fine of up to \$5,000.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

RULE NO.: 69K-24.040
RULE TITLE: Licensure of Centralized Embalming Facilities

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 35, No. 24, June 19, 2009 issue of the Florida Administrative Weekly has been withdrawn.

FINANCIAL SERVICES COMMISSION

Finance

RULE NO.: RULE TITLE:
69V-85.006 Electronic Filing of Forms and Fees

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. 35, No. 11, March 20, 2009 issue of the Florida Administrative Weekly.

The Small Business Regulatory Advisory Council considered this rule at its July 10, 2009, and July 24, 2009, public meetings. The Council recommended that the procedure for obtaining a hardship exemption under the rule be simplified. Subsection (4) of the rule has been amended to address the Council's recommendation.

THE FULL TEXT OF THE PROPOSED RULE IS:

69V-85.006 Electronic Filing of Forms and Fees.

(1) For purposes of this rule, "REAL System" means the Office of Financial Regulation's Regulatory Enforcement and Licensing System, which is accessible through the Office of Financial Regulation's website at www.flofr.com.

(2) All forms adopted under Rules 69V-85.002 and 69V-85.003, F.A.C., must be filed with the Office of Financial Regulation through the REAL system.

(3) All fees required to be filed with the Office of Financial Regulation under Rule 69V-85.003, F.A.C., must be filed through the REAL System.

(4) Any person may request an exemption from the electronic filing requirements of this rule by submitting a written request to: Office of Financial Regulation, Division of Finance, Bureau of Regulatory Review, 200 E. Gaines Street, Tallahassee, Florida 32399-0351. The request must set forth the person's technological or financial hardship that makes it difficult for the person to file forms and pay fees electronically. The request must be legible and include the applicant's or licensee's name, contact person, address and telephone number. The Office of Financial Regulation will provide any person granted an exemption under this subsection with instructions on how to file forms and fees in paper format.

Rulemaking Authority 520.994(5) FS. Law Implemented 520.03, 520.32, 520.52, 520.63, 520.999 FS. History--New _____.

FINANCIAL SERVICES COMMISSION

Finance

RULE NO.: RULE TITLE:
69V-160.036 Electronic Filing of Forms and Fees
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. 35, No. 11, March 20, 2009 issue of the Florida Administrative Weekly.

The Small Business Regulatory Advisory Council considered this rule at its July 10, 2009, and July 24, 2009, public meetings. The Council recommended that the procedure for obtaining a hardship exemption under the rule be simplified. Subsection (4) of the rule has been amended to address the Council's recommendation.

THE FULL TEXT OF THE PROPOSED RULE IS:

69V-160.036 Electronic Filing of Forms and Fees.

(1) For purposes of this rule, "REAL System" means the Office of Financial Regulation's Regulatory Enforcement and Licensing System, which is accessible through the Office of Financial Regulation's website at www.flofr.com.

(2) All forms adopted under Rule 69V-160.030, F.A.C., must be filed with the Office of Financial Regulation through the REAL system.

(3) All fees required to be filed with the Office of Financial Regulation under Rules 69V-160.030 and 69V-160.031, F.A.C., must be filed through the REAL System.

(4) Any person may request an exemption from the electronic filing requirements of this rule by submitting a written request to: Office of Financial Regulation, Division of Finance, Bureau of Regulatory Review, 200 E. Gaines Street, Tallahassee, Florida 32399-0351. The request must set forth the person's technological or financial hardship that makes it difficult for the person to file forms and pay fees electronically. The request must be legible and include the applicant's or licensee's name, contact person, address and telephone number. The Office of Financial Regulation will provide any person granted an exemption under this subsection with instructions on how to file forms and fees in paper format.

Rulemaking Authority 516.03 FS. Law Implemented 516.03 FS. History--New _____.

Section IV Emergency Rules

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN THAT on June 17, 2009, the St. Johns River Water Management District, received a petition for variance from DiPrima Holdings, Ltd., pursuant to Section 120.542, Florida Statutes. Petitioner is seeking a variance from subparagraph 40C-41.063(1)(c)1., F.A.C., and Section 11.1.3 of the Applicant's Handbook: Management and Storage of Surface Waters (February 1, 2005) (A.H.), for Environmental Resource Permit (ERP) Application 4-009-119715-1. The permit applicant is proposing to construct a surface water management system known as DiPrima Dairy within the Upper St. Johns River Hydrologic Basin to serve a 10.66 acre project in Brevard County, Florida, that discharges into the Melbourne-Tillman Water Control District canal system. Subparagraph 40C-41.063(1)(c)1., F.A.C., and Section 11.1.3, A.H., prohibit the construction, operation, and maintenance of a surface water management system in the Upper St. Johns River Hydrologic Basin that results in an increase in the amount of water being diverted from the Basin to coastal receiving waters. These rules are intended to protect the water resources of the state by limiting discharges of fresh water to estuarine waters and curtailing interbasin diversion. Comments on this petition should be filed with: Sandra Bertram, Acting

District Clerk, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, within 14 days of publication of this notice. The petition has been assigned F.O.R. Number 2009-65.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Gail L. Hankinson, Assistant General Counsel, Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, FL 32177, (386)329-4391.

NOTICE IS HEREBY GIVEN THAT on July 13, 2009, the South Florida Water Management District ("District"), received a petition for waiver from Miami-Dade County, Office of Public Transportation Management, Application No. 09-0708-2M, Permit (MOD) Number 9884 for utilization of Works or Lands of the District known as the C-103N Canal to allow 2 existing culvert connections within the C-103 canal in conjunction with the Busway Extension to Florida City to remain. C-103 Canal, Section 5, Township 57S, Range 39E, Miami-Dade County. The petition seeks relief from paragraph 40E-6.221(2)(j), Florida Administrative Code, which governs the maximum invert elevation of culvert connections, requiring that the crown elevation be a minimum of 1/2 foot below the design water surface or optimum water surface whichever is lower within Works and Lands of the District.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juli Russell at (561)682-6268 or e-mail: jurussel@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at: South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn.: Juli Russell, Office of Counsel.

NOTICE IS HEREBY GIVEN THAT on July 13, 2009, the South Florida Water Management District (District), received a petition for waiver from Miami-Dade County, Office of Public Transportation Management, Application No. 09-0708-3M, Permit (MOD) Number 9885 for utilization of Works or Lands of the District known as the C-103N Canal to allow 4 existing culvert connections within the C-103N canal in conjunction with the Busway Extension to Florida City to remain. C-103N Canal, Section 33, Township 56S, Range 39E, Miami-Dade County. The petition seeks relief from paragraph 40E-6.221(2)(j), Florida Administrative Code, which governs the maximum invert elevation of culvert connections, requiring that the crown elevation be a minimum of 1/2 foot below the design water surface or optimum water surface whichever is lower within Works and Lands of the District.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juli Russell at (561)682-6268 or e-mail: jurussel@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received

by the end of business on the 14th day at: South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn.: Juli Russell, Office of Counsel.

NOTICE IS HEREBY GIVEN THAT on July 17, 2009, the South Florida Water Management District ("District"), received a petition for waiver from Fernando Munilla, Application No. 09-0508-1, for utilization of Works or Lands of the District known as the C-100C Canal, for existing trees that are within 40 feet from top of bank on the west right of way of C-100C, Section 22, Township 55 South, Range 40 East, Miami-Dade County. The petition seeks relief from subsections 40E-6.011(4) and (6), Florida Administrative Code, which governs the placement of permanent or semi-permanent above-ground facilities within 40 feet of the top of the canal bank within Works or Lands of the District.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juli Russell at (561)682-6268 or email: jurussel@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the: South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn.: Juli Russell, Office of Counsel.

NOTICE IS HEREBY GIVEN THAT on July 17, 2009, the South Florida Water Management District ("District"), received a petition for waiver from Albert Palmer, Application No. 09-0619-1, for utilization of Works or Lands of the District known as the L-28 Canal, for the temporary utilization of L-28 for traveling to and from property located 1.3 miles from L-28 in Collier County; Section 36, Township 52 South, Range 34 East, Miami-Dade and Collier Counties. The petition seeks relief from subsection 40E-6.221(9), Florida Administrative Code, which governs the requirement that, except for both private and public utilities, an applicant must own or lease the land lying adjacent to the District Work within Works or Lands of the District.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juli Russell at (561)682-6268 or e-mail: jurussel@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the: South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn.: Juli Russell, Office of Counsel.

NOTICE IS HEREBY GIVEN THAT on July 17, 2009, the South Florida Water Management District ("District"), received a petition for waiver from Steven Patrick, Application No. 09-0619-2, for utilization of Works or Lands of the District

known as the L-28 Canal, for the temporary utilization of L-28 for traveling to and from property located 1.3 miles from L-28 in Collier County; Section 36, Township 52 South, Range 34 East, Miami-Dade and Collier Counties. The petition seeks relief from subsection 40E-6.221(9), Florida Administrative Code, which governs the requirement that, except for both private and public utilities, an applicant must own or lease the land lying adjacent to the District Work within Works or Lands of the District.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juli Russell at (561)682-6268 or e-mail: jurussel@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the: South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn.: Juli Russell, Office of Counsel.

DEPARTMENT OF MANAGEMENT SERVICES

NOTICE IS HEREBY GIVEN THAT on July 23, 2009, the Agency for Workforce Innovation, received a petition for Variance from subsection 60BB-4.100(22), F.A.C., which provides the definition of "working family." The Petition was filed by the Early Learning Coalition of Brevard County, Inc., 1018 Florida Avenue, Rockledge, Florida 32956.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Stephanie Savestanan, Agency for Workforce Innovation, Office of Early Learning, 107 E. Madison Street, MSC #140, Tallahassee, Florida 32399.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT on June 29, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for an emergency amended request for a variance from Rule 3.11.3 and 2.7.4, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Fire Fighter Service Phase 1 and 2 and restricted door openings from Mark J. Stempler on behalf of Lake Harbour Cove Condominium in Riviera Beach, FL. License Number 24912 and 24813 (VW 2009-017).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 21, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for an emergency permanent variance from Rules 2.7.4.1, ASME A17.1, 2005 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires machinerrooms have 70" clearance. The request

was submitted by Lee Rigby on behalf of Freedom Pointe Brookdale Senior Living in Lady Lake, FL. License Number 96331 and 96332 (VW 2009-185).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 22, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for variance from Brian Hood, on behalf of Sky Angel Center, LLC. The petitioner is requesting a temporary variance for extension of time in order to make the necessary corrections per ASME A17.1 (2004), Rule 2.2.2.5, sump pump (VW 2009-231).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Department of Business and Professional Regulation, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on June 25, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for petition for a temporary variance from Rule 3.11.3, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Fire Fighter Service Phase 1 and 2 from Harvey Landress on behalf of Madeira Towers Condominium Association, Inc. in Madeira Beach, FL. License Number 28156 (VW 2009-233).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on June 26, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Rule 3.11.3, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Fire Fighter Service Phase 1 and 2 from Danial DeRussy on behalf of Ranger Condominium Association, Inc. in South Pasadena, FL. License Number 31287 & 31288 (VW 2009-234).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on June 26, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for petition for a temporary variance from Rule 3.11.3, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Fire Fighter Service Phase 1 and 2 from Thomas Shewan on behalf of FSU – Westcott in Tallahassee, FL. License Number 21442 (VW 2009-235).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on June 26, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for petition for a temporary variance from Rule 3.11.3, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Fire Fighter Service Phase 1 and 2 from Thomas Shewan on behalf of FSU – Rogers in Tallahassee, FL. License Number 4890 (VW 2009-242).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on June 26, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for petition for a temporary variance from Rule 3.11.3, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Fire Fighter Service Phase 1 and 2 from Jennifer Warren on behalf of Siesta Harbor Condominium Association in Sarasota, FL. License Number 7702, 8225, 8893, 9054 & 9463 (VW 2009-243).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on June 29, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for petition for a temporary variance from Rule 3.11.3, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Fire Fighter Service Phase 1 and 2 from Kyle Hubler on behalf of Moorings Point Condominium Association, Inc. in Fort Myers, FL. License Number 34102 & 34103 (VW 2009-249).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on June 29, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for petition for a temporary variance from Rule 3.11.3, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Fire Fighter Service Phase 1 and 2 from Carolyn Gullett on behalf of Promenade at Boca Pointe Homeowners Association, Inc. in Boca Raton, FL. License Number 33868, 35960, 33866, 33869, 33865, 33867, 35963, 37826, 37827, 35961, 35964, 37825, 37823, 35959 (VW 2009-250).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on June 30, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a variance from Rule 3.11.3, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Fire Fighter Service Phase 1 and 2 from Pat Bell on behalf of Boca Entrada I Condominium Association, Inc. in Boca Raton, FL. License Number 20721 (VW 2009-251).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 2, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Rule 3.11.3, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Fire Fighter Service Phase 1 and 2 from Trista Sue Youngquist on behalf of Gordon River Hotel Associates (Bayfront Inn) in Naples, FL. License Number 38398 & 38399 (VW 2009-259).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 2, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for petition for a temporary variance from Rule 3.11.3 and 2.7.4, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Fire Fighter Service Phase 1 and 2 and restricted door openings from Rich Cassate on behalf of Chalet of San Marco Condominium Association, Inc. in Marco Island, FL. License Number 30193-30195 (VW 2009-261).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 2, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from unspecified rules as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., from Shirley Marschke on behalf of Barefoot Pelican in Naples, FL. License Number 38298 & 34441 (VW 2009-262).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 6, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Rule 3.11.3, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Fire Fighter Service Phase 1 and 2 from Danya K. Luby on behalf of 555 Winderly in Maitland, FL. License Number 36036-36038 (VW 2009-265).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 6, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Rule 3.11.3, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Fire Fighter Service Phase 1 and 2 from Danya K. Luby on behalf of Maitland 200 Building in Maitland, FL. License Number 32815 & 32816 (VW 2009-266).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 6, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from unreferenced rules as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Fire Fighter Service Phase 1 and 2, door closing force, lighting and receptacles, restricted door openings, no water and oil in pit from Cynthia Noble on behalf of Advantist Health Systems/Florida Hospital in Altamonte Springs, FL. License Number 10753, 35921, 21987, 21986 (VW 2009-267).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 6, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Rule 3.11.3 and 2.7.4, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Fire Fighter Service Phase 1 and 2 and restricted door openings from Denise Vaters on behalf of Vanderbilt Beach & Harbour Club in Naples, FL. License Number 31746 (VW 2009-268).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 7, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for petition for a temporary variance from Rule 3.11.3 and 2.7.4, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Fire Fighter Service Phase 1 and 2 and restricted door openings from David Vondenberger on behalf of Calvary Towers in Winter Park, FL. License Number 30409 & 30410 (VW 2009-269).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 6, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Rule 3.11.3, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Fire Fighter Service Phase 1 and 2 from Rich Peterson on behalf of The Breakers Condominium Association, Inc. in Redington Beach, FL. License Number 11693 (VW 2009-274).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 9, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for petition for a variance from unspecified sections of A17.2, as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires a pit ladder from Richard Higgins on behalf of Villa Del Verde Condominium Association in Boca Raton, FL. License Number 24680 (VW 2009-275).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 9, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for petition for a temporary variance from Rule 3.11.3 and 2.7.4, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Fire Fighter Service Phase 1 and 2 and restricted door openings from William Snyder on behalf of The Towers at Westshore in Tampa, FL. License Number 28521, 28522, 28523, 31120, 31121 & 31122 (VW 2009-276).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 10, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for petition for a temporary variance from

Rule 3.11.3 and 2.7.4, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Fire Fighter Service Phase 1 and 2 and restricted door openings from The Board of Directors of San Marco Residences in Marco Island, FL. License Number 29828 (VW 2009-277).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 10, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for petition for a temporary variance from Rule 3.11.3, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Fire Fighter Service Phase 1 and 2 from Sharon Surless on behalf of Kress Building in Orlando, FL. License Number 7665 (VW 2009-278).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 08, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for petition for a temporary variance from Rule 3.11.3, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Fire Fighter Service Phase 1 and 2 from Paul Komie on behalf of Palm Beach Airport Hilton in West Palm Beach, FL. License Number 34313, 34314, 34569 & 34570 (VW 2009-280).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 15, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for variance from Vincent Mennella, on behalf of Presidential Golfview Condominium Association, Inc. The petitioner is requesting a temporary variance for extension of time in order to make the necessary corrections per ASME A17.3 (1996), for Rule 3.11.3 Firefighters' Service and Rule 2.7.4 Door Restrictors (VW 2009-281).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Department Of Business and Professional Regulation, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 13, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for variance from Roger Brooks, on behalf of FDG Bridgeport Center, LLC. The

petitioner is requesting a temporary variance for extension of time due to financial constraints per ASME A17.3 (1996), for Rule 3.11.3 Firefighters' Service. (VW 2009-282).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Department Of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 13, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for variance from Courtney L. Collins, CAM, on behalf of Centre Court Condominium Association, Inc. The petitioner is requesting a temporary variance for extension of time due to financial constraints per ASME A17.3 (1996), for Rule 3.11.3 Firefighters' Service. (VW 2009-283).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Department Of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 13, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for variance from Lanny English, President, on behalf of Imperial Cove Condominium Association. The petitioner is requesting a temporary variance for extension of time in order to make the necessary corrections per ASME A17.3 (1996), for Rule 3.11.3 (H603f) Firefighters' Service, Rule 3.10.4, (H102d) Cab Stop Switch ON/Off Key, and Rule 2.7.4 (H118c) Door Restrictors (VW 2009-284).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN that on July 14, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for variance from Oscar Keuker, on behalf of lemon Bay Breezes Condominium Association, Inc. The petitioner is requesting a temporary variance for extension of time in order to make the necessary corrections per ASME A17.3 (1996), for Rule 3.11.3 Firefighters' Service. (VW 2009-285).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Department Of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 15, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from unspecified rules as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., from Pierre Thiemann on behalf of Port Belleair Condominium Association in Belleaire Bluffs, FL. License Number 8495 (VW 2009-286).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 15, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for variance from Lorraine J. Thomas, on behalf of Trafalgar Condominiums. The petitioner is requesting a temporary variance for extension of time in order to make the necessary corrections per ASME A17.3 (1996), for Rule 3.11.3 Firefighters' Service, (VW 2009-287).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 15, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for variance from Robert Adamczewski, on behalf of Meridian Club Condominium Association, Inc. The petitioner is requesting a temporary variance for extension of time in order to make the necessary corrections per ASME A17.3 (1996), for Rule 3.11.3 Firefighters' Service, and Rule 2.7.4 Door Restrictors (VW 2009-288).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Department Of Business and Professional Regulation, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 15, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for variance from Sue O'Connor, on behalf of, Oceans One Condominium Association, Inc. The petitioner is requesting a temporary variance for extension of time in order to make the necessary corrections per ASME A17.3 (1996), for Rule 3.11.3

Firefighters' Service (E-603A), Rule 2.7.4 Door Restrictors (118A), A17.0 Part XII (E-115A) update Braille and rule 3.4.2, update of the Gibs (E317A). (VW 2009-289).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Department of Business and Professional Regulation, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 15, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for petition for a temporary variance from Rule 3.11.3 and 2.7.4, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Fire Fighter Service Phase 1 and 2 and restricted door openings from Larry Woodard on behalf of Ocean Trail in Jupiter, FL. License Number 23433 & 2343426325 (VW 2009-290).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for variance from an Rowell, on behalf of The Chambre Condominium Association. The petitioner is requesting a temporary variance for extension of time in order to make the necessary corrections per ASME A17.3 (1996), for Rule 3.11.3 Firefighters' Service. (VW 2009-291).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 16, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for petition for a temporary variance from Rule 2.27.1.1.2, A17.1, 2005 and 2.7.4, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Emergency Communication and restricted door openings from Jane Calhoun on behalf of Raymond James Office Park in Fort Myers, FL. License Number 11463 & 10723 (VW 2009-292).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 16, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Rule 3.11.3, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Fire

Fighter Service Phase 1 and 2 from Cynthia J. Waypa on behalf of Lakewood Mid-Rise Condominium in Boca Raton, FL (VW 2009-294).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for variance from Suzi Ford, Liverty Property Trust on behalf of Butler Plaza II. The petitioner is requesting a temporary variance for extension of time in order to make the necessary corrections per ASME A17.3 (1996), for Rule 2.7.4 Door Restrictors (VW 2009-295).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 16, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Rule 3.11.3, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Fire Fighter Service Phase 1 and 2 from Richard N. Arcuri on behalf of Park Trammel Building in Tampa, FL. License Number 24430-24433 (VW 2009-296).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 16, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for an emergency temporary variance from Rule 3.11.3, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Fire Fighter Service Phase 1 and 2 from Jack Korsan on behalf of Lender Processing Services Inc. in Jacksonville, FL. License Number 9052 & 9053 (VW 2009-297).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 16, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from Rule 3.11.3, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Fire Fighter Service Phase 1 and 2 from Melvyn Van Dyke on behalf of Vantage Point Pool & Racquet Club Condominium Association, Inc. in Daytona Beach, FL. License Number 22030 through 22033 (VW 2009-298).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on June 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for variance from Glorinda & Tim Higham on behalf of Highland Properties W Florida. The petitioner is requesting a permanent variance regarding floor-to-floor height as indicated in ASME A18.1. (VW 2009-299).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 17, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for an emergency temporary variance from Rule 3.11.1, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Fire Fighter Service Phase 1 and 2 with a door close button from Rochelle Murray on behalf of One Capital Center in St. Petersburg, FL. License Number 35700 and 35701 (VW 2009-300).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 20, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from unspecified sections of A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., from Martha Hulgán on behalf of Diagnostic Clinic in Largo, FL. License Number 38444 (VW 2009-301).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 8, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for petition for a temporary variance from Rule 3.11.3, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Fire Fighter Service Phase 1 and 2 from Laura Melton on behalf of Anglers Cove in Marco Island, FL. License Number 31376, 31377, 31471, 31472 & 38030 (VW 2009-302).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 21, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for petition for a temporary variance from Rule 2.7.4, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires restricted door openings from Gary Tresnowsky on behalf of Lake Clarde Gardens Condominium in Lake Worth, FL. (VW 2009-303).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 21, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for petition for a temporary variance from Rule 3.11.3, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Fire Fighter Service Phase 1 and 2 from James Watkins on behalf of Verizon in Sarasota, FL. License Number 2817 and 7508 (VW 2009-304).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 21, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for an emergency temporary variance from Rule 3.11.3, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Fire Fighter Service Phase 1 and 2 from Thomas Shewan on behalf of FSU – Old FHP in Tallahassee, FL. License Number 32154 (VW 2009-306).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 21, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for an emergency temporary variance from Rule 3.11.3, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Fire Fighter Service Phase 1 and 2 from Thomas Shewan on behalf of FSU – Housewright in Tallahassee, FL. License Number 27076 (VW 2009-307).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 21, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for an emergency temporary variance from Rule 3.11.3, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Fire Fighter Service Phase 1 and 2 from Thomas Shewan on behalf of FSU – Duxbury Hall in Tallahassee, FL. License Number 22491 & 22494 (VW 2009-308).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 21, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for an emergency temporary variance from Rule 3.11.3, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Fire Fighter Service Phase 1 and 2 from Thomas Shewan on behalf of FSU – Westcott in Tallahassee, FL. License Number 21443 (VW 2009-309).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 21, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for an emergency temporary variance from Rule 3.11.3, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Fire Fighter Service Phase 1 and 2 from Thomas Shewan on behalf of FSU – Rogers Hall in Tallahassee, FL. License Number 4890 (VW 2009-310).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 21, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for an emergency temporary variance from Rule 3.11.3, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Fire Fighter Service Phase 1 and 2 from Thomas Shewan on behalf of FSU – Love Building in Tallahassee, FL. License Number 5351 (VW 2009-311).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 21, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for an emergency temporary variance from Rule 3.11.3, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires

Fire Fighter Service Phase 1 and 2 from Thomas Shewan on behalf of FSU – Strozier Annex in Tallahassee, FL. License Number 4316 & 4317 (VW 2009-312).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 21, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for an emergency temporary variance from Rule 3.11.3, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Fire Fighter Service Phase 1 and 2 from Thomas Shewan on behalf of FSU – Diffenbaugh in Tallahassee, FL. License Number 24517 (VW 2009-313).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 21, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for an emergency temporary variance from Rule 3.11.3, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Fire Fighter Service Phase 1 and 2 from Thomas Shewan on behalf of FSU – Shores Library in Tallahassee, FL. License Number 30551 (VW 2009-314).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 22, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for petition for a temporary variance from unspecified sections of A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., from Karen S. Wright on behalf of Oceans Seven Condominium Association, Inc. in Daytona Beach Shores, FL. License Number 22704 & 22705 (VW 2009-315).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 22, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a variance from Rule 3.11.3, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Fire Fighter Service Phase 1 and 2 from Ted L. Strand on behalf of the City of Clearwater in Clearwater, FL. License Number 6591 & 6592 (VW 2009-316).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 22, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for an emergency temporary variance from Rule 3.11.3, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Fire Fighter Service Phase 1 and 2 from Brad Bainhill on behalf of The Westshore Hotel in Tampa, FL. License Number 17788-17790 (VW 2009-317).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 22, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from unspecified sections of A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., from Stephen Dilluvio on behalf of Island Winds in Fort Myers Beach, FL. License Number 20804 & 20805 (VW 2009-318).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 22, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for variance from William Snyder, on behalf of Town Shores Condominiums – Chatham House Building. The petitioner is requesting a temporary variance for extension of time in order to make the necessary corrections per ASME A17.1 (1996) and ASME A17.3, Section 1.2A Application of Code, Section 3.11.2 Firefighters' Service, and Section 2.7.4 Restricted Opening of Hoistway Doors. (VW 2009-319).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Department Of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 23, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for petition for a temporary variance from Rule 3.11.3 and 211.3, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Fire Fighter Service Phase 1 and 2 and Identicle Key for Fire Fighter Service from James Refiner on behalf of Village on the Isle in Venice, FL. License Number 35501 (VW 2009-321).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 24, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from unreferences section(s) of A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., from Keith Rogers on behalf of City of Tampa, FL. License Number 31508, 31509 & 31510 (VW 2009-323).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 24, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for an emergency temporary variance from Rule 3.11.3, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Fire Fighter Service Phase 1 and 2 from Danica Suarez on behalf of One Barbados Condominiums in Tampa, FL. License Number 35920 (VW 2009-324).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 24, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for petition for a temporary variance from Rule 3.11.3, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Fire Fighter Service Phase 1 and 2 from Sandi Parris on behalf of The 3560 Condominium in South Palm Beach, FL. License Number 32482-32483 (VW 2009-325).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 24, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for petition for a temporary variance from Rule 3.11.3, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Fire Fighter Service Phase 1 and 2 from Richard H. Jones on behalf of Siesta Towers Condominium Association, Inc. in Sarasota, FL. License Number 15101 & 15102 (VW 2009-326).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on July 24, 2009, the Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for petition for a temporary variance from Rule 3.11.1, 3.11.3, 2.7.4, A17.3, 1996 as adopted by Chapter 3001.2 as adopted by paragraph 61C-5.001(1)(a), F.A.C., which requires Fire Fighters Service Phase 1 and 2, emergency communication and restricted door openings from Rick Chapman on behalf of Anheuser Busch in Jacksonville, FL. (VW 2009-327).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on June 1, 2009, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for subsection 61C-4.010(5), Florida Administrative Code, Paragraph 4-301.12(A), 2001 FDA Food Code, Paragraph 5-204.11(A), 2001 FDA Food Code and subsection 61C-1.004(1), Florida Administrative Code, from Best Western University Inn located in Boca Raton, FL. The above referenced F.A.C. addresses the requirement that each establishment have facilities for washing, rinsing and sanitizing dishes and utensils and an accessible hand wash sink in the food preparation area. They are requesting to utilize the food preparation area, dishwashing facility and hand wash sink located within another licensed establishment.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on June 30, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

On May 21, 2009, the department received a Petition for a Routine Variance for Subparagraph 3-305.11(A)(2), 2001 FDA Food Code, Paragraph 3-305.14, 2001 FDA Food Code, Paragraph 6-202.15, 2001 FDA Food Code, Paragraph 6-202.16, 2001 FDA Food Code, subsections 61C-4.010(1) and 61C-4.010(6), Florida Administrative Code, from Cappy's Pizzeria located in Tampa, FL. The above referenced F.A.C. addresses the requirement that only frankfurters may be prepared in an open air location. They are requesting to install open cooking equipment within an open air screened enclosure for preparation of food other than frankfurters. The request was published in Vol. 35, No. 24, June 19, 2009 of the Florida Administrative Weekly. On June 30, 2009, the Petitioner decided to withdraw this request.

A copy of the Order may be obtained by contacting: Rhonda.Steele@DBPR.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on July 23, 2009, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for Section 509.221(1)(b), Florida Statutes, subsection 61C-1.004(1), paragraph 61C-1.004(1)(d), Florida Administrative Code, and Paragraph 5-202.11(A), 2001 FDA Food Code from Corona Beach House located in Miami. The above referenced F.A.C. addresses the requirement that each establishment must discharge sewage into an approved collection system and have an approved plumbing system installed. They are requesting to utilize holding tanks to provide potable water and to collect waste water.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on July 22, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order. The Department of Business and Professional Regulation, Division of Hotels and Restaurants received a Petition for an Emergency Variance for Subparagraph 3-305.11(A)(2), 2001 FDA Food Code, Paragraph 3-305.14, 2001 FDA Food Code, Paragraph 6-202.15, 2001 FDA Food Code, Paragraph 6-202.16, 2001 FDA Food Code, subsections 61C-4.010(1) and 61C-4.010(6), Florida Administrative Code, from El Porto Catering located in Orlando, FL. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk potentially hazardous foods other than frankfurters from an open air mobile food dispensing vehicle.

The request was published in Vol. 35, No. 29, July 24, 2009 and approved contingent upon the Petitioner ensuring that each pan within the steam table is properly covered with an individual lid, the steam table is enclosed within a cabinet with tight-fitting doors and protected by an air curtain installed and operated according to manufacturer's specifications that protects against flying vermin or other environmental contaminants; all steam table foods must be properly reheated for hot holding at approved commissaries per the parameters of the currently adopted FDA Food Code, and held hot at the proper minimum temperature per the parameters of the currently adopted FDA Food Code; and steam table food is to be dispensed by the operator with no customer self-service. The Petitioner shall strictly adhere to the operating procedures and copies of the variance and operating procedures are to be

present on the MFDV during all periods of operation. Any violation of the variance or operating procedures is the equivalent of a violation of the Rule and may result in a rescission of the variance and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

A copy of the Order may be obtained by contacting: Lydia.Gonzalez@DBPR.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on July 27, 2009, the The Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

The department received a Petition on July 1, 2009 for an Emergency Variance for Subparagraph 3-305.11(A)(2), 2001 FDA Food Code, Paragraph 3-305.14, 2001 FDA Food Code, Paragraph 6-202.15, 2001 FDA Food Code, Paragraph 6-202.16, 2001 FDA Food Code, subsections 61C-4.010(1), and 61C-4.010(6), Florida Administrative Code, from Las Delicias Grill located in Orlando. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk potentially hazardous foods other than frankfurters from an open air mobile food dispensing vehicle.

This variance request was published in Vol. 35, No. 29, July 24, 2009 and approved contingent upon the Petitioner ensuring that each pan within the steam table is properly covered with an individual lid, the steam table is enclosed within a cabinet with tight-fitting doors and protected by an air curtain installed and operated according to manufacturer's specifications that protects against flying vermin or other environmental contaminants; all steam table foods must be properly reheated for hot holding at approved commissaries per the parameters of the currently adopted FDA Food Code, and held hot at the proper minimum temperature per the parameters of the currently adopted FDA Food Code; and steam table food is to be dispensed by the operator with no customer self-service. The Petitioner shall strictly adhere to the operating procedures and copies of the variance and operating procedures are to be present on the MFDV during all periods of operation.

The Petitioner shall strictly adhere to the operating procedures submitted and copies of the variance and operating procedures are to be present on the MFDV during all periods of operation and shall be adhered to as approved by the Division. Any violation of the variance or operating procedures is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

A copy of the Order may be obtained by contacting: Lydia.Gonzalez@DBPR.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on July 27, 2009, the The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

The department received a Petition on June 26, 2009 for a ROUTINE Variance for subparagraph 61C-1.002(5)(a)2., Florida Administrative Code, from Vend PSL located in Port St. Lucie. The above referenced F.A.C. addresses the requirement that a mobile food dispensing vehicle be a vehicle that is otherwise movable. They are requesting to mount the mobile food dispensing vehicle on casters rather than an axle.

This variance request was published in Vol. 35, No. 29, July 24, 2009, and approved contingent upon the Petitioner maintaining the casters in good repair. No additional equipment is to be installed. The unit must report to its commissary each day of operation for support services. The operation of this unit is restricted to the sports complex currently named Tradition Field. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

A copy of the Order may be obtained by contacting: Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

NOTICE IS HEREBY GIVEN THAT on July 27, 2009, the Florida Department of Environmental Protection, Bureau of Beaches and Coastal Systems, has issued an order.

The Bureau issued a final agency action denying the petition for variance received from Sand Cliffs Owners Association, Inc., regarding permit number WL-943 AR ATF. Notice of receipt of this petition was published in the F.A.W. on September 19, 2008. The property is located at 9064 East Coastal Highway 30A, Panama City Beach, Florida. The petition requested a variance from general coastal armoring criteria under subparagraphs 62B-33.0051(2)(b)1. and 62B-33.0051(2)(b)3., F.A.C.

The request was denied based on the petitioner's inability to demonstrate that strict application of the rules would serve the purpose of the underlying statute.

A copy of the Order may be obtained by contacting: Rosaline Beckham at (850)488-7815 or e-mail: rosaline.beckham@dep.state.fl.us.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT on July 27, 2009, the Department of Health, received a petition for an Emergency Temporary Variance from Rule 64E-13.004, Florida Administrative Code, from Savary Academy for Virtual Education, located at 70-A and 70-C Feli Way, Crawfordville, Florida. This rule requires that every school should be provided with toilet and hand washing facilities for all occupants. These facilities shall be located for convenient student access and faculty supervision and kept clean and in good repair. Faculty and staff facilities shall be provided in separate rooms from student facilities. Common toilet facilities for both sexes shall not be allowed above the third grade. Comments on this petition should be filed with: Sam Power, Agency Clerk, Department of Health, Office of General Counsel, 4052 Bald Cypress Way, Bin #A02, Tallahassee, Florida, 32399-1703, within 14 days of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Tracy Perez, Bureau of Community Environmental Health, 4052 Bald Cypress Way, Bin #A08, Tallahassee, Florida 32399-1710, (850)245-4277.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE IS HEREBY GIVEN THAT on July 17, 2009, the Department of Children and Families, received a petition for waiver of subsection 65C-15.017(3), Florida Administrative Code, from Kids Hope United and Veronica Bell Pelt, assigned Case No. 09-024W. Subsection 65C-15.017(3), F.A.C. require agency staff responsible for performing casework services shall have a bachelor's or master's degree in social work or a related area of study from an accredited college or university.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Families, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

NOTICE IS HEREBY GIVEN that on July 20, 2009, the Agency for Persons with Disabilities, received a petition for Variance from or waiver of paragraph 65G-2.012(23)(d), F.A.C.

Petitioners Name: Diaz Group Home #2 and Carmen I Diaz, Operator

Rule No: 65G-2.012(23)(d), F.A.C.

Nature of Rule: requires Group Homes to have at least one telephone accessible to staff and clients for emergency use.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Pete Mallison, Agency Clerk, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee, Florida 32399, (850)921-3779.

Section VI

Notices of Meetings, Workshops and Public Hearings

The following state governmental agencies, boards and commissions announce a public meeting to which all persons are invited:

- State Board of Administration
- Division of Bond Finance
- Financial Services Commission:
- Office of Insurance Regulation
- Office of Financial Regulation
- Agency for Enterprise Information Technology
- Department of Veterans' Affairs
- Department of Highway Safety and Motor Vehicles
- Department of Law Enforcement
- Department of Revenue
- Administration Commission
- Florida Land and Water Adjudicatory Commission
- Board of Trustees of the Internal Improvement Trust Fund
- Department of Environmental Protection

DATE AND TIME: August 25, 2009, 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular scheduled meeting of the Governor and Cabinet to act on all executive branch matters provided by law and to act on any agendas submitted for their consideration. The Governor and Cabinet will proceed through each agenda, item by item.

The State Board of Administration will take action on matters duly presented on its agenda, which may include such matters as Executive Director's reports; approval of fiscal sufficiency of state bond issues; approval of sale of local bonds at an interest rate in excess of statutory interest rate limitation; reports on investment performance; designation of banks as depositories for state funds; adoption of rules and regulations; investment of state funds pursuant to Chapter 215, F.S.; and consideration of other matters within its authority pursuant to Chapters 215 and 344, F.S., and Section 16 of Article IX of the Florida Constitution of 1885, as continued by subsection 9(c) of Article XII of the Florida Constitution of 1968.

The Division of Bond Finance of the State Board of Administration will take action on matters duly presented on its agenda, which will deal with the issuance of State bonds, arbitrage compliance and related matters.

The Financial Services Commission will take action on matters duly presented on its agenda which may include, but not be limited to; matters relating to rulemaking for all activities of the Office of Insurance Regulation concerning insurers and other risk bearing entities, including licensing, rates, policy forms, market conduct, claims, adjusters, issuance of certificates of authority, solvency, viatical settlements, premium financing, and administrative supervision, as provided under the Insurance Code or Chapter 636, F.S., and matters related to rulemaking for all activities of the Office of Financial Regulation relating to the regulation of banks, credit unions, other financial institutions, finance companies, retail installment sales providers, title loan lenders, collection agencies, mortgage brokers, mortgage lenders, certified capital companies, money services businesses, and the securities industry.

The Agency for Enterprise Information Technology will take action on matters duly presented on its agenda which may include, but not be limited to, the presentation and approval of the Agency's Annual Operational Work Plan as well as matters relating to rulemaking for all activities of the Agency.

The Department of Veterans' Affairs will take action on matters duly presented on its agenda which may include the administration of the Department as well as actions taken to further the Department's mission of providing assistance to veterans and their dependents, pursuant to Section 292.05, F.S.

The Department of Highway Safety and Motor Vehicles will take action on matters duly presented on its agenda, which may include such matters as approval of agency policies, taking agency action with regard to administrative procedure matters, and considering other matters within its authority pursuant to Florida Statutes.

The Department of Law Enforcement will take action on matters duly presented on its agenda which may include but not be limited to such matters as transfer of agency funds or positions, formulation of Departmental Rules, administrative procedure matters, submittal of reports as required, enter into contracts as authorized and to consider other matters within its authority pursuant to Chapters 20, 23, 120 and 943, F.S.

The Department of Revenue will act on matters duly presented on its agenda which may include approval of rules, legislative concept proposals, contracts over \$100,000, Departmental budgets, administrative procedure matters, and consideration of other matters within its authority.

The Administration Commission will take action on matters duly presented on its agenda which may include such matters as to create or transfer agency funds or positions, approve Career Service rules, administrative procedure matters, environmental matters arising under Chapter 380, F.S.,

comprehensive planning issues pursuant to Section 163.3184, F.S., determine sheriffs' budget matters, and consider other matters within its authority pursuant to various statutes including Chapters 110, 215 and 216, F.S.

The Florida Land and Water Adjudicatory Commission will take action on matters duly presented on its agenda including appeals of local government development orders in areas of critical state concern or of developments of regional impact under Section 380.07, F.S.; and review of water management matters under Chapter 373, F.S. The Commission will also review Department of Environmental Protection's rules and orders which, prior to July 1, 1993, the Governor and Cabinet, sitting as the head of the Department of Natural Resources, had authority to issue or promulgate.

The Board of Trustees of the Internal Improvement Trust Fund will take action on matters for which it is responsible pursuant to law (including duties pursuant to Title 18 of the Florida Statutes and Title 18 of the Florida Administrative Code) and that are duly presented on its agenda, which may include such matters as aquacultural issues as presented by the Division of Aquaculture in the Department of Agriculture and Consumer Services; mineral leases or sales; state or sovereign land leases, sales, exchanges, dedications, and easements; conservation and preservation lands and other land purchases; land planning matters and other matters within its authority.

The Department of Environmental Protection will present for consideration those matters required by law to be reviewed by the Governor and Cabinet, sitting as the Siting Board, which may include, but are not limited to siting of power plants and electric and natural gas transmission lines.

A copy of any of the above agendas submitted to the Governor and Cabinet for this meeting may be obtained by viewing the website of the Governor and Cabinet at <http://www.myflorida.com/myflorida/cabinet/> or by contacting each individual agency.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to provide at least 48 hours' notification before the meeting by contacting the Governor's Cabinet Affairs Office, (850)488-5152.

CABINET AIDES BRIEFING: On the Wednesday of the week prior to the above meeting, there will be a meeting of the aides to the Governor and Cabinet Members at 9:00 a.m., Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, FL

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Florida Agriculture in the Classroom, Inc.** announces a public meeting to which all persons are invited.

DATES AND TIMES: Board Meeting, Thursday, August 13, 2009, 1:00 p.m. – 4:00 p.m.; Long-Range Planning Session, Friday, August 14, 2009, 9:00 a.m. – 11:00 a.m.

PLACE: Ritz-Carlton Hotel, Sarasota, 1111 Ritz Carlton Drive, Sarasota, FL 34236

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Agriculture in the Classroom board of directors will hold its annual retreat.

A copy of the agenda may be obtained by contacting: Lisa Gaskalla at gaskalla@ufl.edu.

The **Subcommittee on Managed Marshes** announces a public meeting to which all persons are invited.

DATE AND TIMES: September 1, 2009, 9:30 a.m. (Quarterly Business Meeting); 1:00 p.m. (Field Trip)

PLACE: Indian River Mosquito Control District Office, 5655 41st Street, Vero Beach, Florida 32967, (772)562-2393

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly business meeting and field trip.

For more information, you may contact: Mr. Doug Carlson, Chairman at (772)562-2393, doug.carlson@irmosquito2.org.

The **Department of Agriculture and Consumer Services** announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 31, 2009, 3:00 p.m.

PLACE: Teleconference Call: 1(877)290-0784, Conference Code: 4078285522, call five minutes prior to the scheduled meeting time

GENERAL SUBJECT MATTER TO BE CONSIDERED: Special Meeting of a Subcommittee of the Florida Amusement Device and Attraction Advisory Committee to discuss public service announcements in regards to amusement ride safety.

A copy of the agenda may be obtained by contacting: Rob Jacobs, Bureau of Fair Rides Inspection, 3125 Conner Boulevard, Suite N, Tallahassee, Florida 32399-1650, (850)488-9790.

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: Rob Jacobs at (850)488-9790. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Florida Citrus Production Research Advisory Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, August 19, 2009, 1:00 p.m.

PLACE: Lee County Civic Center, Conference Room, 11831 Bayshore Rd., N. Ft. Myers, FL 33917

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting to discuss research, general council issues, and the upcoming referendum for 2010.

A copy of the agenda may be obtained by contacting: Marshall Wiseheart at (850)488-4366.

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 1 day before the workshop/meeting by contacting: Marshall Wiseheart at (850)488-4366. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Marshall Wiseheart at (850)488-4366.

The Florida **Department of Agriculture and Consumer Services, Division of Forestry (DOF)** and the Land Management Uniform Cost Accounting Council (LMUAC) announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday August 18, 2009, 1:30 p.m. – 5:00 p.m.

PLACE: Connor Training Room, Conner Building, 3125 Conner Boulevard, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: 1) Review and approval of minutes from the last meeting; 2) CARL Trust Fund update and related issues; 3) Presentation by LMUAC staff regarding proposed report format(s), pertinent dates, goals and deadlines; 4) Establishment of a date for the next Council meeting.

A copy of the agenda may be obtained by contacting: John Barrow at (850)488-1425.

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: John Barrow at (850)488-1425. 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 **Private Investigation, Recovery and Security Advisory Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 17, 2009, 9:00 a.m.

PLACE: Crowne Plaza West Palm Beach Hotel, 1601 Belvedere Road, West Palm Beach, Florida 33406, 1(877)701-9250

GENERAL SUBJECT MATTER TO BE CONSIDERED: The quarterly meeting of the Council pursuant to the requirement of Section 493.6104(4), Florida Statutes. The Council will conduct a general business meeting.

A copy of the agenda may be obtained by contacting: Debbie Barber, Post Office Box 6687, Tallahassee, Florida 32314-6687, (850)245-5500.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Debbie Barber at (850)245-5500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Debbie Barber at (850)245-5500.

The **Department of Agriculture and Consumer Services, Division of Licensing** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, October 15, 2009, 9:00 a.m.

PLACE: Hawthorn Suites Orlando Airport, 7450 Augusta National Drive, Orlando, Florida 32822, (407)438-2121

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Division will entertain discussion and receive input regarding recommended changes for the security officer curriculum training course.

A copy of the agenda may be obtained by contacting: Department of Agriculture and Consumer Services, Division of Licensing, Attention: Debbie Barber, Post Office Box 6687, Tallahassee, Florida 32314-6687, (850)245-5500.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Debbie Barber at (850)245-5500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Debbie Barber at (850)245-5500.

The **Private Investigation, Recovery and Security Advisory Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, December 10, 2009, 9:00 a.m.

PLACE: Hampton Inn & Suites, 3388 Lonnbladh Road, Tallahassee, Florida 32308, (850)574-4900

GENERAL SUBJECT MATTER TO BE CONSIDERED: The quarterly meeting of the Council pursuant to the requirement of Section 493.6104(4), Florida Statutes. The Council will conduct a general business meeting.

A copy of the agenda may be obtained by contacting: Debbie Barber, Post Office Box 6687, Tallahassee, Florida 32314-6687, (850)245-5500.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Debbie Barber at (850)245-5500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Debbie Barber at (850)245-5500.

DEPARTMENT OF EDUCATION

The **Florida Conflict Resolution Consortium Consensus Center** and the **Stormwater Management System Design Task Force** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, August 14, 2009, 9:00 a.m. – 5:00 p.m.

PLACE: Betty Easley Conference Center, Room 180, 4075 Esplanade Way, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Initial meeting to review legislative charge and task force scope as related to statewide design and regulation of Stormwater Management Systems.

A copy of the agenda may be obtained by contacting: Lisa Fowler, Jeff Blair or Robert Jones at (850)644-6320.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Lisa Fowler at (850)644-7063. 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).

NOTICE OF CHANGE – The Florida **State College at Jacksonville District**, Board of Trustees announces the following Executive Session and meetings to which the public is invited.

STRATEGIC CONVERSATION:

DATE AND TIME: August 4, 2009, 12:00 Noon – 2:00 p.m.

PLACE: Advanced Technology Center, Room T-140, 401 W. State St., Jacksonville, FL 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: Major Priorities for 2009-10.

REGULAR MONTHLY BOARD MEETING:

DATE AND TIME: August 4, 2009, 2:00 p.m. – 3:00 p.m.

PLACE: Donald T. Martin Center for College Services, Boardroom 451, 501 W. State St., Jacksonville, FL 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting.

EXECUTIVE SESSION:

DATE AND TIME: August 4, 2009, 3:30 p.m. – 5:00 p.m.

PLACE: Donald T. Martin Center for College Services, Room 462, 501 W. State St., Jacksonville, FL 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: Executive Session and Board discussion regarding Faculty Collective Bargaining Agreement pursuant to Section 447.605, Florida Statutes (2009). Pursuant to Section 447.605, Florida Statutes (2009), the Executive Session is closed to the public and exempt from the requirements of Section 286.011, Florida Statutes (2009). Documents prepared for the Executive Session pertaining to faculty collective bargaining are confidential and exempt from Section 119.07(1), Florida Statutes (2009).

Copies of the agenda for the regular monthly Board meeting will be available for inspection on and after Tuesday, July 28, 2009, and copies will be provided upon written request and the payment of approved duplicating charges. Any person wishing to address agenda items at the Board of Trustees meeting will be provided an opportunity to do so by appearing before the Board at the meeting. All objections to this notice or the propriety of the scheduled public meetings should be filed in writing with the College President, Florida State College at Jacksonville, on or before August 4, 2009. All legal issues should be brought to the College's attention and an attempt made to resolve them prior to the public meeting.

Any person wishing to appeal a decision made by the Board with respect to any matter considered at this meeting will need a record of the proceeding for such an appeal and may, therefore, need to ensure that a verbatim record is made.

Through the months of August and September, 2009, the Board will hold informal meetings each Thursday from 12:00 Noon – 4:00 p.m., at the Donald T. Martin Center for College Services, Room 462, for the purpose of discussing College business as appropriate.

The College does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of services and is an equal access/equal opportunity/affirmative action college. If special accommodations are required, please advise human resources 24 hours in advance of the meeting.

DEPARTMENT OF REVENUE

The **Department of Revenue** announces an additional public hearing to which all persons are invited regarding the above rules, as published in Vol. 35, No. 3, January 23, 2009, issue of the Florida Administrative Weekly, to receive comments for further consideration regarding the proposed adoption of changes to the above rules by the Governor and Cabinet.

A Notice of Change was published in the Florida Administrative Weekly on June 19, 2009 (Vol. 35, No. 24, p. 2959) to withdraw the provisions of proposed subsection (10),

Multiple Items Packages, of proposed Rule 12A-1.011, F.A.C., in response to written comments received from the Joint Administrative Procedures Committee.

A Notice of Change, as published in the Florida Administrative Weekly on July 31, 2009 (Vol. 35, No. 30), reflects the withdrawal for further consideration the provisions of proposed subsection (3), Food Products Consumed in Places Where an Admission is Charged, of Rule 12A-1.0115, F.A.C.

DATE AND TIME: August 31, 2009, 2:00 p.m.

PLACE: Room 118, Carlton Building, 501 South Calhoun Street, Tallahassee, Florida

SUBJECT MATTER TO BE CONSIDERED: Proposed changes to the above rules, as published in Vol. 35, No. 3, January 23, 2009, issue of the Florida Administrative Weekly.

The provisions of proposed subsection (10), Multiple Items Packages, of proposed Rule 12A-1.011, F.A.C., withdrawn in response to written comments received from the Joint Administrative Procedures Committee, as published in the Florida Administrative Weekly on June 19, 2009 (Vol. 35, No. 24, p. 2959).

The provisions of proposed subsection (3), Food Products Consumed in Places Where an Admission is Charged, of Rule 12A-1.0115, F.A.C., as noticed for further consideration in the Notice of Change, as published in Vol. 35, No. 30, July 31, 2009, issue of the Florida Administrative Weekly.

The provisions of proposed subsection (8), Caterers, of Rule 12A-1.0115, F.A.C., as published in Vol. 35, No. 3, pp. 328-336, January 23, 2009, issue of the Florida Administrative Weekly. This subsection was renumbered to subsection (7) in the Notice of Change, as published in Vol. 35, No. 30, July 31, 2009, issue of the Florida Administrative Weekly.

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this hearing is asked to advise the Department at least 48 hours before the hearing by contacting: Larry Green at (850)922-4830. If you are hearing or speech impaired, please contact the Department by using the Florida Relay Service, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

THE FULL TEXTS OF THE PROPOSED RULES AND THE NOTICES OF CHANGE ARE: Published on the Department's Internet site at myflorida.com/dor/rules.

DEPARTMENT OF TRANSPORTATION

The **Florida Transportation Commission** announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 25, 2009, 3:00 p.m. – until completion of business

PLACE: Florida Department of Transportation, 605 Suwannee Street, MS #9, Room 176, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Subcommittee on Authorities' Oversight – Jacksonville Transportation Authority Performance Measures.

A copy of the agenda may be obtained by contacting: Lisa O. Stone at (850)414-4316.

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: Lisa O. Stone at (850)414-4316. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Florida Transportation Commission, 605 Suwannee Street, MS #9, Room 176, Tallahassee, Florida 32399-0450, (850)414-4105.

The **Florida Transportation Commission** announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 25, 2009, 4:00 p.m. – until completion of business

PLACE: Florida Department of Transportation, 605 Suwannee Street, MS #9, Room 176, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Convene Florida Transportation Commission Nominating Committee to nominate a new Vice-Chair for the Commission.

A copy of the agenda may be obtained by contacting: Lisa O. Stone at (850)414-4316.

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: Lisa O. Stone at (850)414-4316. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Florida Transportation Commission, 605 Suwannee Street, MS #9, Room 176, Tallahassee, Florida 32399-0450, (850)414-4105.

The Florida **Department of Transportation**, District Six announces a hearing to which all persons are invited.

DATE AND TIMES: Tuesday, August 25, 2009, 6:00 p.m. – 8:00 p.m.; Formal Presentation, 6:30 p.m.

PLACE: Historic Lyric Theatre, 819 N. W. 2nd Avenue, Miami, FL 33136

GENERAL SUBJECT MATTER TO BE CONSIDERED: This Hearing is being held to allow interested persons an opportunity to express their views concerning the location, conceptual design, social, economic, and environmental effects of the proposed reconstruction of I-395 from the Midtown Interchange (I-95/SR 836/I-395) to the MacArthur Causeway

in Miami-Dade County, Florida, a distance of approximately 1.5 miles. Financial Project ID Number 251670-1-22-02, ETDM # 7701.

A copy of the agenda may be obtained by contacting: Mrs. Vilma Croft, P.E., Project Manager, Florida Department of Transportation, District Six, Planning and Environmental Management Office, 1000 N. W. 111th Avenue, Room 6111A, Miami, FL 33172, (305)470-5240, Fax: (305)470-5205, Email: vilma.croft@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Mrs. Vilma Croft, at the address or phone number listed above. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Florida Transportation Commission** announces a workshop to which all persons are invited.

DATE AND TIME: September 2, 2009, 3:00 p.m. – until conclusion of business

PLACE: Florida Turnpike Enterprise Headquarters, Turkey Lake Service Plaza, Milepost 263, Building 5315, Legal Conference Room, Ocoee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Transportation Commission Workshop.

A copy of the agenda may be obtained by contacting: Lisa O. Stone at (850)414-4316.

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: Lisa O. Stone at (850)414-4316. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Florida Transportation Commission, 605 Suwannee Street, MS #9, Room 176, Tallahassee, Florida 32399-0450, (850)414-4105.

The **Florida Transportation Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: September 3, 2009, 8:30 a.m. – until conclusion of business

PLACE: Florida Turnpike Enterprise Headquarters, Turkey Lake Service Plaza, Milepost 263, Building 5315, Auditorium A, Ocoee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Florida Transportation Commission Meeting.

A copy of the agenda may be obtained by contacting: Lisa O. Stone at (850)414-4316.

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: Lisa O. Stone at (850)414-4316. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Florida Transportation Commission, 605 Suwannee Street, MS #9, Room 176, Tallahassee, Florida 32399-0450, (850)414-4105.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

STATE BOARD OF ADMINISTRATION

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

DATE AND TIME: Tuesday, August 18, 2009, 2:00 p.m.

PLACE: The Hermitage Centre, 1801 Hermitage Blvd., Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED:
General Business of the Audit Committee.

A copy of the agenda may be obtained by contacting: Loveleen Verma, State Board of Administration of Florida, 1801 Hermitage Blvd., Suite 100, Tallahassee, FL 32308.

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: James Linn at (850)413-1166. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

FLORIDA PAROLE COMMISSION

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: August 20, 2009, 9:00 a.m.

PLACE: Florida Parole Commission, 2601 Blair Stone Road, Building C, Tallahassee, FL 32399-2450

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Regularly Scheduled Commission Meeting.

A copy of the agenda may be obtained by contacting: Jean Deason, Commissioner's Office at (850)487-1978.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Jean Deason, Commissioner's Office at (850)487-1978. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

PUBLIC SERVICE COMMISSION

NOTICE OF CHANGE – The Florida **Public Service Commission** announces a commission workshop to which all persons are invited.

DATE AND TIME: Wednesday, August 19, 2009, 9:30 a.m.

PLACE: Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, FL 32399-0862

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Undocketed – Review of Ten-Year Site Plans of Electric Utilities. The purpose of this workshop is to afford an opportunity for discussion and public comment on the ten-year site plans submitted by Florida's electric utilities.

A copy of the agenda for this workshop may be obtained by writing: Office of the Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. Any person with questions concerning this workshop should contact: Robert Graves at (850)413-7009.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop is asked to advise the agency at least 48 hours before the workshop by contacting: Office of Commission Clerk at (850)413-6770. 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).

EMERGENCY CANCELLATION OF WORKSHOP: If a named storm or other disaster requires cancellation of the workshop, Commission staff will attempt to give timely direct notice to all interested persons. Notice of cancellation of the workshop will also be provided on the Commission's website (<http://www.psc.state.fl.us/>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling: Office of the General Counsel at (850)413-6199.

The Florida **Public Service Commission** announces a public customer meeting to which all persons are invited.

DATE AND TIME: Monday, August 24, 2009, 6:00 p.m.

PLACE: Pensacola Junior College, Hagler Auditorium, Building 2, Room 252, 1000 College Blvd., Pensacola, Florida 32504

GENERAL SUBJECT MATTER TO BE CONSIDERED: DOCKET NO. 080695-WU – Application for general rate increase by Peoples Water Service Company of Florida, Inc.

The purpose of this customer meeting is to give customers and other interested persons an opportunity to offer comments regarding the quality of service the utility provides, the proposed rate increase, and to ask questions and comment on other issues. Commission Staff will be available to address and coordinate customers' comments and to assist members of the public. A representative from the Utility may also be in attendance. One or more of the Commissioners of the Florida Public Service Commission may attend and participate in the customer meeting. All persons who wish to comment are urged to be present at the beginning of the meeting, since the meeting may be adjourned early if no customers are present.

A copy of the agenda may be obtained by contacting: Mr. Bob Casey at (850)413-6974.

EMERGENCY CANCELLATION OF CUSTOMER MEETING: If a named storm or other disaster requires cancellation of the meeting, Commission staff will attempt to give timely, direct notice to parties. Notice of cancellation of the meeting will also be provided on the Commission's website (<http://www.psc.state.fl.us/>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling: Office of the General Counsel at (850)413-6199.

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: Florida Public Service Commission, Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399, (850)413-6770. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Florida Public Service Commission, Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399.

The Florida **Public Service Commission** announces a public customer meeting in the following docket to which all persons are invited.

TITLE: Application for staff-assisted rate case in St. Johns County by Camachee Cove Yacht Harbor Utility

Docket Number: 090230-WU

DATE AND TIME: Wednesday, October 21, 2009, 6:00 p.m.

PLACE: 252 Yacht Club Drive, St. Augustine, Florida 32084

GENERAL SUBJECT MATTER TO BE CONSIDERED: Docket Number: 090230-WU – Application for staff-assisted rate case in St. Johns County by Camachee Cove Yacht Harbor Utility. The purpose of this customer meeting is to give customers and other interested persons an opportunity to offer comments regarding the quality of service the utility provides,

the proposed rate increase, and to ask questions and comment on other issues. One or more of the Commissioners of the Florida Public Service Commission may attend and participate in this meeting. All persons who wish to comment are urged to be present at the beginning of the meeting, since the meeting may be adjourned early if no customers are present.

Emergency Cancellation of Customer Meeting: If a named storm or other disaster requires cancellation of the meeting, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation of the meeting will also be provided on the Commission's website (<http://www.psc.state.fl.us/>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling: Office of the General Counsel at (850)413-6199.

Any person requiring some accommodation at this meeting because of a physical impairment is asked to advise the agency at least 48 hours before the meeting by contacting: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770. If you are hearing or speech impaired, please contact the Agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Florida Public Service Commission, Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

EXECUTIVE OFFICE OF THE GOVERNOR

The **Governor's Office of Policy and Budget** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, August 24, 2009, 2:00 p.m. – 3:30 p.m.

PLACE: National Federation for Independent Businesses, 110 East Jefferson Street, Tallahassee, FL 32301, Conference Call: 1(888)808-6959, Conference Code:7517473

GENERAL SUBJECT MATTER TO BE CONSIDERED:

- 2010 Sunshine Census Statewide Complete Count Committee.
- Business Subcommittee Meeting.
- Establish a timeline to include, when to contact businesses to gauge their interests in partnering with the U.S. Census Bureau, when to start the outreach to employees and customers and when to peak the outreach.
- Brainstorm ideas businesses can use as outreach, such as, using the census message on burger wrappers, placing the census message on shopping bags, contacting electric companies to use a census message on their bill inserts, etc.
- Provide strategies and recommendations to the 2010 Sunshine Census media campaign so that businesses, employees and possibly customers' receive the information effectively and efficiently.

A copy of the agenda may be obtained by contacting: Ayla Anderson, Governor's Office of Policy and Budget at (850)487-1880.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Ayla Anderson, Governor's Office of Policy and Budget at (850)487-1880. 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).

REGIONAL PLANNING COUNCILS

The **North Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: August 18, 2009, 12:00 Noon

PLACE: North Central Florida Regional Planning Council Office, 2009 N. W. 67 Place, Gainesville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Finance Committee of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Gainesville, Florida 32653-1603.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **North Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: August 20, 2009, 1:15 p.m.

PLACE: Dixie County Emergency Operations Center, 17600 Southeast U. S. Highway 19, Cross City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the North Central Florida Regional Hazardous Materials Response Team Policy Board.

A copy of the agenda may be obtained by contacting: Dwayne Mundy, Public Safety and Regulatory Compliance Program Director, North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Suite A, Gainesville, Florida 32653-1603.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **North Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: August 20, 2009, 10:00 a.m.

PLACE: Dixie County Emergency Operations Center, 17600 Southeast U. S. Highway 19, Cross City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the North Central Florida (District 3) Local Emergency Planning Committee.

A copy of the agenda may be obtained by contacting: Dwayne Mundy, Public Safety and Regulatory Compliance Program Director, North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Suite A, Gainesville, FL 32653.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Northeast Florida Regional Council**, Local Emergency Planning Committee District IV announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, August 12, 2009, 10:00 a.m.

PLACE: Flagler County Emergency Operations Center, 1769 E. Moody Blvd., Bunnell, FL 32110

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Northeast Florida Regional Council Local Emergency Preparedness Committee announces the following public meeting to which all persons are invited. Notice is also given that two or more members of Boards of County

Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes may attend and speak at this meeting.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Jason Taylor at (904)279-0880. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Jason Taylor at (904)279-0880 or jtaylor@nefr.org.

The **Withlacoochee Regional Planning Council**, Board of Directors announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, August 20, 2009, 7:00 p.m.

PLACE: Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34471-0323

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Council.

A copy of the agenda may be obtained by contacting: Executive Director, Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34471-0323.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: August 18, 2009, 9:30 a.m.

PLACE: DeSoto County Turner Agri-Civic Center, Exhibit Hall, 2260 N. E. Roan Street, Arcadia, FL 34266

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular quarterly meeting of the Local Emergency Planning Committee (LEPC) and/or its subcommittees, to discuss the provision of the Emergency Planning and Community Right-to-Know Program. Additionally, items pertaining to the State Emergency Response Commission and its subcommittee for training may be discussed.

A copy of the agenda may be obtained by contacting: Chuck Carter, Program Director.

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: Chuck Carter, Program Director, 555 East Church Street, Bartow, FL 33830, (863)534-7130, ext. 107.

The **Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: August 19, 2009, 9:30 a.m.

PLACE: Sebring Civic Center, 355 West Center Avenue, Sebring, FL 33870

GENERAL SUBJECT MATTER TO BE CONSIDERED: A meeting of the Transportation and Land Use Task Force of the Heartland 2060 Regional Visioning effort.

A copy of the agenda may be obtained by contacting: Shannon Brett, Senior Planner at (863)534-7130, ext. 132, sbrett@cfrpc.org

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Patricia M. Steed, Executive Director, 555 East Church Street, Bartow, FL 33830, (863)534-7130.

The **Tampa Bay Local Emergency Planning Committee** (LEPC) District VIII announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, August 26, 2009, 10:30 a.m.

PLACE: 4000 Gateway Centre Blvd., #100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: to discuss and implement provisions of the Emergency Planning and Community Right-to-Know Act (EPCRA) pertaining to facilities with hazardous materials within the Florida LEPC District VIII.

A copy of the agenda may be obtained by contacting: John Meyer at (727)570-5151, ext. 29.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: John Meyer at (727)570-5151, ext. 29. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: John Meyer at (727)570-5151, ext. 29.

NOTICE OF CANCELLATION – The **Southwest Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, August 20, 2009, 9:00 a.m.

PLACE: Southwest Florida Regional Planning, 1926 Victoria Avenue, Fort Myers, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The regular monthly meeting has been cancelled.

The **Southwest Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, August 20, 2009, 9:00 a.m.

PLACE: Hilliard Family Cabin, 9 miles west of Clewiston, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: 2009 Annual SWFRPC Retreat.

A copy of the agenda may be obtained by contacting: Ms. Nichole Gwinnett at (239)338-2550, ext. 232 or email: ngwinnett@swfrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Ms. Deborah Kooi at (239)338-2550, ext. 210 or email: dkooi@swfrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: www.swfrpc.org.

WATER MANAGEMENT DISTRICTS

The **Southwest Florida Water Management District** (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, August 19, 2009, 9:00 a.m.

PLACE: City Hall Parking Lot, 212 W. Main Street, Inverness, FL 34450

GENERAL SUBJECT MATTER TO BE CONSIDERED: Land Management Tour: Tour of land management activities at Potts Preserve and Lake Panasoffkee properties. Ad Order 8232.

A copy of the agenda may be obtained by contacting: SWFWMD Executive Department, 2379 Broad Street, Brooksville, Florida 34604, 1(800)423-1476 (FL Only) or Frances Sesler at (352)796-7211, ext. 4608.

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: SWFWMD Human Resources Director at the address above; (352)796-7211 or 1(800)423-1476 (FL Only), ext. 4702; TDD (FL Only) 1(800)231-6103; or email: ADACoordinator@swfwmd.state.fl.us. This nondiscrimination policy involves every aspect of the District's functions, including access to and participation in the District's programs and activities. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: SWFWMD at the address above.

The **Water Resources Advisory Commission** (WRAC) Recreation Issues Workshop announces a public meeting to which all persons are invited.

DATE AND TIME: August 17, 2009, 5:00 p.m. – 8:00 p.m.

PLACE: SFWMD, Building B-1, Auditorium, 3301 Gun Club Rd., West Palm Beach, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Public Meeting of the Water Resources Advisory Commission (WRAC) regarding recreation issues. The public is advised that it is possible that one or more members of the Governing Board of the South Florida Water Management District may attend and participate in this meeting.

A copy of the agenda may be obtained by contacting: Rick Smith at (561)682-6517 or at our website: <http://my.sfwmd.gov/wrac>.

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: District's Clerk Office, Jacki McGorty at (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Water Resources Advisory Commission** (WRAC), Issues Workshop – River of Grass Project Planning Phase 1 announces a public meeting to which all persons are invited.

DATE AND TIME: August 20, 2009, 10:00 a.m. – 4:00 p.m.

PLACE: SFWMD, Building B-1, Auditorium, 3301 Gun Club Rd., West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: All interested parties are invited to participate in a planning workshop for use in configuration of the River of Grass Restoration Plan. The public is advised that it is possible that one or more members of the Governing Board of the South Florida Water Management District may attend and participate in this meeting.

A copy of the agenda may be obtained by contacting: Joni Warner at (561)242-5520, ext. 4221.

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: District's Clerk Office, Jacki McGorty at (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

COMMISSION FOR THE TRANSPORTATION DISADVANTAGED

The **Commission for the Transportation Disadvantaged** announces a public meeting to which all persons are invited.

DATES AND TIME: Conference, Monday through Wednesday, August 17-19, 2009; Commission Business Meeting, Thursday, August 20, 2009 9:30 a.m. – until completion

PLACE: Hilton in the Walt Disney World Resort, 1751 Hotel Plaza Boulevard, Lake Buena Vista, FL 32830, (407)827-4000, Conference Call: 1(888)808-6959, Conference Code: 524736

GENERAL SUBJECT MATTER TO BE CONSIDERED: The 17th annual Transportation Disadvantaged Training and Technology Conference to which all persons are invited. The conference will begin on August 17th and run through August 19th. Commission Business Meeting to be held August 20th, to discuss regular Commission business.

A copy of the agenda may be obtained by contacting: Amy Priest, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0450, (850)410-5700 or 1(800)983-2435.

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: Amy Priest, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0450, (850)410-5700 or 1(800)983-2435. The meeting is subject to change upon chairperson's request. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Amy Priest, 605 Suwannee Street, MS-49, Tallahassee, FL 32399-0450, (850)410-5700 or 1(800)983-2435.

REGIONAL UTILITY AUTHORITIES

The **Tampa Bay Water**, A Regional Water Supply Authority announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, August 17, 2009, 9:00 a.m.

PLACE: 2575 Enterprise Road, Clearwater, Florida 33763

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Board Meeting.

A copy of the agenda may be obtained by contacting: Tampa Bay Water at (727)796-2355 or can be accessed on the web at www.tampabaywater.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 3 days before the workshop/meeting by contacting: Records Department at (727)796-2355. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Records Department at (727)796-2355.

The **Tampa Bay Water**, A Regional Water Supply Authority announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, August 17, 2009, 9:00 a.m.

PLACE: 2575 Enterprise Road, Clearwater, FL 33763

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Regular Board meeting will be followed by a private Attorney/Client briefing session between the Tampa Bay Water Board of Directors and legal counsel pursuant to Section 286.011(8), Florida Statutes, to discuss settlement negotiations and strategy related to litigation expenditures in Tampa Bay Water v. HDR Engineering, Inc. et al.

Attorney Client Briefing Attendees: Board of Directors of Tampa Bay Water, General Manager Gerald Seeber, General Counsel Richard Lotspeich, Richard Harrison, Esquire, Dave Forziano, Esquire, and a certified court reporter.

The entire Attorney/Client briefing session will be recorded by a certified court reporter, transcribed within a reasonable time after the meeting, and filed with Tampa Bay Water's Records Manager. The transcript of the private session shall be made part of the public record upon the conclusion of the litigation.

A copy of the agenda may be obtained by contacting: Tampa Bay Water at (727)796-2355 or can be accessed on the Web: www.tampabaywater.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 3 days before the workshop/meeting by contacting: Records Department at (727)796-2355. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Tampa Bay Water Records at (727)796-2355.

DEPARTMENT OF THE LOTTERY

The **Department of the Lottery** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, August 17, 2009, 3:00 p.m.

PLACE: 250 Marriott Drive, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Lottery will open and read aloud the submitted bids for ITB 07-08/09, Ticket Dispensers for the Florida Lottery.

For more information, please visit the vendor's bid system at: http://vbs.dms.state.fl.us/vbs/main_menu.

A copy of the agenda may be obtained by contacting: Rhett Frisbie at (850)487-7710.

Any person requiring a special accommodation because of a disability at this public meeting should contact the ADA Coordinator at (850)487-7777, extension 3700 (Voice) or through the Florida Relay Service at 1(800)955-8771 (TDD), at least 24 hours prior to the meeting.

If a person decides to appeal any decision made by the Lottery with respect to any matter considered at the meeting, he or she will need a record of the proceedings, and for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made which includes the testimony and evidence upon which the appeal is to be based.

SPACE FLORIDA

The **Space Florida** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, August 19, 2009, 3:00 p.m. (Eastern Daylight Time)

PLACE: Teleconference

GENERAL SUBJECT MATTER TO BE CONSIDERED: Space Florida Board Meeting – Special Meeting to cover one subject related to President Search.

A copy of the agenda may be obtained by contacting: Deb Spicer, Vice President of Communications, Government and External Affairs at dspicer@spaceflorida.gov.

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 1 day before the workshop/meeting by contacting: Deb Spicer, Vice President of Communications, Government and External Affairs at dspicer@spaceflorida.gov.

If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Deb Spicer, Vice President of Communications, Government and External Affairs at dspicer@spaceflorida.gov.

The **Space Florida** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, August 25, 2009, 9:00 a.m. – 10:00 a.m. (Eastern Time)

PLACE: By Teleconference

GENERAL SUBJECT MATTER TO BE CONSIDERED: Space Florida Executive Committee Meeting.

A copy of the agenda may be obtained by contacting: Deb Spicer, Vice President of Communications, Government and External Affairs at dspicer@spaceflorida.gov.

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 1 day before the workshop/meeting by contacting: Deb Spicer, Vice President of Communications, Government and External Affairs at dspicer@spaceflorida.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Deb Spicer, Vice President of Communications, Government and External Affairs at dspicer@spaceflorida.gov.

The **Space Florida** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, August 26, 2009, 9:00 a.m. – 10:00 a.m. (Eastern Time)

PLACE: By Teleconference

GENERAL SUBJECT MATTER TO BE CONSIDERED: Space Florida Budget and Finance Committee Meeting.

A copy of the agenda may be obtained by contacting: Deb Spicer, Vice President of Communications, Government and External Affairs at dspicer@spaceflorida.gov.

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 1 day before the workshop/meeting by contacting: Deb Spicer, Vice President of Communications, Government and External Affairs at dspicer@spaceflorida.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Deb Spicer, Vice President of Communications, Government and External Affairs at dspicer@spaceflorida.gov.

DEPARTMENT OF ELDER AFFAIRS

The **Department of Elder Affairs** announces a telephone conference call to which all persons are invited.

DATES AND TIME: Tuesday, August 18, 2009; Tuesday, November 3, 2009; Tuesday, February 2, 2010; Tuesday, May 11, 2010, 11:00 a.m. – 12:00 Noon

PLACE: Conference Call: 1(888)808-6959, When prompted enter Conference Code: 4142039

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion between the Department of Elder Affairs and the Florida Association of Aging Service Providers of the issues affecting elders and the aging service network in the state of Florida.

A copy of the agenda may be obtained by contacting: Sarah Owen at (850)414-2000.

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 Owen at (850)414-2000. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Elder Affairs** announces a telephone conference call to which all persons are invited.

DATES AND TIME: Wednesday, August 19, 2009; Wednesday, November 4, 2009; Wednesday, February 3, 2010; Wednesday, May 12, 2010, 11:00 a.m. – 12:00 Noon

PLACE: Conference Call: 1(888)808-6959, When prompted, enter Conference Code: 4142039

GENERAL SUBJECT MATTER TO BE CONSIDERED: Subject: Discussion between the Department of Elder Affairs and the Florida Council on Aging of the issues affecting elders and the aging service network in the state of Florida.

A copy of the agenda may be obtained by contacting: Sarah Owen at (850)414-2000.

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 Owen at (850)414-2000. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Florida **Department of Elder Affairs**, Communities for a Lifetime announces a workshop to which all persons are invited.

DATE AND TIME: Thursday, October 22, 2009, 9:30 a.m. – 2:30 p.m. (EDT)

PLACE: Area Agency on Aging of Palm Beach/Treasure Coast, 4400 North Congress Avenue, West Palm Beach, Florida 33407

GENERAL SUBJECT MATTER TO BE CONSIDERED: Technical Assistance for communities currently participating in the Communities for a Lifetime initiative, and for communities interested in joining the initiative.

A copy of the agenda may be obtained by contacting: Janine R. Harris, Community Relations Manager, Communities for a Lifetime at (850)414-2373 or via email: harrisj@elderaffairs.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 72 days before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Janine R. Harris, Community Relations Manager, Communities for a Lifetime at (850)414-2373 or via email: harrisj@elderaffairs.org.

DEPARTMENT OF MANAGEMENT SERVICES

The **Department of Management Services (DMS)** announces a public meeting to which all persons are invited.

DATES AND TIME: Thursdays, Check for status of DMS Broadband-ARRA meetings at: www.dms.myflorida.com/SUNCOM; 3:30 p.m. – 5:00 p.m.

PLACE: Building 4030, 4030 Esplanade Way, Room 225A, Capital Circle Office Center, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Meeting.

A copy of the agenda may be obtained by contacting: Bill Price at (850)410-0709, bill.price@dms.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Linda Collins at (850)487-9971, linda.collins@dms.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Bill Price at (850)410-0709, bill.price@dms.myflorida.com.

The **Department of Management Services** announces a joint meeting of the Standard Operating Procedures and Technical Committees of the Joint Task Force on State Agency Law Enforcement Communications announces a public meeting to which all persons are invited.

DATE AND TIME: August 4, 2009, 9:00 a.m. – 5:00 p.m.

PLACE: Department of Transportation, Woodcrest Office Complex, Building K, 325 John Knox Road, Tallahassee, Florida 32303. Conference Call: 1(888)808-6959, Passcode: 4108307

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss operational matters of the Statewide Law Enforcement Radio System.

For more information about the agenda, contact: Vic Cullars, Florida Department of Law Enforcement at (850)410-8300 or Todd Preston, Fish and Wildlife Conservation Commission (850)410-0656, Ext. 17120.

The **Department of Management Services** announces a meeting of the Joint Task Force on State Agency Law Enforcement Communications announces a public meeting to which all persons are invited.

DATE AND TIME: September 3, 2009, 9:30 a.m. – until completion

PLACE: Betty Easley Conference Center, Room 152, 4075 Esplanade Way, Tallahassee, Florida 32399. The Conference Call Number is: (850)245-5733

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss operational matters of the Statewide Law Enforcement Radio System.

A copy of the agenda may be obtained by contacting: Bruce Meyers at (850)922-7510, bruce.meyers@dms.myflorida.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Pilotage Rate Review Board** announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 28, 2009, 10:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 4878197#

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

A copy of the agenda may be obtained by contacting: Pilotage Rate Review Board, 1940 N. Monroe St., Tallahassee, FL 32399-0783.

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: Board office. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

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

DATE AND TIME: Friday, August 14, 2009, 9:30 a.m.

PLACE: North Indian River County Library, 1001 Sebastian Blvd. (CR512), Sebastian, FL 32958

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the first meeting for the Central Indian River Lagoon (IRL) Basin Management Action Plan (BMAP) to discuss implementation of Total Maximum Daily Loads (TMDLs) in the Central IRL basin and its tributaries. The primary topics for discussion are an overview of the TMDL in the Central Basin and associated technical issues related to BMAP development.

A copy of the agenda may be obtained by contacting: Ms. Amy Tracy, Department of Environmental Protection, 2600 Blair Stone Road, Watershed Planning and Coordination Section, MS 3565, Tallahassee, Florida 32399-2400 or by calling her at (850)245-8506.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Ms. Amy Tracy at (850)245-8506. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DATE AND TIME: Wednesday, August 19, 2009, 1:30 p.m.

PLACE: Fran Carlton Center, 11 North Forest Avenue, Apopka, FL 32703

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting of the Wekiva Basin Management Action Plan (BMAP) Working Group will include discussion about recommendations to the Department of Environmental Protection regarding adoption of a BMAP to implement adopted Total Maximum Daily Loads in the Wekiva Basin. The focus of the meeting will be a discussion of nutrient sources in the Wekiva Basin and key issues affecting BMAP development.

A copy of the agenda may be obtained by contacting: Jennifer Gihring, Department of Environmental Protection, Watershed Planning and Coordination Section, 2600 Blair Stone Road, MS 3565, Tallahassee, Florida 32399-2400 or via phone at (850)245-8418.

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: Jennifer Gihring at (850)245-8418. 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 **Environmental Regulation Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: August 20, 2009, 9:00 a.m.

PLACE: 3900 Commonwealth Blvd., Conference Room A, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: A regularly scheduled meeting of the Environmental Regulation Commission will be held for the purpose of briefings regarding Chapters 62-302, 62-303 and 62-640, Florida Administrative Code. Department staff will provide an initial briefing on rulemaking to revise Chapter 62-640, Florida Administrative Code (F.A.C.), which contains regulations for the beneficial use of biosolids, also known as domestic wastewater residuals or sewage sludge. The primary intent of the proposed revisions is to address three main areas of concern: biosolids land application site management and accountability issues; growing nutrient concerns; and, public confidence in the beneficial use of biosolids. Department staff will also provide an initial briefing on rulemaking to revise Chapters 62-302 and 62-303, F.A.C. The proposed revisions establish numeric nutrient water quality criteria for lakes and streams in the state; establish a new "Type III" Site Specific Alternative Criteria (SSAC) process specific to nutrients that fully protects the designated use based on site specific considerations; and update the Impaired Waters Rule Chapter 62-303, F.A.C., to

incorporate changes associated with the numeric nutrient criteria and biological health assessments. The timeframe for the proposed changes is intended to achieve the schedule established by a formal determination of the Environmental Protection Agency that numeric nutrient criteria are necessary in Florida to achieve the requirements of the Clean Water Act. Department staff will also brief the Commission on receipt of a Petition to Initiate Rulemaking requesting that the Department propose changes to the designated use classification structure contained in Chapter 62-302, F.A.C., advise the Commission on draft rule language, and propose a schedule for that rulemaking that will parallel the timing of rule adoption for the numeric nutrient criteria. Following the briefing, the Commission will accept public comments on the proposed amendments to Chapters 62-302, 62-303 and 62-640, F.A.C., and the petition to revise the Department's designated use classification structure.

A copy of the agenda may be obtained by contacting: Kay Buchanan at (850)245-2293, or by going to the DEP website at the following address: <http://www.dep.state.fl.us/legal/ERC>. The agenda will be posted ten days prior to the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Kay Buchanan at (850)245-2293. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Florida **Department of Environmental Protection, Division of Recreation and Parks** announces a public meeting to which all persons are invited.

DATE AND TIME: August 21, 2009, 10:00 a.m. – 12:00 Noon
PLACE: Sarasota County Office, Bldg. E., Conference Room 1, 1301 Cattleman Road, Sarasota, FL 34232

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct Council Business for administering the Myakka River as a Wild and Scenic River.

A copy of the agenda may be obtained by contacting: Natalie Balcer, Division of Recreation and Parks, District 4 Administration, 1843 S. Tamiami Tr., Osprey, FL 34229, (941)486-2052.

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. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Natalie Balcer, Division of Recreation and Parks, District 4 Administration, 1843 S. Tamiami Tr., Osprey, FL 34229, (941)486-2052.

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

DATE AND TIME: September 21, 2009, 1:00 p.m.

PLACE: Holiday Inn Express Cocoa, 301 Tucker Lane, Cocoa, Florida 32926

GENERAL SUBJECT MATTER TO BE CONSIDERED: Administrative Law Judge Canter will conduct a hearing to consider the environmental effects and any other appropriate matters regarding whether to approve the site certification of the proposed Florida Power & Light Cape Canaveral Energy Center application for site certification number PA 08-53, DOAH Case number 09-0039EPP, DEP Office of General Counsel Case Number 08-2971, pursuant to the Florida Electrical Power Plant Siting Act, Sections 403.501-518, Florida Statutes. Judge Canter will prepare a Recommended Order for submission to and final action by the Governor and Cabinet acting as the Siting Board. Pursuant to Section 403.508(3), F.S., parties to the proceeding shall include the applicant, the Public Service Commission, the Department of Community Affairs, the Fish and Wildlife Conservation Commission, the water management district, the Department of Environmental Protection, the regional planning council, the local government, and the Department of Transportation. Any party listed in Section 403.508(3)(a), F.S., other than the Department of Environmental Protection or the applicant may waive its right to participate in these proceedings if such party fails to file a notice of its intent to be a party on or before the 90th day prior to the certification hearing. In addition, notwithstanding the provisions of Chapter 120, F.S., upon the filing with the administrative law judge of a notice of intent to be a party no later than 75 days after the application is filed, the following shall also be parties to the proceeding: any agency not listed in Section 403.508(3)(a), F.S. as to matters within its jurisdiction; any domestic nonprofit corporation or association formed, in whole or in part, to promote conservation or natural beauty, to protect the environment, personal health, or other biological values, to preserve historical sites, to promote consumer interests; to represent labor, commercial, or industrial groups, or to promote comprehensive planning or orderly development of the area in which the proposed electrical power plant is to be located. Other parties may include any person, including those persons listed herein who have failed to timely file a notice of intent to be a party, whose substantial interests are affected and being determined by the

proceeding and who timely file a motion to intervene pursuant to Chapter 120, F.S., and applicable rules. Intervention pursuant to this paragraph may be granted at the discretion of the designated administrative law judge and upon such conditions as he or she may prescribe any time prior to 30 days before the commencement of the certification hearing. Motions to intervene must be filed (received) with: Administrative Law Judge Canter, Division of Administrative Hearings, The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-1550, at least 30 days prior to the date of the certification hearing. Any agency, including those whose properties or works are being affected pursuant to Section 403.509(4), F.S., shall be made a party upon the request of the department or the applicant. The Certification hearing may be cancelled in accordance with Section 403.508(6)(a), F.S.; "No earlier than 29 days prior to the conduct of the certification hearing, the department or the applicant may request that the administrative law judge cancel the certification hearing and relinquish jurisdiction to the department if all parties to the proceeding stipulate that there are no disputed issues of fact or law to be raised at the certification hearing, and if sufficient time remains for the applicant and the department to publish public notices of the cancellation of the hearing at least 3 days prior to the scheduled date of the hearing."

A copy of the agenda may be obtained by contacting: Mr. Michael P. Halpin, P.E., Department of Environmental Protection, 3900 Commonwealth Blvd., M.S. 48, Tallahassee, Florida 32399-3000, (850)245-2002.

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: Jill Stoyshich, Department of Environmental Protection, 3900 Commonwealth Blvd., M.S. 48, Tallahassee, Florida 32399-3000, (850)245-2002. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Mr. Michael P. Halpin, P.E., Department of Environmental Protection, 3900 Commonwealth Blvd., M.S. 48, Tallahassee, Florida 32399-3000, (850)245-2002.

DEPARTMENT OF HEALTH

The **Office of Minority Health – Reducing Racial and Ethnic Health Disparities Advisory Committee** announces a public meeting to which all persons are invited.

DATES AND TIMES: Tuesday, August 11, 2009, 12:00 Noon – 5:00 p.m.; Wednesday, August 12, 2009, 8:30 a.m. – 1:00 p.m.

PLACE: Embassy Suites Hotel Tampa Airport/Westshore, Tampa, Florida, hotel phone number: 1(813)875-1555,

GENERAL SUBJECT MATTER TO BE CONSIDERED: The committee examines areas where public awareness, public education, research and coordination regarding racial and ethnic health outcome disparities are lacking. The committee considers access and transportation issues, and makes recommendations for closing the gaps in health outcomes.

A copy of the agenda may be obtained by contacting: Betty Smith at Betty_Smith@doh.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 hours before the workshop/meeting by contacting: Betty Smith at Betty_Smith@doh.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Office of Minority Health – 2009 Closing Gap Training** announces a workshop to which all persons are invited.

DATES AND TIMES: Wednesday, August 12, 2009, 1:00 p.m. – 5:00 p.m.; Thursday, August 13, 2009, 8:30 a.m. – 5:00 p.m.; Friday, August 14, 2009, 8:30 a.m. – 12:30 p.m.

PLACE: Embassy Suites Hotel Tampa Airport/Westshore, Tampa, Florida 33609, hotel phone number is: (813)875-1555

GENERAL SUBJECT MATTER TO BE CONSIDERED: CTG Training Workshop: To provide technical assistance to Closing the Gap funded projects in the areas of understanding contract responsibilities, budget, invoicing, payments, sustainability and board governance. Grantees will be trained on collecting and entering data into the Closing the Gap web based data system.

A copy of the agenda may be obtained by contacting: Betty Smith at Betty_Smith@doh.state.fl.us or (850)245-4941.

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: BettySmith at Betty_Smith@doh.state.fl.us or (850)245-4941. 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).

NOTICE OF CHANGE – The **Governor’s Council on Physical Fitness** announces a public meeting to which all persons are invited.

DATES AND TIMES: (TIME CHANGE) Thursday, August 20, 2009, 9:00 a.m. – 6:00 p.m.; Friday, August 21, 2009, 9:00 a.m. – 3:00 p.m.

PLACE: St. Pete Times Forum, 401 Channelside Drive, Tampa, FL 33602-5400

GENERAL SUBJECT MATTER TO BE CONSIDERED: To continue the work outlined in Executive Order 07-52 and Executive Order 09-91. To review and discuss the Governor’s Council on Physical Fitness’ recommendations and plan for upcoming year.

A copy of the agenda may be obtained by contacting: Katie Hammond at (850)245-4259 or FitnessCouncil@doh.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting. 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 **Governor’s Task Force on Autism Spectrum Disorders** announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 20, 2009, 1:00 p.m. – 2:00 p.m. or conclusion

PLACE: Toll-Free Conference Call Number: 1(888)808-6959, Code: 9439484

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a conference call for the Governor’s Task Force on Autism Spectrum Disorders. The Task Force will discuss the scope and prioritization of issues to be addressed as listed in Executive Order 09-82.

A copy of the agenda may be obtained by contacting: There will be no formal agenda for this meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Kimberly Copley at (850)487-3763 or by email: Kimberly_Copley@apd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: www.healthyfloridians.com/autism.html.

The **Board of Medicine, PCP South Panel** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, September 11, 2009, 2:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 2454131

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a public meeting to reconsider disciplinary cases with prior findings of probable cause.

A copy of the agenda may be obtained by contacting: Karen Miller at (850)245-4640, ext. 8180 or email: Karen_Miller2@doh.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Karen Miller at (850)245-4640, ext. 8180 or email: Karen_Miller2@doh.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Department of Health** announces a public meeting to which all persons are invited.

DATE AND TIME: August 27, 2009, 9:00 a.m.

PLACE: Marriott Orlando Airport, 7499 Augusta National Drive, Orlando, FL 32822, (407)859-0552

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Technical Review and Advisory Panel will discuss issues relating to onsite sewage treatment and disposal systems which may require changes to Chapter 64E-6, Florida Administrative Code. The panel may also discuss research proposals as requested by the Research review and Advisory Committee.

A copy of the agenda may be obtained by contacting: Shirley Kugler, Department of Health, Bureau of Onsite Sewage Programs, 4052 Bald Cypress Way, Bin #A08, Tallahassee, Florida 32399-1713.

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: Shirley Kugler, Department of Health, Bureau of Onsite Sewage Programs, 4052 Bald Cypress Way, Bin #A08, Tallahassee, Florida 32399-1713. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Gerald Briggs, Department of Health, Bureau of Onsite Sewage Programs, 4052 Bald Cypress Way, Bin #A08, Tallahassee, Florida 32399-1713.

FLORIDA HOUSING FINANCE CORPORATION

The **Florida Housing Finance Corporation** announces a public meeting to which all persons are invited.

DATES AND TIMES: Monday, August 17, 2009, 10:00 a.m. (Eastern Time); Tuesday, August 25, 2009, 2:00 p.m. (Eastern Time)

PLACE: Rick Seltzer Conference Room, Suite 6000, Florida Housing Finance Corporation, 227 North Bronough Street, Tallahassee, Florida 32301-1329

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss, evaluate and score the proposals submitted in response to Florida Housing Finance Corporation's Request for Qualifications #2009-02 for Cash Flow Verification Agent Services.

A copy of the agenda may be obtained by contacting: Sherry Green at (850)488-4197 or sherry.green@floridahousing.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Sherry Green at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Florida Housing Finance Corporation**, Board of Directors announces a public meeting to which all persons are invited.

DATE AND TIME: August 20, 2009, 10:00 a.m. – until adjourned

PLACE: Telephonic Meeting Call In Number: 1(888)808-6959, Conference Code: 4884197

GENERAL SUBJECT MATTER TO BE CONSIDERED: Request for Proposals 2009-03, Nine Percent Low-Income Housing Tax Credits With or Without Tax Credit Assistance Program (TCAP) Funding; and Request for Proposals 2009-04, Tax Credit Exchange Program (Exchange) Funding Only or Exchange Funding with Tax Credit Assistance Program (TCAP) Funding and a Nominal Amount of Nine Percent Low-Income Housing Tax Credits for Applicants that, as of February 17, 2009, had an Active Award of Nine Percent Housing Credits.

A copy of the agenda may be obtained by contacting: contacting: Sheila Freaney, Board Liaison, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197 or by visiting the Corporation's website: www.floridahousing.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by

contacting: Sheila Freaney, Florida Housing Finance Corporation at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

FISH AND WILDLIFE CONSERVATION COMMISSION

The Florida **Fish and Wildlife Conservation Commission** announces a workshop to which all persons are invited.

DATE AND TIME: August 24, 2009, 6:00 p.m. – 8:30 p.m.

PLACE: This workshop will be conducted using video conferencing equipment (communications media technology) with access points at the following locations (all of which are normally open to the public)

FWC Headquarters – Farris Bryant Building, 620 South Meridian Street, Tallahassee, FL 32399, (850)488-4676;

Northwest Regional Office, 3911 Highway 2321, Panama City, FL 32409, (850)265-3676;

North Central Regional Office, 3377 E. US Highway 90, Lake City, FL 32055, (386)758-0525;

Northeast Regional Office, 1239 S. W. 10th Street, Ocala, FL 34471 (352)732-1225;

Southwest Regional Office, 3900 Drane Field Road, Lakeland, FL 33811, (863)648-3200;

South Regional Office, 8535 Northlake Blvd., West Palm Beach, FL 33412, (561)625-5122; and

The Fish and Wildlife Research Institute, 100 8th Avenue, S. E., St. Petersburg, FL 33701, (727)896-8626

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission is considering revising Rule 68A-1.004 and Chapter 68A-27, F.A.C., rules relating to species classified as Candidate Species, Endangered Species, Threatened Species and Species of Special Concern and considering proposing additional rules related to endangered and threatened species as part of the ongoing effort to develop a new imperiled species listing process.

A copy of the agenda may be obtained by contacting: Caly Murphy at (850)488-3831, 620 South Meridian Street, MS 2A, Tallahassee, FL 32399; please also use this contact information to submit written or other physical evidence which you intend to offer as part of the record during the workshop.

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: ADA Coordinator, see numbers listed above. If you

are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF MILITARY AFFAIRS

The **Department of Military Affairs** announces a public meeting to which all persons are invited.

DATE AND TIME: August 15, 2009, 3:30 p.m.

PLACE: Camp Blanding Joint Training Center, Camp Blanding, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Armory Board Meeting.

The Armory Board will consider action on contracts, leases, agreements and other businesses relative to real property and facility management issues under its control.

If a person decides to appeal any decision made by the Armory Board with respect to any matter considered at this meeting, that person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

IN ACCORDANCE WITH FLORIDA STATUTE 286.0105.

A copy of the agenda may be obtained by contacting: Sondra Vaughn at (904)823-0201.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Sondra Vaughn at (904)823-0201. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Sondra Vaughn at (904)823-0201.

WORKFORCE FLORIDA

The **Workforce Florida** announces a public meeting to which all persons are invited.

DATES AND TIMES: August 11, 2009, Partners Council, 1:00 – 5:00 p.m. (EDT) Location TBD; August 12, 2009, Council Meetings, 8:00 a.m. – 5:30 p.m. (EDT); August 12, 2009, Reception, 5:30 p.m. – 7:00 p.m. (EDT) Location TBD; August 13, 2009, WFI Board meeting, 8:00 a.m. – 1:00 p.m. (EDT)

PLACE: DoubleTree Hotel, 101 South Adams Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board meeting, Council meetings discussing workforce issues.

A copy of the agenda may be obtained by contacting: www.workforceflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Peggy Dransfield at (850)921-1119. 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).

ENTERPRISE FLORIDA, INC.

The **Enterprise Florida, Inc.** announces a public meeting to which all persons are invited.

Rural/Urban Combined Working Group

DATE AND TIME: August 18, 2009, 10:00 a.m. – 12:45 p.m.

PLACE: Marriott Sawgrass, 1000 PGA Tour Boulevard, Ponte Vedra, FL 32082

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Ellen Stalnaker at (407)625-1924. 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 **Enterprise Florida, Inc.** announces a public meeting to which all persons are invited.

Competitiveness Working Group

DATE AND TIME: August 18, 2009, 1:00 p.m. – 2:45 p.m.

PLACE: Marriott Sawgrass, 1000 PGA Tour Boulevard, Ponte Vedra, FL 32082

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting. 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 **Enterprise Florida, Inc.** announces a public meeting to which all persons are invited.

Marketing Working Group

DATE AND TIME: August 18, 2009, 3:00 p.m. – 4:30 p.m.

PLACE: Marriott Sawgrass, 1000 PGA Tour Boulevard, Ponte Vedra, FL 32082

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Elen Stalnaker at (407)625-1924. 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 **Enterprise Florida, Inc.** announces a public meeting to which all persons are invited.

Stakeholders Council Meeting

DATE AND TIME: August 19, 2009, 8:30 a.m. – 11:30 a.m.

PLACE: Marriott Sawgrass, 1000 PGA Tour Boulevard, Ponte Vedra, FL 32082

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Ellen Stalnaker at (407)625-1924. 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 **Enterprise Florida, Inc.** announces a public meeting to which all persons are invited.

Technology, Entrepreneurship & Capital Committee (TEC)

DATE AND TIME: August 19, 2009, 1:30 p.m. – 3:00 p.m.

PLACE: Marriott Sawgrass, 1000 PGA Tour Boulevard, Ponte Vedra, FL 32082

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Ellen Stalnaker at (407)625-1924. 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 **Enterprise Florida, Inc.** announces a public meeting to which all persons are invited.

Global Commerce & Investment Committee

DATE AND TIME: August 19, 2009, 2:30 p.m. – 4:00 p.m.

PLACE: Marriott Sawgrass, 1000 PGA Tour Boulevard, Ponte Vedra, FL 32082

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Ellen Stalnaker at (407)956-5615. 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 **Enterprise Florida, Inc.** announces a public meeting to which all persons are invited.

Florida Life Sciences Council

DATE AND TIME: August 19, 2009, 3:00 p.m. – 4:30 p.m.

PLACE: Marriott Sawgrass, 1000 PGA Tour Boulevard, Ponte Vedra, FL 32082

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Ellen Stalnaker at (407)625-1924. 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 **Enterprise Florida, Inc.** announces a public meeting to which all persons are invited.

Legislative Policy Committee

DATE AND TIME: August 19, 2009, 4:00 p.m. – 6:00 p.m.

PLACE: Marriott Sawgrass, 1000 PGA Tour Boulevard, Ponte Vedra, FL 32082

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 3 days before the workshop/meeting by contacting: Ellen Stalnaker at (407)625-1924. 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 **Enterprise Florida, Inc.** announces a public meeting to which all persons are invited.

Enterprise Florida, Inc. Board of Directors Meeting

DATE AND TIME: August 20, 2009, 8:30 a.m. – 12:30 p.m.

PLACE: Marriott Sawgrass, 1000 PGA Tour Boulevard, Ponte Vedra, FL 32082

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Ellen Stalnaker at (407)625-1924. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

FLORIDA SELF-INSURERS GUARANTY ASSOCIATION, INC.

The **Florida Self-Insurers Guaranty Association, Inc.**, Audit Committee of its Board of Directors announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, August 18, 2009, 12:00 Noon

PLACE: Orlando World Center Marriott, 8701 World Center Drive, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: Brian Gee, Executive Director at (850)222-1882.

The **Florida Self-Insurers Guaranty Association, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, August 18, 2009, 3:00 p.m.

PLACE: Orlando World Center Marriott, 8701 World Center Drive, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors will meet to discuss general business of the Association.

A copy of the agenda may be obtained by contacting: Brian Gee, Executive Director, Florida Self-Insurers Guaranty Association, Inc., 1427 E. Piedmont Drive, 2nd Floor, Tallahassee, FL 32308, (850)222-1882.

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.

SUNSHINE STATE ONE CALL OF FLORIDA, INC.

The **Sunshine State One Call of Florida, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: August 19, 2009, 9:00 a.m. – 2:00 p.m.

PLACE: This meeting will be held by web and teleconference. To participate in the teleconference, call 1(866)213-2185 and enter participant code 332328. To participate in the web conference, visit <http://www.webmeeting.att.com>.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this Legislative Committee Meeting is to review and discuss potential amendments to Chapter 556, the “Underground Facility Damage Prevention and Safety Act”, Florida Statutes.

CITIZENS PROPERTY INSURANCE CORPORATION

The **Citizens Property Insurance Corporation** announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 19, 2009, 10:30 a.m.

PLACE: Conference Call: 1(888)302-3367

GENERAL SUBJECT MATTER TO BE CONSIDERED: Items of discussion include, but are not limited to, business before the Claims Committee.

A copy of the agenda may be obtained by contacting: Heather Ousley at (904)208-7238 or visiting our web site: <https://www.citizensfla.com/>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Heather Ousley at (904)208-7238. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

FLORIDA ENERGY AND CLIMATE COMMISSION

The **Florida Energy and Climate Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, August 19, 2009, 1:00 p.m. – Until Completion

PLACE: Toni Jennings Room, 110 Senate Office Building, 404 South Monroe Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Energy and Climate Commission (FECC) will hold a conference call to hear presentations of importance to the FECC on energy and climate change, discuss the American

Recovery and Reinvestment Act Spending Plan and consider mechanisms for implementing the spending plan as well as discuss other commission business.

Staff will conduct the conference call from: Toni Jennings Room, 110 Senate Office Building, where members of the public are invited to attend. Members of the public are also invited to listen to the call, but due to noise considerations are asked to dial-in from a land line and keep their phone lines muted until the public comment section of the agenda. The dial-in number is 1(866)233-5216 and the conference code is 5654699.

A copy of the agenda may be obtained by contacting: Brittany Cummins at (850)487-3800.

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. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

FLORIDA WORKERS’ COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC.

The **Florida Workers’ Compensation Joint Underwriting Association, Inc.**, Audit Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 20, 2009, 10:00 a.m.

PLACE: To participate in the teleconference meeting, please contact Kathy Coyne at (941)378-7408

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda items will include update on federal tax matters; and the Audit Committee Charter procedures checklist.

A copy of the agenda may be obtained by contacting: Kathy Coyne at (941)378-7408 or from the FWCJUA’s website: www.fwcjua.com.

FLORIDA AUTOMOBILE JOINT UNDERWRITING ASSOCIATION

The **Florida Automobile Joint Underwriting Association** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, August 27, 2009, TBA

PLACE: TBA

GENERAL SUBJECT MATTER TO BE CONSIDERED: Audit of current open and closed claims.

A copy of the agenda may be obtained by contacting: Lisa Stoutamire at (850)681-2003 or lstoutamire@fajua.org.

FLORIDA NETWORK OF YOUTH AND FAMILY SERVICES

The **Florida Network of Youth and Family Services** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, August 27, 2009, 11:00 a.m. – 3:00 p.m.

PLACE: Capital City Youth Services, 2407 Roberts Avenue, Tallahassee, FL 32310

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Agenda items to be considered:

- Recommendations to the Board from the membership regarding Quality Improvement Committee and the board's approval
- Reports from the Finance and Executive Committees,
- Update on the contract with the DJJ,
- Planning for the year's meetings, including a combination annual membership meeting and an awards event possibly in November, that would include the Board and all providers
- Board Committee work plans for 2010

A copy of the agenda may be obtained by contacting: Mary D. Richter, Executive Director, Florida Network of Youth and Family Services at (850)922-4324.

INDEPENDENT COLLEGES AND UNIVERSITIES OF FLORIDA

The Florida **Higher Educational Facilities Financing Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, August 27, 2009, 12:00 Noon – 1:00 p.m.

PLACE: Independent Colleges and Universities of Florida, 542 East Park Avenue, Tallahassee, Florida 32301, 1(850)681-3188, Telephonically: 1(866)578-5716, Conference Code: 1093911091

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Meeting to consider a certain resolution to amend the indenture for the Higher Educational Facilities Financing Authority (Florida) Southeastern University, Inc. Project Series 2005 bond issue and to conduct regular board business.

A copy of the agenda may be obtained by contacting: Melissa Armstrong, Independent Colleges and Universities of Florida, Inc., 542 East Park Avenue, Tallahassee, Florida 32301, (850)681-3188.

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: Melissa Armstrong, Independent Colleges and Universities of Florida, 542 East Park Avenue, Tallahassee, Florida 32301, (850)681-3188. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Melissa Armstrong, Independent Colleges and Universities of Florida, 542 East Park Avenue, Tallahassee, Florida 32301, (850)681-3188.

Section VII Notices of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

NOTICE IS HEREBY GIVEN THAT the Department of Highway Safety and Motor Vehicles has issued an order disposing of the petition for declaratory statement filed by Mark C. Jackson on October 13, 2008. The following is a summary of the agency's disposition of the petition:

The Department has issued a statement determining that it properly suspended Petitioner's license pursuant to Section 318.15, F.S., based on the final disposition of the Volusia Traffic Case and the Petitioner is eligible for re-licensure on June 2, 2010.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Judson M. Chapman, Senior Assistant General Counsel, Office of the General Counsel, 2900 Apalachee Parkway, A432, Tallahassee, FL 32399.

NOTICE IS HEREBY GIVEN THAT the Department of Highway Safety and Motor Vehicles has received the petition for declaratory statement from Mark C. Jackson. The petition seeks the agency's opinion as to the applicability of Sections 322.27, 322.271 and 318.15, Florida Statutes, as it applies to the petitioner.

Petitioner believes his driver license was wrongfully suspended because he alleges the Volusia County Court violated his due process rights. Petitioner would like to know if his driver license suspension can be invalidated, if it will be removed from his record after seven years, if his driver license is an indefinite suspension or a revocation and if so if he can reinstate pursuant to Section 322.271(1)(b), F.S.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Judson M. Chapman, Senior Assistant General Counsel, Office of the General Counsel, 2900 Apalachee Parkway, Room A432, MS #02, Tallahassee, FL 32399, (850)617-3101.

**BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND**

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

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE IS HEREBY GIVEN THAT the Agency for Health Care Administration has received the petition for declaratory statement from Israel A. Gomez, Arilys Rutkevich and Bernardo R. Reyes. The petition seeks the agency's opinion as to the applicability of Section 408.803(5), Florida Statutes (2009), as it applies to the petitioner.

Petitioner intends to purchase the stock of an existing health care clinic in two transactions and asks under Section 408.803(5) (effective July 1, 2009), Florida Statutes, whether an "event in which 51% or more of the ownership, shares, members, or controlling interest" of the licensee is considered transferred or assigned requiring a change of ownership application.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk. Please refer all comments to: Agency Clerk.

NOTICE IS HEREBY GIVEN THAT Agency for Health Care Administration has issued an order disposing of the petition for declaratory statement filed by ARC of Alachua County, Inc. on February 6, 2009. The following is a summary of the agency's disposition of the petition:

The Petitioner seeks an interpretation by the Agency of "Payment-in-Full" as defined in Section 409.907(3)(j), Florida Statutes (2008). The Agency has jurisdiction to interpret Section 409.907(3)(j), Florida Statutes (2008) and therefore declares that the statute clearly establishes that "Payment-in-Full" as the language is used, applies only to Medicaid covered good and services. If a good or service is not a covered benefit to a recipient of the Medicaid program, the "Payment-in-Full" provision does not apply. Therefore it is ordered that the requested Petition for Declaratory Statement as to the laws of Florida is Accepted and Answered in part and Denied in part.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Richard Shoop, Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Bldg. #3, MSC #3, Tallahassee, Florida 32308-5403, (850)922-5873.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, Docket No. 2009015853 on March 20, 2009. The following is a summary of the agency's declination of the petition:

The division cannot issue a declaratory statement where there are facts in dispute; or where there are owners who will be affected by the decision, who are not parties to the petition.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Douglas Beaudoin, Petitioner, In Re: Zellwood Station Co-op, Inc., Docket No. 2009023837 on May 7, 2009. The following is a summary of the agency's declination of the petition:

The division is without authority to issue a statement concerning the operations of chapter 720 organizations; or the division cannot issue a statement when there are facts in dispute.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed

by John Daw, Esquire representing James Millet In Re: Wekiva Hunt Club Condominium Association, Inc., Docket Number 2009015245, on March 10, 2009. The following is a summary of the agency's declination of the petition:

The division declined to issue a declaratory statement because it may not issue a declaratory statement regarding events that have already occurred; or where there are facts in dispute; or where there are owners who will be affected by the decision who are not parties to the petition.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Gretchen Graf, In Re: Lakewood at Palm Beach Condominium Association, Inc. on May 11, 2009. The following is a summary of the agency's declination of the petition:

The division has declined to issue a declaratory statement because the division may not issue a declaratory statement where there are facts in dispute; or where there are owners who will be affected by the decision who are not parties to the proceeding.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by David Haber on behalf of Portofino/South Pointe Master

Association, Inc., Docket Number 2009019992, on April 16, 2009. The following is a summary of the agency's declination of the petition:

The division declined to issue a declaratory statement because the division cannot issue a declaratory statement concerning events that have already taken place; or where there are facts in dispute; or where there are owners who will be affected by the decision and who are not parties to the petition.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by David Haber, Esquire, counsel for Portofino Towers Condominium Association, Inc. on April 7, 2009. The following is a summary of the agency's declination of the petition:

The division declined to issue a declaratory statement because the Association did not reference a statute, rule or order that applied to the specific situation; or the division may not issue a declaratory statement regarding facts that have already occurred; or a declaratory statement cannot be issued where persons who will be affected by the decision are not parties to the proceeding.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Don and Agathe Marks, Petitioners/Unit Owners, In Re:

Pan American Condominium Association, Inc. on April 16, 2009. The following is a summary of the agency's declination of the petition:

The division has declined to issue a declaratory statement because the division may not enter a declaratory statement on issues presently pending before a court.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by David and Carole A. Munro, In Re: Hamilton Club Association, Inc. on April 29, 2009. The following is a summary of the agency's declination of the petition:

The division declined to issue a declaratory statement because the division does not have jurisdiction to interpret vague or ambiguous provisions in the governing documents; or because the division cannot issue a statement concerning events that have already taken place; or because the division cannot issue a declaratory statement where persons who will be affected by the decision are not parties to the proceeding.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Electrical Contractors' Licensing Board has issued an order disposing of the petition for declaratory statement filed by Fisher & Phillips, LLP, Attorneys at Law, on behalf of TEKsystems, on March 3, 2009. The following is a summary of the agency's disposition of the petition:

The Notice of Petition for Declaratory Statement was published in Vol. 35, No. 20, of the May 22, 2009, Florida Administrative Weekly. The Petitioner sought the Board's opinion as to whether TEKsystems may provide contract

employees to perform work for licensed electrical contractors in the state of Florida, without requiring such contract employees to themselves be licensed by the Board, under Section 489.503, Florida Statutes. The Board considered the Petition at its meeting held on May 15, 2009, in Tampa, Florida, and issued an order, filed on July 16, 2009, finding that a Florida certified or registered electrical contractor may contract with Petitioner for the provision of workers employed by Petitioner to work for the electrical contractor. Such workers would be considered employees of the Florida certified or registered electrical contractor for purposes of licensure and would enjoy the same exemption from licensure as would a regular employee of the Florida certified or registered electrical contractor, as long as that employee of the Petitioner acts within the scope of the license held by the certified or registered electrical contractor, and with the knowledge and permission of the certified or registered electrical contractor.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Juanita Chastain, Executive Director, Electrical Contractors' Licensing Board, Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida 32399.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN THAT the Department of Financial Services, Division of State Fire Marshal has issued an order disposing of the petition for declaratory statement filed by Priority Fire Company, Inc. on April 24, 2009. The following is a summary of the agency's disposition of the petition:

The petition asks who is required to sign the Above Ground Material and Test Certificate, when two different contractors installed the fire sprinkler system. The answer is that the installing contractor must sign the certificate. In this case, both contractors are installing contractors, and either can sign the Above Ground Material and Test Certificate.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Lesley Mendelson, Assistant General Counsel, 200 East Gaines Street, Tallahassee, Florida 32399-0340, (850)413-3604 or (850)413-4238, Fax: (850)922-1235 or (850)488-0697 (please advise if you would like it mailed or faxed to you and please

include your phone number on your request in case any question arises), or by e-mailing your request to: Lesley.Mendelson@myfloridacfo.com.

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

DEPARTMENT OF EDUCATION

Notice of Bid

The University of Florida, Purchasing and Disbursement Services will receive sealed bids for the following: ITB10MB-107YC, Continuing Minor Projects Annual Contract for General Contractors, estimated budget: TBD, to be opened September 30, 2009, 2:00 p.m., 101 Elmore Hall, Radio Road, Gainesville, FL. Scope of work: To simplify and expedite the execution of general construction projects at the University of Florida. Projects could be located on the

University of Florida main campus or at UF and IFAS facilities throughout the State of Florida. The maximum per-project construction cost shall be less than \$100,000.

Mandatory pre-bid meeting will be held September 8, 2009, 10:00 a.m., 101 Elmore Hall, Radio Road, Gainesville, FL. Questions should be directed to: Lisa Pennington at lpenn@ufl.edu or (352)392-1331. For more information visit www.purchasing.ufl.edu.

AMERICANS WITH DISABILITY ACT OF 1991 – If special accommodations are needed in order to attend the Pre-Bid Meeting or the Bid opening, contact: Purchasing at purchasing@ufl.edu or (352)392-1331 within three (3) days of the event.

Notice of Bid

The University of Florida, Purchasing and Disbursement Services will receive sealed bids for the following: ITB10SVF-105YC, Quick Response Plumbing Contractor Annual Contract, estimated budget: TBD, to be opened September 23, 2009 at 2:00 p.m., 101 Elmore Hall, Radio Road, Gainesville, FL. Scope of work: To simplify and expedite the execution of small plumbing construction projects at the University of Florida. Projects could be located on the University of Florida main campus or at UF and IFAS facilities throughout the State of Florida. The maximum per-project construction cost shall be less than \$100,000.

Mandatory pre-bid meeting will be held September 10, 2009, 10:00 a.m., in the PPD A/E Main Street Trailer, Building 270, Radio Road, Gainesville, FL. Questions should be directed to: Lisa Pennington at lpenn@ufl.edu or (352)392-1331. For more information visit www.purchasing.ufl.edu.

AMERICANS WITH DISABILITY ACT OF 1991 – If special accommodations are needed in order to attend the Pre-Bid Meeting or the Bid opening, contact Purchasing, purchasing@ufl.edu or (352)392-1331 within three (3) days of the event.

NOTICE TO PROFESSIONAL CONSULTANTS:

The University of Florida Board of Trustees announces that Professional Services in the disciplines of engineering and architecture for Total Building Commissioning will be required for the project listed below:

Project: UF-350, East Campus Data Center (Gainesville, FL)

The facility comprises the construction of a new data center, consisting of a net 5,000 square-feet of “near-Tier 3” (redundant, concurrently maintainable) space for Enterprise Systems and other mission-critical computing operations infrastructure, plus a net 5,000 square-feet of “Tier 0” (general-purpose, non-redundant) space for research computing and similar non-mission-critical computing capacity.

Current plans call for an initial capacity of 250KW for the near-Tier 3 space, and 350KW for the “Tier 0” space. The near-term plans call for a ramp-up of each space to accommodate 500KW of computing capacity in each of the

(near-Tier 3 and Tier 0) floors, for a total of 1000KW. Initial construction must include capability to scale up non-disruptively to this level and beyond (via increased power-density, and possibly building expansion) to accommodate future demand for computing facility-capacity.

The scope of services shall include design phase peer review, completion and maintenance of the Owner's Project Requirements (OPR) document, development of the Commissioning Plan and Commissioning Specifications, and construction phase pre-functional, functional, and performance testing for mechanical, electrical, building automation, and building envelope systems. The consultant shall also support project efforts to achieve higher-than-normal energy efficiency and attain Gold LEED certification.

Blanket professional liability insurance will be required for this project in the amount of \$1,000,000.

INSTRUCTIONS:

Firms desiring to apply for consideration shall submit a proposal only after thoroughly reviewing the facilities program, Project Fact Sheet for Commissioning Consultants, and other background information. The proposal shall be limited to (no hard covers) 10 double-sided, consecutively-numbered pages and shall include:

1. A Letter of Application that concisely illustrates the applicant's understanding of the scope of services.
2. A completed Commissioning Services Proposal Form using the project-specific version available at the UF Facilities Planning & Construction website. Applications on any other form will not be considered.
3. Resumes and copies of the applicant's current Professional Registration Certificate(s) from the appropriate governing board, corporate charter(s) if applicable, LEED accreditation, and other pertinent credentials.

At the time of application, the applicant must possess current design Professional Registration Certificate(s) from the appropriate governing board; must be properly registered to practice its profession in the State of Florida; and, if the applicant is a corporation, must be chartered by the Florida Department of State to operate in Florida. As required by Section 287.133, Florida Statutes, an applicant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected applicant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Incomplete proposals will be disqualified. Submittal materials will not be returned.

The Commissioning Services Proposal Form, Project Fact Sheet, UF Design Services Guide, UF Design & Construction Standards, FP&C non-technical specifications, standard University of Florida Owner-Commissioning Consultant

agreement, and other project and process information can be found on the Facilities Planning & Construction website. Finalists may be provided with supplemental interview requirements and criteria as needed.

Provide the number of copies prescribed in the Project Fact Sheet. Submittals must be received in the Facilities Planning and Construction office by 3:00 p.m. (Local Time), Friday, September 4. Facsimile (FAX) submittals are not acceptable and will not be considered.

Facilities Planning and Construction

232 Stadium / P. O. Box 115050

Gainesville, FL 32611-5050

Telephone: (352)273-4000, Fax: (352)273-4034

Internet: www.facilities.ufl.edu

NOTICE TO DESIGN/BUILDER

The University of Florida Board of Trustees announces that Design/Build services will be required for the project listed below:

Project: UF-352, Florida Innovation Hub at UF, Gainesville, Florida

This facility is programmed to be approximately 46,000 GSF. The major part of this facility will serve as a business incubator for the many new companies being developed around university discoveries. It will provide flexible dry and wet laboratory and office space and a number of spaces for common use. The facility will also house a UF program that brings together the many components critical to expediting new company formation in our state.

The total project budget is \$13,199,800.00 including but not limited to site improvement, underground utilities, professional fees, surveys, tests, inspections, permits, total building commissioning, construction budget including allowances for green building energy enhancements to achieve mandatory LEED Gold certification, demolition, soil mitigation, roadway improvement, walk and bike pad improvements, landscape/hardscape improvement, irrigation, tree removal and mitigation, security system and telecommunication (voice/data), network electronics, audio/visual, building components and contingency. Construction shall be "fast-tracked" and begin per time line specified per program schedule.

The contract for design/build services will consist of two parts. Part one services include design, construction administration, value engineering, constructability analyses, development of a cost model, estimating, and the development of a Guaranteed Maximum Price (GMP) proposal based on 100% Construction Documents, for which the design/builder will be paid a fixed fee in phases.

If the GMP is accepted, part two, the construction, will be implemented. In part two of the contract, the design/builder becomes the single point of responsibility for completion of the construction documents, performance of the construction of the

project and shall publicly bid trade contracts. Failure to negotiate an acceptable fixed fee for part one of the contract, or to arrive at an acceptable GMP within the time provided in the agreement may result in the termination of the design/builder's contract.

Blanket design professional liability insurance will be required for this project in the amount of \$3,000,000, and will be provided as a part of Basic Services. Plans and specifications for University of Florida projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes.

Applicants will be evaluated on the basis of their past performance, experience, personnel, design and construction ability, references, bonding capacity, workload, and responses to questions posed both in the shortlist and interview phases. The Selection Committee may reject all proposals and stop the selection process at any time.

At the time of application, the applicant must be licensed to practice as a general contractor in the State of Florida and the applicant or its architectural, landscape architectural, and engineering consultants must possess current design licenses from the appropriate governing board and be properly registered to practice its profession in the State of Florida.

Applicants desiring to provide design/build services for the project shall submit a proposal only after thoroughly reviewing the facilities program, Project Fact Sheet, and other background information. The proposal shall be limited to 30 double-sided pages (no hard covers), consecutively-numbered pages and shall include:

1. A Letter of Application that concisely illustrates the applicant's understanding of the scope of services, schedule, and other goals and considerations as outlined in the Project Fact Sheet and Facilities Program.
2. Company information and signed certification.
3. A completed, project-specific "Design/Builder Qualifications Supplement" (DBQS) proposal. Applications on any other form will not be considered.
4. Resumes, LEED accreditation, and other pertinent credentials for all proposed staff (applicant, consultants, other professionals).
5. Proof of the applicant's (architect & construction manager) corporate status in Florida and copies of current licenses for all construction, architectural, landscape architectural, and engineering entities (applicant and consultants) from the appropriate governing board.
6. Proof of bonding capacity (construction) and proof of all design entities' or consultants' (architecture, structure, MEP, and fire protection) ability to be insured for the level of professional liability coverage demanded for this project.

If the applicant is a corporation, must be chartered by the Florida Department of State to operate in Florida. As required by Section 287.133, Florida Statutes, an applicant may not

submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected design/builder must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Incomplete proposals will be disqualified. Submittal materials will not be returned.

The project-specific DBQS forms, instructions, Project Fact Sheet, facilities program, UF Design Services Guide, UF Design and Construction Standards, standard University of Florida Owner-Design/Builder agreement, and other project and process information can be found on the Facilities Planning & Construction website.

Finalists may be provided with supplemental interview requirements and criteria as needed.

Provide the number of copies prescribed in the Project Fact Sheet. Submittals must be received in the Facilities Planning and Construction office by 3:00 p.m. (Local Time), September 11, 2009. Facsimile (FAX) submittals are not acceptable and will not be considered.

Facilities Planning and Construction
232 Stadium P. O. Box 115050
Gainesville, FL 32611-5050
Telephone: 352-273-4000
Fax: (352)273-4034
Internet: www.facilities.ufl.edu

NOTICE TO PROFESSIONAL CONSULTANTS:

The University of Florida Board of Trustees announces that Professional Services in the discipline of architecture will be required for the project listed below:

Project: UF-353, International Parkinson's Disease and Movement Disorders Center (Gainesville, Florida)

The project consists of remodeling and renovation of approximately 11,500 GSF on the 4th floor of the Orthopaedics and Sports Medicine Institute (U.F. Building #1178) to house the University of Florida International Parkinson's Disease and Movement Disorders Center. This, for the first time, will consolidate the patient care and research activities that make up the UFIPDMDC. In addition, the location of the facility will provide ease of access for patients and a comfortable environment, from parking to exam room. The Orthopaedics and Sports Medicine Institute was constructed in 2004 and remains a state-of-the-art out-patient care facility.

The estimated construction budget is approximately \$2,770,000. The project will be delivered using the Construction Manager at Risk method. LEED – CI (Leadership in Energy and Environmental Design – Commercial Interiors) certification by the U.S. Green Building Council is mandatory.

The selected firm will provide design, construction documents and construction administration services for the referenced project. Blanket professional liability insurance will be required for this project in the amount of \$1,000,000, and will be provided as a part of Basic Services. Plans and specifications for University of Florida projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes.

Applicants will be evaluated on the basis of their past performance, experience, personnel, design ability, references, workload, and responses to questions posed both in the shortlist and interview phases. The Selection Committee may reject all proposals and stop the selection process at any time.

At the time of application, the applicant and its landscape architectural and engineering consultants must possess current design licenses from the appropriate governing board and be properly registered to practice its profession in the State of Florida. If the applicant is a corporation, must be chartered by the Florida Department of State to operate in Florida.

Applicants desiring to provide professional services for the project shall submit a proposal only after thoroughly reviewing the facilities program, Project Fact Sheet, and other background information. The proposal shall be limited to 20 double-sided, consecutively-numbered pages with no hard covers and shall include:

1. A Letter of Application that concisely illustrates the applicant's understanding of the scope of services, design intent, and other goals and considerations as outlined in the Project Fact Sheet and facilities program.
2. A completed, project-specific "Professional Qualifications Supplement" (PQS) proposal with signed certification. Applications on any other form will not be considered.
3. Resumes, LEED accreditation, and other pertinent credentials for all proposed staff (applicant and consultants).
4. Proof of the applicant's corporate status in Florida (if applicable) and copies of current licenses for applicant and all engineering and landscape architecture consultants from the appropriate governing board.
5. Proof of the applicant's and all engineering consultant entities, including MEP, fire Protection and Structural engineering, ability to be insured for the level of professional liability coverage demanded for this project.

As required by Section 287.133, Florida Statutes, an applicant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected professional must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Incomplete proposals will be disqualified. Submittal materials will not be returned.

The project-specific PQS form, instructions, Project Fact Sheet, facilities program, UF Design Services Guide, UF Design and Construction Standards, standard University of Florida Owner-Professional agreement, and other project and process information can be found on the Facilities Planning & Construction website.

Finalists may be provided with supplemental interview requirements and criteria as needed.

Provide the number of copies prescribed in the Project Fact Sheet. Submittals must be received in the Facilities Planning and Construction office by 3:00 p.m. (Local Time), Friday, September 4, 2009. Facsimile (FAX) submittals are not acceptable and will not be considered.

Facilities Planning and Construction
232 Stadium / P. O. Box 115050
Gainesville, FL 32611-5050
Telephone: (352)273-4000, Fax: (352)273-4034
Internet: www.facilities.ufl.edu

NOTICE TO PROFESSIONAL CONSULTANTS

Florida A&M University (FAMU) announces that Professional Services in the discipline of Architecture will be required for the following: Project No.: FM-321, FAMU-FSU College of Engineering, Phase III (PH-3).

This project consists of the design of approximately 78,100 gsf of space to include teaching labs, classrooms, offices, auditorium, reference and reading facility and Food Court. The selected firm will provide design, construction documents and administration for the referenced project. The estimated construction budget of \$24,187,750.00. Blanket professional liability insurance will be required for this project in the amount of \$3,500,000.00 and will be provided as a part of Basic Services. INSTRUCTIONS: Firms desiring to apply for consideration shall submit a letter of application.

The letter of application should have attached:

1. A completed "Professional Qualifications Supplement" (PQS); form is to be obtained from the FAMU Facilities Planning and Construction Office. Applications on any other form will not be considered.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Submit ten (10) ring, comb or spiral (no hard, solid or tack) bound copies of the requested data in the order listed above. Applications which do not comply with the above instructions may be disqualified. Application materials will not be returned.

The plans and specifications for State University System projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. FAMU is an equal opportunity institution, and, as such, strongly encourages the lawful use of certified Minority and Women-owned Business Enterprises (“MBEs”) in the provision of design and construction-related services by providing a fair and equal opportunity to compete for, or for participation in, design and/or construction-related services. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$25,000 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Professional Qualifications Supplement (PQS) forms, descriptive project information, and selection criteria may be obtained by contacting: Samuel J. Houston, Director, Office of Facilities Planning and Construction, Florida A&M University, Plant Operations Facility, Building A, Suite 100, 2400 Wahnish Way, Tallahassee, Florida 32307, (850)599-3197 Fax: (850)561-2289, E-Mail: samuel.houston@famu.edu.

Submittals must be received in the Office of Facilities Planning and Construction, by 11:00 a.m. (Local Time), September 23, 2009. Facsimile (FAX) submittals are not acceptable and will not be considered.

CONSTRUCTION MANAGEMENT SELECTION RESULTS

The Florida School for the Deaf and the Blind announces its intention to negotiate, in accordance with the Consultants Competitive Negotiation Act, for the following:

PROJECT NAME: Collins Rehabilitation

PROJECT NUMBER: FSDB 20090002

1. Danis
2. Ajax Building Corporation
3. PPI Construction Management

A/E SELECTION RESULTS

The Florida School for the Deaf and the Blind announces its intention to negotiate, in accordance with the Consultants Competitive Negotiation Act, for the following:

PROJECT NAME: Collins Rehabilitation

PROJECT NUMBER: 20090002

1. Smith McCrary Architects Inc.
2. Atelier AEC, Inc.
3. Renker Eich Parks Architects
4. Howard Davis Associates Architects, P.A.

CONSTRUCTION MANAGEMENT SERVICES

The Florida School for the Deaf and the Blind (FSDB) announces that construction management services are required for the project listed below.

PROJECT NAME: MacWilliams Hall Renovation Building #31

PROJECT LOCATION: The Florida School for the Deaf and the Blind, 207 N. San Marco Ave., St. Augustine, FL 32084-2799.

SERVICES TO BE PROVIDED: The Florida School for the Deaf and the Blind (FSDB) requests qualifications from Construction Management firms to provide Construction Management at Risk services for additions and renovations of food services and dining facility for MacWilliams Hall, #31. The applicant firm needs to demonstrate construction staff experience in renovation of kitchens and installation of kitchen equipment. Construction consists of renovation and expanding of the existing dining facility, kitchen area, site, and MEP system. Construction is anticipated to begin October 2009 and be complete March 2010. This project shall consolidate Food Services and MacWilliams program. Additionally, re-roofing the facility may be required. The project shall conform to the FSDB Construction Standards and shall be LEED Certified.

PROJECT BUDGET: \$2,400,000.00

CONSTRUCTION BUDGET: \$1,920,000.00

FSDB PROJECT MANAGER: Steve Armstrong

PHONE NUMBER: (904)827-2363

RESPONSE DUE DATE: Monday, September 8, 2009, no later than 3:00 p.m.

INSTRUCTIONS FOR SUBMITTAL: Firms interested in being considered for this project should access www.fsdb.k12.fl.us: Administrative Information – Business Services – Construction Services – Selection Info – Selection of Construction Management Firms.

NOTICE TO PROFESSIONAL CONSULTANTS FOR Request for Qualifications (RFQ) Professional Services Districtwide Planning Consultant Services

The Office of Facilities Planning and Programming announces that Professional services are required for Districtwide Planning Consultant Services for Duval County Public Schools. The firm(s) selected will be responsible for various Districtwide Planning activities. This will be a multiple award contract for an initial period of one year with an option to renew for two additional one-year periods.

Applications are to be sent to:

Duval County Public Schools
 Facilities Design and Construction
 1701 Prudential Drive – 5th Floor
 Jacksonville, FL 32207-8182

PROJECT MANAGER: Richard Beaudoin

PHONE NO.: (904)390-2358

RESPONSE DUE DATE: RFQ's are due on or before September 8, 2009

AND WILL BE ACCEPTED UNTIL: 4:30 p.m.

MBE GOALS: Encouragement

Information on the selection process can be found at www.duvalschools.org/static/aboutdcps/departments/facilities under Selection Booklets.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

CITIZENS PROPERTY INSURANCE CORPORATION

Senior Managing or Co-Managing Bond Underwriter Citizens Property Insurance Corporation (Citizens) is seeking proposals from qualified investment banking firms interested in serving as Senior Managing or Co-Managing Bond Underwriter for future financings.

This is an Invitation to Negotiate for Bond Underwriting Managers. Please note that Citizens, at its sole discretion, reserves the right at any time during the process to reject any and all Proposals that are not in the best interest of Citizens.

The solicitation is anticipated to be released on August 17, 2009. The complete solicitation documents and requirements will be posted on Citizens' Website located at: <http://www.citizensfla.com/about/purchasing-solicitations.cfm>.

From the date the solicitation is issued until a notice of recommended award, rejection of all proposals or other notice is made, no contact related to the proposal will be allowed between a Vendor and any other party for the purpose of influencing the award, including any member of the Board of Governors or Citizens staff, with the exception of the Procurement Officer or his/her designee. Any unauthorized contact may disqualify the Vendor from further consideration.

CLARK CONSTRUCTION GROUP, LLC

Clark Construction Group, LLC, the Construction Manager for the Lowell Reception Center to be constructed in Marion County, Florida, will be receiving bids in Courtyard by Marriott Ocala Hotel, 3712 S. W. 38th Avenue, Ocala, FL 34474, 10:00 a.m. (EDT), Thursday, September 3, 2009 for the following Bid Packages:

- Group 1:
- Bid Package 3A – Cast-In-Place Concrete
- Bid Package 4A – Masonry
- Bid Package 5A – Structural & Miscellaneous Steel
- Bid Package 5B – Light Gauge Trusses
- Bid Package 7B – Metal Roof & Wall Panels
- Bid Package 13A – Pre-Engineered Metal Buildings
- Group 2:
- Bid Package 8A – Doors, Frames, Hardware, Locking Controls, & Detention Furnishings
- Bid Package 15A – HVAC
- Bid Package 15B – Plumbing
- Bid Package 15C – Fire Protection
- Bid Package 16A – Electrical – Building & Site

ALL BIDS MUST BE HAND DELIVERED. Bids will be publicly opened.

Pre-Bid Meeting is scheduled for August 11, 2009, Courtyard by Marriott Ocala Hotel. Group 1 Bid Packages will meet at 10:00 a.m. Group 2 Bid Packages will meet at 1:00 p.m.

Potential Bidders must complete the Company Information Form and Subcontractor Qualification Form with Clark Construction no later than one week prior to the bid. Interested bidders may inquire about this project or get these forms by contacting: Stacy Chuang via email at stacy.chuang@ClarkConstruction.com or by phone at (813)636-4422.

The total dollar value of the entire project is approximately \$99,000,000.

Bidders will be required to furnish a Bid Bond in the amount of 5% of the bid value for all bids in the amount of \$100,000 or greater.

**Section XII
Miscellaneous**

DEPARTMENT OF COMMUNITY AFFAIRS

The Florida Building Commission, "the Commission" NOTICE IS HEREBY GIVEN THAT the Building Officials Association of Florida has issued a binding interpretation pursuant to Section 553.775, Florida Statutes, filed by James DiPietro on July 21, 2009. The following is a summary of the interpretation:

According to Section R310.4, Florida Building Code, Residential Volume (2007), installation of temporary hurricane protection devices over the required exit door is allowed as long as one "Mean of Escape" is provided.

A copy of the Interpretation may be obtained from: http://www.floridabuilding.org/bi/bi_bind_interp_srch.aspx.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Cobra Scooters, LLC, intends to allow the establishment of All About Scooters, LLC, as a dealership for the sale of motorcycles manufactured by Guangzhou Panyu Huanan Motors Group Co. Ltd. (GUNG) at 2312 Apalachee Parkway, #10, Tallahassee (Leon County), Florida 32301, on or after July 23, 2009.

The name and address of the dealer operator(s) and principal investor(s) of All About Scooters, LLC are dealer operator(s): Susan Smith, 2312 Apalachee Parkway, #10, Tallahassee, Florida 32301; principal investor(s): Susan Smith, 2312 Apalachee Parkway, #10, Tallahassee, Florida 32301.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Robert P. Bates, Cobra Scooters, LLC, 3939 Royal Drive Northwest, Suite 139, Kennesaw, Georgia 30144.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that JMSTAR, Inc., intends to allow the establishment of Gas Sippers, LLC, as a dealership for the sale of motorcycles manufactured by Kaitong Motorcycle Manufacture Co. Ltd. (KAIT) at 6480 20th Street, Unit 106, Vero Beach (Indian River County), Florida 32966, on or after June 11, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Gas Sippers, LLC are dealer operator(s): Valerie Estep, 6480 20th Street, Unit 106, Vero Beach, Florida 32966; principal investor(s): Valerie Estep, 6480 20th Street, Unit 106, Vero Beach, Florida 32966.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Emily Huang, JMSTAR, Inc., 1455 South Campus Avenue, #A, Ontario, California 91761.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Kinroad, LP, intends to allow the establishment of Gas Sippers, LLC, as a dealership for the sale of motorcycles manufactured by Kinroad Xintian Motorcycle Manufacturing Co. Ltd. (KNRO) at 6480 20th Street, Unit 106, Vero Beach (Indian River County), Florida 32966, on or after July 21, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Gas Sippers, LLC are dealer operator(s): Valerie Estep, 6480 20th Street, Unit 106, Vero Beach, Florida 32966; principal investor(s): Valerie Estep, 6480 20th Street, Unit 106, Vero Beach, Florida 32966.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Michael Yuen, Vice President, Kinroad, LP, 1135 West Trinity Mills, Suite 100, Carrollton, Texas 75006.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Tank Sports, Inc., intends to allow the establishment of Gas Sippers, LLC, as a dealership for the sale of KTMMEX motorcycles (KTMM) at 6480 20th Street, Unit 106, Vero Beach (Indian River County), Florida 32966, on or after July 22, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Gas Sippers, LLC are dealer operator(s): Keith Estep, 6480 20th Street, Unit 106, Vero Beach, Florida 32966 and Valerie Estep, 6480 20th Street, Unit 106, Vero Beach, Florida 32966; principal investor(s): Keith Estep, 6480 20th Street, Unit 106, Vero Beach, Florida 32966 and Valerie Estep, 6480 20th Street, Unit 106, Vero Beach, Florida 32966.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Jim Ji, Tank Sports, Inc., 10925 Schmidt Road, El Monte, California 91733.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Valley Scooters, LLC, intends to allow the establishment of Gas Sippers, LLC, as a dealership for the sale of motorcycles manufactured by Shanghai Shenke Motorcycle Co. Ltd. (SHEN) at 6480 20th Street, #106, Vero Beach (Indian River County), Florida 32966, on or after August 21, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Gas Sippers, LLC are dealer operator(s): Keith Estep, 6480 20th Street, #106, Vero Beach, Florida 32966 and Valerie Estep, 6480 20th Street, #106, Vero Beach, Florida 32966; principal investor(s): Keith Estep, 6480 20th Street, #106, Vero Beach, Florida 32966 and Valerie Estep, 6480 20th Street, #106, Vero Beach, Florida 32966.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: John Dikov, Valley Scooters, LLC, 1687 Blythe Island Drive, Brunswick, Georgia 31523.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that JMSTAR, Inc., intends to allow the establishment of Gas Sippers, LLC, as a dealership for the sale of motorcycles manufactured by Benzhou Vehicle Industry Group Co. Ltd. (SHWI) at 6480 20th Street, Unit 106, Vero Beach (Indian River County), Florida 32966, on or after June 11, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Gas Sippers, LLC are dealer operator(s): Valerie Estep, 6480 20th Street, Unit 106, Vero Beach, Florida 32966; principal investor(s): Valerie Estep, 6480 20th Street, Unit 106, Vero Beach, Florida 32966.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Emily Huang, JMSTAR, Inc., 1455 South Campus Avenue, #A, Ontario, California 91761.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that JMSTAR, Inc., intends to allow the establishment of Gas Sippers, LLC, as a dealership for the sale of motorcycles manufactured by Zhejiang Taizhou Wangye Power Co. Ltd. (ZHEJ) at 6480 20th Street, Unit 106, Vero Beach (Indian River County), Florida 32966, on or after June 11, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Gas Sippers, LLC are dealer operator(s): Valerie Estep, 6480 20th Street, Unit 106, Vero Beach, Florida 32966; principal investor(s): Valerie Estep, 6480 20th Street, Unit 106, Vero Beach, Florida 32966.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Emily Huang, JMSTAR, Inc., 1455 South Campus Avenue, #A, Ontario, California 91761.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Valley Scooters, LLC, intends to allow the establishment of Gas Sippers, LLC, as a dealership for the sale of motorcycles manufactured by Taizhou Zhongneng Motorcycle Co. Ltd. (ZHNG) at 6480 20th Street, #106, Vero Beach (Indian River County), Florida 32966, on or after August 21, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Gas Sippers, LLC are dealer operator(s): Keith Estep, 6480 20th Street, #106, Vero Beach, Florida 32966 and Valerie Estep, 6480 20th Street, #106, Vero Beach, Florida 32966; principal investor(s): Keith Estep, 6480 20th Street, #106, Vero Beach, Florida 32966 and Valerie Estep, 6480 20th Street, #106, Vero Beach, Florida 32966.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License

Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: John Dikov, Valley Scooters, LLC, 1687 Blythe Island Drive, Brunswick, Georgia 31523.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Pacific Rim International West, Inc., intends to allow the establishment of Crum Financial Group, LLC d/b/a Just for Motorsports, as a dealership for the sale of motorcycles manufactured by Huzhou Daixi Zhenhua Technology Trade Co. Ltd. (DAIX) at 291 Specialty Point, Sanford (Seminole County), Florida 32771, on or after July 23, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Crum Financial Group, LLC d/b/a Just for Motorsports are dealer operator(s): David Levison, 5331 Vista Club Run, Sanford, Florida 32771; principal investor(s): David Levison, 5331 Vista Club Run, Sanford, Florida 32771.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Wendy Yu, Pacific Rim International West, Inc., 2260 South Archibald Avenue, Unit E, Ontario, California 91761.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving

the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Classic Motorcycles and Sidecars, Inc., intends to allow the establishment of Motorsports Depot, LLC, as a dealership for the sale of motorcycles manufactured by Qianjiang Motorcycle Group Corp. (QINJ) at 17630 US 41 North, Lutz (Hillsborough County), Florida 33549, on or after July 1, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Motorsports Depot, LLC are dealer operator(s): Robert Sardegna, 17630 US 41 North, Lutz, Florida 33549; principal investor(s): Robert Sardegna, 17630 US 41 North, Lutz, Florida 33549.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Bobbette Lynott, Classic Motorcycles and Sidecars, Inc., Post Office Box 969, Preston, Washington 98050.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Classic Motorcycles and Sidecars, Inc., intends to allow the establishment of Motorsports Depot, LLC, as a dealership for the sale of motorcycles manufactured by

Benzhou Vehicle Industry Group Co. Ltd. (SHWI) at 17630 US 41 North, Lutz (Hillsborough County), Florida 33549, on or after July 1, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Motorsports Depot, LLC are dealer operator(s): Robert Sardegna, 17630 US 41 North, Lutz, Florida 33549; principal investor(s): Robert Sardegna, 17630 US 41 North, Lutz, Florida 33549.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

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Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Classic Motorcycles and Sidecars, Inc., intends to allow the establishment of Motorsports Depot, LLC, as a dealership for the sale of motorcycles manufactured by Taizhou Zhongneng Motorcycle Co. Ltd. (ZHNG) at 17630 US 41 North, Lutz (Hillsborough County), Florida 33549, on or after July 1, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Motorsports Depot, LLC are dealer operator(s): Robert Sardegna, 17630 US 41 North, Lutz, Florida 33549; principal investor(s): Robert Sardegna, 17630 US 41 North, Lutz, Florida 33549.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Bobbette Lynott, Classic Motorcycles and Sidecars, Inc., Post Office Box 969, Preston, Washington 98050.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Volvo Group North America, Inc., intends to allow the establishment of Nextran Corporation d/b/a Nextran Truck Center, Auburndale, as a dealership for the sale of Volvo trucks (VOLV) at 4425 Avenue G Northwest, Winter Haven (Polk County), Florida 33880, on or after August 1, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Nextran Corporation d/b/a Nextran Truck Center, Auburndale are dealer operator(s): Mike Arnold, 7810 Adamo Drive, Tampa, Florida 33619; principal investor(s): Marvin H. Pritchett, Highway 100, Lake Butler, Florida 32054 and Jon W. Pritchett, 4106 Southwest 96th Drive, Gainesville, Florida 32608.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: David E. Winner, Volvo Group North America, Inc., Post Office Box 26115, Greensboro, North Carolina 27402-6115.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Subaru of America, Inc., intends to allow the establishment of Sport Subaru-Mitsubishi, LLC, as a dealership for the sale of Subaru vehicles (SUBA) at 3772 West Colonial Drive, Orlando (Orange County), Florida 32808, on or after August 15, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Sport Subaru-Mitsubishi, LLC are dealer operator(s): Donald C. Mealey, 3772 West Colonial Drive, Orlando, Florida 32808 and Janet Mealey, 3772 West Colonial Drive, Orlando, Florida 32808; principal investor(s): Donald C. Mealey, 3772 West Colonial Drive, Orlando, Florida 32808 and Janet Mealey, 3772 West Colonial Drive, Orlando, Florida 32808.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: John Thamert, Subaru of America, Inc., South Central Region, 220 The Bluffs, Austell, Georgia 30168.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Classic Motorcycles and Sidecars, Inc., intends to allow the establishment of Scooter City USA, LLC, as a dealership for the sale of motorcycles manufactured by Benzhou Vehicle Industry Group Co. Ltd. (SHWI) at 2650 West Fairbanks Avenue, Winter Park (Orange County), Florida 32789, on or after July 1, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Scooter City USA, LLC are dealer operator(s): Lou Ronka, 2650 West Fairbanks Avenue, Winter Park, Florida 32789; principal investor(s): Lou Ronka, 2650 West Fairbanks Avenue, Winter Park, Florida 32789.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Bobbette Lynott, Classic Motorcycles and Sidecars, Inc., Post Office Box 969, Preston, Washington 98050.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Classic Motorworks Ltd., Inc., intends to allow the establishment of Scooter Superstore of America, Inc., as a dealership for the sale of Royal Enfield motorcycles (ENFI) at 2300 North 23rd Avenue, Hollywood (Broward County), Florida 33020, on or after September 1, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Scooter Superstore of America, Inc. are dealer operator(s): Peter Warrick, 4360 Peters Road, Fort Lauderdale, Florida 33317; principal investor(s): Peter Warrick, 4360 Peters Road, Fort Lauderdale, Florida 33317.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Kevin Mahoney, President, Classic Motorworks Ltd., Inc., 1405 Cannon Circle, Suite 12, Faribault, Minnesota 55021.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Classic Motorworks Ltd., Inc., intends to allow the establishment of Scooter Superstore of America, Inc., as a dealership for the sale of Royal Enfield motorcycles (ENFI) at 203 Northeast 39 Avenue, Gainesville (Alachua County), Florida 32609, on or after September 1, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Scooter Superstore of America, Inc. are dealer operator(s): Peter Warrick, 4360 Peters Road, Fort Lauderdale, Florida 33317; principal investor(s): Peter Warrick, 4360 Peters Road, Fort Lauderdale, Florida 33317.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Kevin Mahoney, President, Classic Motorworks Ltd., Inc., 1405 Cannon Circle, Suite 12, Faribault, Minnesota 55021.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Classic Motorworks Ltd., Inc., intends to allow the establishment of Scooter Superstore of America, Inc., as a dealership for the sale of Royal Enfield motorcycles (ENFI) at 10100 San Jose Boulevard, Jacksonville (Duval County), Florida 32257, on or after September 1, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Scooter Superstore of America, Inc. are dealer operator(s): Peter Warrick, 4360 Peters Road, Fort Lauderdale, Florida 33317; principal investor(s): Peter Warrick, 4360 Peters Road, Fort Lauderdale, Florida 33317.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Kevin Mahoney, President, Classic Motorworks Ltd., Inc., 1405 Cannon Circle, Suite 12, Faribault, Minnesota 55021.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving

the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Classic Motorworks Ltd., Inc., intends to allow the establishment of Scooter Superstore of America, Inc., as a dealership for the sale of Royal Enfield motorcycles (ENFI) at 1459 North US Highway 1, Units 5A and 6A, Ormond Beach (Volusia County), Florida 32174, on or after September 1, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Scooter Superstore of America, Inc. are dealer operator(s): Peter Warrick, 4360 Peters Road, Fort Lauderdale, Florida 33317; principal investor(s): Peter Warrick, 4360 Peters Road, Fort Lauderdale, Florida 33317.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Kevin Mahoney, President, Classic Motorworks Ltd., Inc., 1405 Cannon Circle, Suite 12, Faribault, Minnesota 55021.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Classic Motorworks Ltd., Inc., intends to allow the establishment of Scooter Superstore of America, Inc., as a

dealership for the sale of Royal Enfield motorcycles (ENFI) at 710 West Fairbanks Avenue, Winter Park (Orange County), Florida 32789, on or after September 1, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Scooter Superstore of America, Inc. are dealer operator(s): Peter Warrick, 4360 Peters Road, Fort Lauderdale, Florida 33317; principal investor(s): Peter Warrick, 4360 Peters Road, Fort Lauderdale, Florida 33317.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Kevin Mahoney, President, Classic Motorworks Ltd., Inc., 1405 Cannon Circle, Suite 12, Faribault, Minnesota 55021.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Kinroad, LP, intends to allow the establishment of Swamp Cycles, LLC, as a dealership for the sale of motorcycles manufactured by Kinroad Xintian Motorcycle Manufacturing Co. Ltd. (KNRO) at 633 Northwest 13th Street, Gainesville (Alachua County), Florida 32601, on or after July 22, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Swamp Cycles, LLC are dealer operator(s): Shawn Glasser, 633 Northwest 13th Street, Gainesville, Florida 32601; principal investor(s): Shawn Glasser, 633 Northwest 13th Street, Gainesville, Florida 32601.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Michael Yuen, Vice President, Kinroad, LP, 1135 West Trinity Mills, Suite 100, Carrollton, Texas 75006.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

WATER MANAGEMENT DISTRICTS

NOTICE OF INTENDED AGENCY ACTION

The South Florida Water Management District gives notice of its intent to issue the following Permit with conditions:

Permit No. 11-00372-W (Application No. 081125-11) Port of the Islands Community Improvement District (Port of the Islands) 12600 Union Road, Naples, FL 34114, for modification of an existing permit to include both the landscape irrigation of 79.86 acres of turf using a sprinkler irrigation system with the public water supply permit previously permitted under Permit No 11-00271-W. Staff recommends a maximum monthly allocation of 24.2 MG. Primary withdrawals are from the Surficial Aquifer system, while standby withdrawals from the Faka Union Canal are for emergency fire suppression only. The project is located in Collier County, Section 9, Township 52 South, Range 24 East.

Permit No. 26-00926-W (Application No. 070102-9) Alico Inc. (Alico Inc. Basin No. 20 Mine) 640 S. Main Street, LaBelle, FL 33975, for issuance of a new Water Use Permit for dewatering. Staff recommends a 15 MGD maximum allocation for mine dewatering. Withdrawals are from the Water Table Aquifer. The project is located in Hendry County, Sections 29,32, Township 43 South, Range 31.

Permit No. 50-00499-W (Application 080520-12) City of Boynton Beach, 124 E. Woolbright Road, Boynton Beach, FL 33435, for modification and renewal of an existing public

water supply permit. Staff recommends a maximum monthly allocation of 670 MG. Withdrawals are from the Surficial Aquifer System and the Floridan Aquifer. The project is located in Palm Beach County, Sections 11-14,23-26,35,36, Township 45 South, Range 42 East; Sections 1,2, Township 46 South, Range 42 East; Sections 6-10,15-22,17-34, Township 45 South, Range 43 East; Sections 4-6, Township 46 South, Range 43 East.

The Staff Report setting forth the staff recommendation regarding the permit, including proposed limiting conditions to provide reasonable assurances that the project meets SFWMD statutes and rules, can be obtained by contacting the Regulatory Records Management Section, during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, 3301 Gun Club Road, West Palm Beach, FL 33406, Environmental Resource Regulation Department, (561)682-6911, e-mail: permits@sfwmd.gov, or by accessing the Staff Report directly from the District's website (www.sfwmd.gov) using the Application/Permit Search on the ePermitting page.

As required by Sections 120.569(1), and 120.60(3), Florida Statutes, following is notice of the opportunities which may be available for administrative hearing or judicial review when the substantial interests of a party are determined by an agency. Please note that this Notice of Rights is not intended to provide legal advice. Not all legal proceedings detailed below may be an applicable or appropriate remedy. You may wish to consult an attorney regarding your legal rights.

Right to Request Administrative Hearing – A person whose substantial interests are or may be affected by the South Florida Water Management District's (SFWMD or District) action has the right to request an administrative hearing on that action pursuant to Sections 120.569 and 120.57, Florida Statutes. Persons seeking a hearing on a District decision which does or may determine their substantial interests shall file a petition for hearing with the District Clerk within 21 days of receipt of written notice of the decision, unless one of the following shorter time periods apply: 1) within 14 days of the notice of consolidated intent to grant or deny concurrently reviewed applications for environmental resource permits and use of sovereign submerged lands pursuant to Section 373.427, Florida Statutes; or 2) within 14 days of service of an Administrative Order pursuant to Section 373.119(1), Florida Statutes. "Receipt of written notice of agency decision" means receipt of either written notice through mail, or electronic mail, or posting that the District has or intends to take final agency action, or publication of notice that the District has or intends to take final agency action. Any person who receives written notice of a SFWMD decision and fails to file a written request for hearing within the timeframe described above waives the right to request a hearing on that decision.

Filing Instructions – The Petition must be filed with the Office of the District Clerk of the SFWMD. Filings with the District Clerk may be made by mail, hand-delivery or facsimile. Filings by e-mail will not be accepted. Any person wishing to receive a clerked copy with the date and time stamped must provide an additional copy. A petition for administrative hearing is deemed filed upon receipt during normal business hours by the District Clerk at SFWMD headquarters in West Palm Beach, Florida. Any document received by the office of the SFWMD Clerk after 5:00 p.m. shall be filed as of 8:00 a.m. on the next regular business day. Additional filing instructions are as follows:

- Filings by mail must be addressed to the Office of the SFWMD Clerk, P. O. Box 24680, West Palm Beach, Florida 33416.
- Filings by hand-delivery must be delivered to the Office of the SFWMD Clerk. Delivery of a petition to the SFWMD's security desk does not constitute filing. To ensure proper filing, it will be necessary to request the SFWMD's security officer to contact the Clerk's office. An employee of the SFWMD's Clerk's office will receive and file the petition.
- Filings by facsimile must be transmitted to the SFWMD Clerk's Office at (561)682-6010. Pursuant to subsections 28-106.104(7), (8) and (9), Florida Administrative Code, a party who files a document by facsimile represents that the original physically signed document will be retained by that party for the duration of that proceeding and of any subsequent appeal or subsequent proceeding in that cause. Any party who elects to file any document by facsimile shall be responsible for any delay, disruption, or interruption of the electronic signals and accepts the full risk that the document may not be properly filed with the clerk as a result. The filing date for a document filed by facsimile shall be the date the SFWMD Clerk receives the complete document.

Initiation of an Administrative Hearing – Pursuant to Rules 28-106.201 and 28-106.301, Florida Administrative Code, initiation of an administrative hearing shall be made by written petition to the SFWMD in legible form and on 8 and 1/2 by 11 inch white paper. All petitions shall contain:

1. Identification of the action being contested, including the permit number, application number, District file number or any other SFWMD identification number, if known.
2. The name, address and telephone number of the petitioner and petitioner's representative, if any.
3. An explanation of how the petitioner's substantial interests will be affected by the agency determination.
4. A statement of when and how the petitioner received notice of the SFWMD's decision.
5. A statement of all disputed issues of material fact. If there are none, the petition must so indicate.

6. A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the SFWMD's proposed action.
7. A statement of the specific rules or statutes the petitioner contends require reversal or modification of the SFWMD's proposed action.
8. If disputed issues of material fact exist, the statement must also include an explanation of how the alleged facts relate to the specific rules or statutes.
9. A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the SFWMD to take with respect to the SFWMD's proposed action.

A person may file a request for an extension of time for filing a petition. The SFWMD may, for good cause, grant the request. Requests for extension of time must be filed with the SFWMD prior to the deadline for filing a petition for hearing. Such requests for extension shall contain a certificate that the moving party has consulted with all other parties concerning the extension and that the SFWMD and any other parties agree to or oppose the extension. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

If the District takes action with substantially different impacts on water resources from the notice of intended agency decision, the persons who may be substantially affected shall have an additional point of entry pursuant to Rule 28-106.111, Florida Administrative Code, unless otherwise provided by law.

Mediation – The procedures for pursuing mediation are set forth in Section 120.573, Florida Statutes, and Rules 28-106.111 and 28-106.401-405, Florida Administrative Code. The SFWMD is not proposing mediation for this agency action under Section 120.573, Florida Statutes, at this time.

Right to Seek Judicial Review – Pursuant to Sections 120.60(3) and 120.68, Florida Statutes, a party who is adversely affected by final SFWMD action may seek judicial review of the SFWMD's final decision by filing a notice of appeal pursuant to Florida Rule of Appellate Procedure 9.110 in the Fourth District Court of Appeal or in the appellate district where a party resides and filing a second copy of the notice with the SFWMD Clerk within 30 days of rendering of the final SFWMD action.

AGENCY FOR HEALTH CARE ADMINISTRATION

DECISIONS ON BATCHED APPLICATIONS

Agency for Health Care Administration made the following decisions on Certificate of Need applications for Other Beds and Programs batching cycle with an application due date of May 20, 2009:

County: Marion Service District: 3
 CON # 10050 Decision Date: 7/29/2009 Decision: D
 Facility/Project: Estelle's House
 Applicant: Hospice of Marion County, Inc.

Project Description: Establish a five-bed freestanding inpatient hospice facility (Estelle's House)

Approved Cost: \$0

County: Marion Service District: 3

CON # 10051 Decision Date: 7/29/2009 Decision: D

Facility/Project: Legacy House

Applicant: Hospice of Marion County, Inc.

Project Description: Establish a nine-bed freestanding inpatient hospice facility (Legacy House)

Approved Cost: \$0

County: Marion Service District: 3

CON # 10052 Decision Date: 7/29/2009 Decision: D

Facility/Project: Sylvia's House

Applicant: Hospice of Marion County, Inc.

Project Description: Establish a five-bed freestanding inpatient hospice facility (Sylvia's House)

Approved Cost: \$0

County: Marion Service District: 3

CON # 10053 Decision Date: 7/29/2009 Decision: D

Facility/Project: Tuscany House

Applicant: Hospice of Marion County, Inc.

Project Description: Establish a nine-bed freestanding inpatient hospice facility (Tuscany House)

Approved Cost: \$0

A request for administrative hearing, if any, must be made in writing and must be actually received by this department within 21 days of the first day of publication of this notice in the Florida Administrative Weekly pursuant to Chapter 120, Florida Statutes, and Chapter 59C-1, Florida Administrative Code.

EXEMPTIONS

The Agency for Health Care Administration authorized the following exemptions pursuant to Section 408.036(3), Florida Statutes:

County: Sarasota District: 8

ID # E0900008 Decision: A Issue Date: 6/30/2009

Facility/Project: Sarasota Manatee Jewish Housing Council – Anchin Pavilion

Applicant: Sarasota Manatee Jewish Housing Council, Inc.

Project Description: Division of Exemption #E0900002 which combined CONs #10031 & #10047

Proposed Project Cost: \$6,831,591.00

County: Brevard District: 7

ID # E0900009 Decision: A Issue Date: 7/28/2009

Facility/Project: Wuesthoff Medical Center-Rockledge

Applicant: Wuesthoff Memorial Hospital, Inc.

Project Description: Add seven adult inpatient psychiatric beds

Proposed Project Cost: \$500,000.00

Capital Regional Medical Center service exemption for Oral/Maxillo-facial Surgery and Neurosurgery.

The Agency for Health Care Administration has received an application for an emergency service exemption from Capital Regional Medical Center, 2626 Capital Medical Blvd., Tallahassee, FL 32308 pursuant to Section 395.1041(3), Florida Statutes and Rule 59A-3.255, Florida Administrative Code. The hospital is requesting an emergency service exemption for Oral/Maxillo-facial Surgery and Neurosurgery. Comments received within 15 days of publication will be considered by the Agency prior to making a determination of exemption status.

Additional information may be obtained by writing: Agency for Health Care Administration, Attention: Jessica Munn, 2727 Mahan Drive, MS #31, Tallahassee, Florida 32308, by phone at (850)487-2717 or by e-mail: munnj@ahca.myflorida.com.

Manatee Memorial Hospital emergency service exemption for Oral/Maxillo-facial Surgery

The Agency for Health Care Administration has received an application for an emergency service exemption from Manatee Memorial Hospital, 206 Second Street, East, Bradenton, FL 34208 pursuant to Section 395.1041(3), Florida Statutes and Rule 59A-3.255, Florida Administrative Code. The hospital is requesting an emergency service exemption for Oral/Maxillo-facial Surgery. Comments received within 15 days of publication will be considered by the Agency prior to making a determination of exemption status.

Additional information may be obtained by writing: Agency for Health Care Administration, Attention: Jessica Munn, 2727 Mahan Drive, MS #31, Tallahassee, Florida 32308, by phone at (850)487-2717 or by e-mail: munnj@ahca.myflorida.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE OF QUOTA LIQUOR LICENSE DRAWINGS

The division will accept Quota License Drawing Entry Forms for 45 days beginning the third Monday in August. This year entry forms will be accepted from August 17, 2009, until 5:00 p.m., on September 30, 2009, for the following counties and amounts: BROWARD(1)*, CLAY(1)*, DADE(8)*, DUVAL(1), GULF(1)*, HERNANDO (1), HIGHLANDS(1)*, HILLSBOROUGH(3)*, LEE(1), ORANGE(1), OSCEOLA (1), PASCO (1), PINELLAS(1)*, POLK(1), ST. JOHNS(1), SANTA ROSA (1), SARASOTA (1), SEMINOLE (1)*, VOLUSIA (1).

*One (1) or more revoked licenses are being re-issued pursuant to Section 561.19(2)(a), F.S.

The division must receive all entry forms before this deadline. No exceptions. Mail the completed entry form, including payment (check or money order made payable to the division),

to: DIVISION OF ALCOHOLIC BEVERAGES AND TOBACCO, Attention: Quota License Drawing, 1940 North Monroe Street, Tallahassee, Florida 32399-1021.

DBPR ABT-6033 is the only entry form that will be accepted for filing into these drawings. All other entry forms from prior drawings will be denied. All interested persons should contact the Division's district office serving their area of interest or visit the Division's Internet website: <http://www.myflorida.license.com/dbpr/abt> to obtain the proper application form.

Further information may also be obtained by calling: (850)488-8284 or writing to: Division of Alcoholic Beverages and Tobacco, Bureau of Licensing, New Quota License Drawing, 1940 North Monroe Street, Tallahassee, FL 32399-1021.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

RULE NO: 62-302.800 RULE TITLE: Site Specific Alternative Criteria

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive public comments on a proposed Type I Site Specific Alternative Criterion (SSAC) for dissolved oxygen (DO) for Turkey Creek and the South Prong of the St. Marys River in Baker County.

The draft SSAC documentation is available on the Department's Water Quality Standards website: <http://www.dep.state.fl.us/water/wqssp/surface.htm> and will be provided upon request to interested parties by mail or via e-mail distribution. The Department will accept written comments on the draft SSAC through September 8, 2009. Written comments should be directed to: Ken Weaver, Environmental Administrator, Standards and Assessment Section, Florida Department of Environmental Protection, Mail Station 6511, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)245-8414, or email: kenneth.weaver@dep.state.fl.us.

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

DATE AND TIME: September 9, 2009, 1:00 p.m.
 PLACE: Florida Department of Environmental Protection, 2600 Blair Stone Road, Room 609, Bob Martinez Center, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 5 days before the workshop/meeting by contacting: Janet Klemm at (850)245-8427. 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 FULL TEXT OF THE PROPOSED SSAC IS:

Water Body and Class	Site Specific Alternative Criteria	County(s)
Turkey Creek (including tributaries) to the confluence with the South Prong of the St. Marys River, and the South Prong of the St. Marys River (including tributaries) from its headwaters to U.S. Route 90. Class III.	Annual average Dissolved Oxygen of 3.0 mg/L, with no more than 10% of the individual Dissolved Oxygen measurements below 1.35 mg/L on an annual basis.	Baker

FLORIDA STATE CLEARINGHOUSE

The state is coordinating reviews of federal activities and federally funded projects as required by Section 403.061(40), F.S. A list of projects, comments deadlines and the address for providing comments are available at http://www.dep.state.fl.us/secretary/oip/state_clearinghouse/. For information, call (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

DEPARTMENT OF JUVENILE JUSTICE

The Florida Department of Juvenile Justice has posted one new policy for review and comment on MyFlorida.com at: http://www.djj.state.fl.us/policies_procedures/policyreview.html.

Electronic Commitment Packet (FDJJ-6005) This new policy establishes guidelines to ensure that all required and relevant documents are made available through the Juvenile Justice Information System (JJIS) to the commitment program or facility prior to the youth's actual placement.

The policy is posted for a single 20 working day review and comment period, with the closure date for submission of comments on the policy of September 3, 2009. Responses to comments received will be posted during the review period to the extent possible, but no later than 10 working days after the end of the review period on the above Website.

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN July 20, 2009
 and July 24, 2009

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**COMMISSION FOR THE TRANSPORTATION
 DISADVANTAGED**

41-2.002	7/21/09	8/10/09	35/16	
41-2.0162	7/21/09	8/10/09	35/16	

**DEPARTMENT OF MANAGEMENT SERVICES
 Agency for Workforce Innovation**

60BB-8.410	7/21/09	8/10/09	35/7	35/17
60BB-9.300	7/21/09	8/10/09	35/17	

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
 REGULATION**

Construction Industry Licensing Board

61G4-22.001	7/21/09	8/10/09	35/23	
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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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Board of Professional Engineers

61G15-22.010	7/21/09	8/10/09	35/21	
61G15-22.011	7/21/09	8/10/09	35/22	

DEPARTMENT OF ENVIRONMENTAL PROTECTION

62-304.800	7/24/09	8/13/09	35/24	
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DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

64B17-3.001	7/21/09	8/10/09	35/23	
64B17-3.002	7/21/09	8/10/09	35/23	
64B17-3.003	7/21/09	8/10/09	35/23	
64B17-4.002	7/21/09	8/10/09	35/23	
64B17-7.0027	7/21/09	8/10/09	35/23	
64B17-9.001	7/21/09	8/10/09	35/23	

Board of Athletic Training

64B33-2.005	7/21/09	8/10/09	35/2	
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**Section XIV
List of Rules Affected**

This "List of Rules Affected" is a cumulative list of all rules which have been proposed but not filed for adoption. Beginning with the February 2, 1996 issue, the list will be published monthly for the period covering the last eight weeks.

- w - Signifies Withdrawal of Proposed Rule(s)
- c - Rule Challenge Filed
- v - Rule Declared Valid
- x - Rule Declared Invalid
- d - Rule Challenge Dismissed
- dw - Dismissed Upon Withdrawal

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
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STATE

1A-31.0012	34/39	35/21	35/28
1A-31.0015	34/39	35/12 35/21	35/28 35/28
1A-31.0022	34/39		35/28
1A-31.0032	34/39		35/28
1A-31.0035	34/39		35/28
1A-31.0042	34/39	35/12	35/28
1A-31.0045	34/39	35/12 35/21	35/28 35/28
1A-31.0052	34/39	35/12	35/28
1A-31.0055	34/39		35/28
1A-31.0062	34/39	35/12	35/28
1A-31.0065	34/39		35/28
1A-31.0072	34/39		35/28
1A-31.0082	34/39	35/12	35/28
1A-31.0092	34/39	35/12	35/28
1A-31.010	34/39		35/28
1A-31.011	34/39	35/12	35/28
1A-31.020	34/39	35/12	35/28
1A-31.025	34/39		35/28
1A-31.030	34/39	35/12 35/21	35/28 35/28
1A-31.035	34/39	35/12	
1A-31.036	34/39	35/12 35/21	35/28 35/28
1A-31.040	34/39	35/12 35/21	35/28 35/28
1A-31.045	34/39	35/12	
1A-31.046	34/39	35/12	35/28
1A-31.050	34/39	35/12	35/28
1A-31.055	34/39	35/12	35/28
1A-31.060	34/39	35/12	35/28
1A-31.065	34/39	35/12 35/21	35/28 35/28
1A-31.070	34/39		35/28

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
1A-31.075	34/39	35/21	35/28
1A-31.080	34/39	35/21	35/28
1A-31.085	34/39	35/12 35/21	35/28 35/28
1A-31.090	34/39	35/12 35/21	35/28 35/28
1A-39.001	35/25		
1A-39.002	35/25		
1A-39.003	35/25		
1A-39.004	35/25		
1A-39.005	35/25		
1A-39.006	35/25		
1A-39.007	35/25		
1A-39.008	35/25		
1A-39.009	35/25		
1A-39.010	35/25		
1A-39.011	35/25		
1A-39.012	35/25		
1B-2.011	35/20	35/29	
1S-2.033	35/27		
IT-1.001	35/27		
IT-1.031	35/27		
IT-1.032	35/27		
IT-1.033	35/27		
IT-1.034	35/27		
IT-1.035	35/27		
IT-1.036	35/27		
IT-1.037	35/27		
IT-1.038	35/27		
LEGAL AFFAIRS			
2AER09-1			35/23
2A-5.005	35/21		35/30
2A-5.010	35/21		35/28w
2A-5.011	35/21		35/30
2A-8.005	35/21		35/28
AGRICULTURE AND CONSUMER SERVICES			
5B-57.012	35/7	25/19	35/27
5B-58.001	27/29		
5E-14.106	33/7		
5E-14.117	33/7		
5F-5.002	35/25		
5G-6.007	35/3		
5G-6.009	35/3		
5I-4.002	32/49		
5I-4.006	32/49		
5K-4.027	35/10	35/19	35/27
5K-4.028	35/10	35/19	35/27
EDUCATION			
6A-1.06421	33/45		
6A-1.09441	35/16		35/24
6A-1.099822	35/15		35/24

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
TRANSPORTATION				STATE BOARD OF ADMINISTRATION			
14-10.025	34/8	34/29	35/31w	19ER09-1			35/23
	35/30c			19-8.010	35/26		
	35/30c			19-8.028	35/16	35/24	35/30
14-15.0081	34/42			19-8.029	35/16	35/24	35/30
14-61.0011	35/24			19-8.030	35/16		35/24w
14-61.0012	35/24			CITRUS			
14-61.0013	35/24			20-13.011	35/14		35/26
14-61.0014	35/24			PUBLIC SERVICE COMMISSION			
14-61.0015	35/24			25-4.017	34/39		
14-61.0016	35/24				35/29		
14-61.0017	35/24			25-4.0171	35/29		
14-61.0018	35/24			25-4.0174	35/29		
14-61.0019	35/24			25-4.0175	35/29		
14-61.0020	35/24			25-4.0178	35/29		
14-61.0021	35/24			25-4.0185	35/3		
14-61.0022	35/24			25-4.0405	35/29		
14-61.0023	35/24			25-4.066	35/3		
14-61.0024	35/24			25-4.070	35/3		
14-61.0025	35/24			25-4.073	35/3		
14-61.0026	35/24			25-4.083	35/3		
14-61.0027	35/24			25-4.110	35/3		
14-61.0028	35/24			25-4.135	35/29		
14-97.001	35/24			25-4.140	35/29		
14-97.002	35/24			25-4.141	35/29		
14-97.003	35/24			25-4.214	35/29		
14-97.004	35/24			25-4.215	35/29		
14-97.005	35/24			25-56.034	32/32c		
14-100.004	35/2c		35/30d	25-56.0341	32/32c		
HIGHWAY SAFETY AND MOTOR VEHICLES				25-56.0342	32/32c		
15C-7.005	33/8c			25-56.0343	32/32c		
15C-16.004	34/18			25-56.064	32/32c		
BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND				25-56.078	32/32c		
18-2.017	33/22			25-56.115	32/32c		
18-2.018	33/22			25-72.180	35/3		
18-21.001	35/12			EXECUTIVE OFFICE OF THE GOVERNOR			
18-21.002	35/12			27MER09-1			35/22
18-21.003	35/12			27MER09-2			35/22
18-21.004	35/12			27MER09-3			35/22
18-21.005	35/12			ADMINISTRATION COMMISSION			
18-21.0051	35/12	35/24		28-106.201	35/12c		
18-21.008	35/12			CORRECTIONS			
18-21.011	35/12			33-102.101	35/24		
18-21.020	35/12	35/24		33-108.101	35/26		
18-21.021	35/12	35/24		33-210.101		28/40	35/24
		35/26				35/19	35/24
18-21.022	35/12	35/24					
18-21.900	35/12						

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
33-401.701	35/9	35/21 35/24		40D-4.351	35/19		
	35/23c			40D-4.381	35/19		
33-601.101	35/7	35/19	35/27	40D-22.201	35/23		
33-601.105	35/7	35/14 35/19	35/27 35/27	40D-22.401	35/23		
33-601.303	35/30			40D-26.201	35/19		
33-601.901	35/9		35/28w	40D-40.044	35/19		
33-602.001	34/9			40D-40.112	35/19		
33-602.201	35/31			40D-40.331	35/19		
33-602.406	35/14		35/24	40D-40.381	35/19		
WATER MANAGEMENT DISTRICTS				40D-400.491	35/19		
				40D-400.500	35/19		
40B-1.901	35/8			40E-1.607	35/27		
40B-3.101	35/11		35/25	40E-2	35/30c		35/30d
40B-3.3020	33/16			40E-2.011	35/1		35/25
40B-3.3030	33/16			40E-2.051	34/45		
40B-3.3040	33/16			40E-2.061	34/45		
40B-3.411	35/11		35/25	40E-2.091	34/45		
40B-4.1090	35/25				35/1	35/8	35/25
40B-400.051	35/29			40E-2.301	35/1		35/25
40C-1.1101	35/28			40E-2.331	34/45		
40C-2.091	33/23				35/1		35/25
40C-2.231	33/23			40E-4.021	35/30		
40C-4.021	35/24			40E-4.091	35/30		
40C-4.091	35/24			40E-10	35/30c		35/30d
40D-1.139	35/18			40E-10.011	35/1		35/25
40D-1.603	35/23			40E-10.021	35/1		35/25
40D-1.605	35/23			40E-10.031	35/1		35/25
40D-1.6051	35/23			40E-10.041	35/1	35/8	35/25
40D-1.6105	35/19			40E-20	35/30c		35/30d
40D-1.659	35/15		35/25	40E-20.091	34/45		
	35/19				35/1	35/8	35/25
	35/23			40E-20.301	35/1		35/25
	35/23			40E-20.302	35/1		35/25
40D-2.091	22/48			40E-20.331	34/45		
	35/15		35/25		35/1		35/25
	35/19			40E-24.011	34/45		
	35/23			40E-24.101	34/45		
40D-2.101	35/15		35/25	40E-24.201	34/45		
	35/19			40E-24.301	34/45		
	35/23			40E-24.401	34/45		
40D-2.301	22/48			40E-24.501	34/45		
40D-2.331	35/15		35/25	40E-210	35/30c		
40D-2.351	35/19			40E-400.315	35/25		
40D-3.037	35/19			COMMISSION FOR THE TRANSPORTATION DISADVANTAGED			
40D-3.101	35/19			41-2.002	35/16		35/31
40D-3.411	35/19			41-2.007	35/16	35/31	
40D-3.531	35/19			41-2.0162	35/16		35/31
40D-4.042	35/19			FLORIDA LAND AND WATER ADJUDICATORY COMMISSION			
40D-4.091	22/48						
	35/19			42H-1.002	35/15		35/26
	35/28						
40D-4.101	35/19						
40D-4.331	35/19						

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
LOTTERY				AGENCY FOR HEALTH CARE ADMINISTRATION			
53ER07-75			34/1	59-1	29/35c		
53ER07-76			34/1	59A-3.2085	33/11		
53ER08-63			34/43		35/23		
53ER08-64			34/43	59A-4.103	35/22		
53ER08-65			34/43	59A-4.106	35/22		
53ER08-66			34/43	59A-4.107	35/22		
53ER09-16			35/16	59A-4.1075	35/22		
53ER09-17			35/17	59A-4.108	35/22		
53ER09-18			35/17	59A-4.109	35/22		
53ER09-19			35/17	59A-4.110	35/22		
53ER09-20			35/17	59A-4.112	35/22		
53ER09-21			35/21	59A-4.118	35/22		
53ER09-22			35/21	59A-4.122	35/22		
53ER09-23			35/21	59A-4.123	35/22		
53ER09-24			35/21	59A-4.1235	35/22		
53ER09-25			35/21	59A-4.126	35/22		
53ER09-26			35/21	59A-4.128	35/22		
53ER09-27			35/21	59A-4.1285	35/22		
53ER09-28			35/21	59A-4.1288	35/22		
53ER09-29			35/21	59A-4.1295	35/22		
53ER09-30			35/24	59A-4.130	35/22		
53ER09-31			35/25	59A-4.133	35/22		
53ER09-32			35/25	59A-4.134	35/22		
53ER09-33			35/25	59A-4.150	35/22		
53ER09-34			35/29	59A-4.165	35/22		
53ER09-35			35/29	59A-4.166	35/22		
53ER09-36			35/29	59A-7.020	35/21		35/31w
53ER09-37			35/29	59A-7.035	35/15		35/29
VETERANS' AFFAIRS				59A-24.006	35/26		
				59A-26.001	35/29		
				59A-26.002	35/29		
55-11.002	34/11			59A-26.003	35/29		
55-11.003	34/11			59A-26.004	35/29		
55-11.005	34/11			59A-26.005	35/29		
55-11.008	34/11			59A-26.006	35/29		
55-11.010	34/11			59A-26.007	35/29		
55-11.011	34/11			59A-26.0075	35/29		
55-11.012	34/11			59A-26.008	35/29		
55A-5.012	34/11			59A-26.009	35/29		
SPACEPORT FLORIDA AUTHORITY				59A-26.010	35/29		
				59A-26.011	35/29		
57-50.001	34/42			59A-26.012	35/29		
57-50.002	34/42			59A-26.013	35/29		
57-50.003	34/42			59A-26.014	35/29		
ELDER AFFAIRS				59A-26.015	35/29		
				59A-26.016	35/29		
				59A-26.017	35/29		
58A-3.2085	33/50c			59A-26.018	35/29		
58C-1.0031	35/23			59A-26.019	35/29		
	35/30c			59A-26.020	35/29		
				59A-26.021	35/29		
				59A-26.022	35/29		
				59A-26.023	35/29		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
59B-9.010	35/12		35/27	59E-7.208	35/12		35/27
59B-9.011	35/12		35/27	59G-4.016	32/19		
59B-9.013	35/12		35/27	59G-4.105	35/14		35/29
59B-9.014	35/12		35/27	59G-4.106	35/14		35/29
59B-9.015	35/12		35/27	59G-4.200	35/18		
59B-9.016	35/12		35/27	59G-4.251	35/18		
59B-9.017	35/12		35/27	59G-6.010	34/43		35/28w
59B-9.018	35/12		35/27		35/2c		
59B-9.022	35/12		35/27		35/2c		
59B-9.023	35/12		35/27	59G-6.020	34/23c		
59B-9.030	35/12		35/27		35/15		35/26w
59B-9.031	35/12	35/21	35/27	59G-6.030	35/15		35/26w
59B-9.032	35/12	35/21	35/27	59G-6.050	35/15		35/29
59B-9.033	35/12		35/27	59G-6.090	35/15		35/26w
59B-9.034	35/12	35/21	35/27	59G-8.300	35/14		35/29
59B-9.035	35/12	35/21	35/27	59G-9.060	35/16		35/29
59B-9.036	35/12	35/21	35/27	59G-13.001	35/9		
59B-9.037	35/12		35/27	59G-13.083	34/23c		
59B-9.038	35/12	35/21	35/27	59G-13.131	35/15	35/29	35/30
59B-9.039	35/12	35/21	35/27	59G-13.132	35/24		35/29w
59C-1.008	34/48	35/9		59G-20.091	35/1	35/8	
		35/20		59G-20.381	33/36		
		35/23		59K-17.0035	34/43		
59C-1.010	34/48	35/9		59O-137.001	34/43		
59C-1.012	34/48	35/9		59O-138.001	34/43		
		35/20		59O-157.302	34/43		
59C-1.013	34/48	35/9		59V-560.102	34/39		
59C-1.030	34/48	35/9		59V-560.103	34/39		
		35/11		59V-560.107	34/39		
59C-1.0355	35/4	35/11	35/28	59V-560.108	34/39		
59C-1.044	34/46	35/7	35/26	59V-560.201	34/39		
59E-7.011	35/12		35/27	59V-560.302	34/39		
59E-7.012	35/20		35/27	59V-560.402	34/39		
59E-7.013	35/12		35/27	59V-560.403	34/39		
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59E-7.023	35/12		35/27	59V-560.706	34/39		
59E-7.024	35/12	35/20		59V-560.707	34/39		
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64B17-4.001	35/22			64H-2.008	35/25		
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	32/2c			65C-33.012	34/46		
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65C-5.005	32/29	32/37		67-21.003	35/12		35/30
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65C-5.010	32/29	32/37		67-21.006	35/12		35/30
65C-5.011	32/29	32/37		67-21.007	35/12		35/30
65C-16.008	32/4			67-21.008	35/12		35/30
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65C-20.010	35/20			67-21.013	35/12		35/30
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65C-20.012	35/20			67-21.015	35/12		35/30
65C-20.013	35/20			67-21.017	35/12		35/30
65C-20.014	35/20			67-21.018	35/12		35/30
65C-22.001	35/20			67-21.019	35/12		35/30
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65C-22.003	35/20			67-48.002	30/39		
65C-22.004	35/20				35/12		35/30
65C-22.005	35/20			67-48.004	35/12		35/30
65C-22.006	35/20			67-48.004(1)(a)	35/23c		35/30v
65C-22.007	35/20			67-48.005	35/12		35/30
65C-22.008	35/20			67-48.007	35/12		35/30
65C-22.009	35/20			67-48.0072	35/12		35/30
65C-22.010	35/20			67-48.0075	35/12		35/30
65C-33.001	34/46			67-48.009	35/12		35/30
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67-48.015	35/12		35/30	68B-8.003	34/53		
67-48.017	35/12		35/30	68B-8.006	34/53		
67-48.018	35/12		35/30	68B-8.007	34/53		
67-48.019	35/12		35/30	68B-8.008	34/53		
67-48.020	35/12		35/30	68B-8.009	34/53		
67-48.0205	35/12		35/30	68B-8.010	34/53		
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67-48.023	35/12		35/30	68B-8.012	34/53		
67-48.027	35/12		35/30	68B-8.013	34/53		
67-48.028	35/12		35/30	68B-8.014	34/53		
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67-53.006	35/12	35/24		68B-14.0046	35/19		35/28w
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67-53.008	35/12	35/24		68B-21.003	35/28		
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68A-6.0022	33/1	33/11		68B-23.107	32/18		
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68A-9.006	35/19			69A-48.008	35/28		
68A-12.011	35/19			69A-52.003	35/28		
68A-15.062	35/19		35/28	69A-53.0052	35/12	35/18	35/27
68A-15.063	35/19		35/28	69A-53.0053	35/12		35/27
68A-15.064	35/19		35/28	69A-60.008	35/28		
68A-17.005	35/31			69B-33.005(3)(a)	32/32c		
68A-23.003	35/26				32/32c		
68A-23.012	35/26			69B-41.002(19)	32/32c		
68A-24.003	28/17				32/32c		
68A-24.004	28/17			69B-162.011	35/20		
68A-24.006	28/17			69B-228.030	35/20		35/30
68A-25.002	35/19		35/28	69B-228.220	35/20		35/30
68A-25.0032	35/19			69H-2.008	35/21		35/25w
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69J-7.003	35/16		35/25	69L-5.228	35/21		
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69J-166.031	35/11	35/27		69L-5.231	35/21		
69K-5.0024	35/9		35/24	69L-6.025	35/18		35/28
69K-5.003	35/9		35/24	69L-6.028	35/15	35/25	
69K-6.009	35/16		35/24	69L-7.602	35/23		
69K-12.001	35/28			69L-7.602(5)(q)	32/45c		
69K-12.002	35/9		35/28w	69L-24.001	35/25		
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69K-24.040	35/24		35/31w	69L-24.004	35/25		
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69L-5.102	35/21			69L-24.006	35/25		
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69L-5.104	35/21			69L-24.021	35/25		
69L-5.105	35/21			69L-24.0211	35/25		
69L-5.106	35/21			69L-24.022	35/25		
69L-5.107	35/21			69L-24.0222	35/25		
69L-5.108	35/21			69L-24.0231	35/25		
69L-5.109	35/21			69L-24.024	35/25		
69L-5.110	35/21			69L-24.0241	35/25		
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69L-5.215	35/21			69O-156.0075	35/24		
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69L-5.221	35/21			69O-156.020	35/30		
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69L-5.223	35/21			69O-163.009	35/20		
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