

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

State Boxing Commission

RULE NO.: RULE TITLE:

61K1-3.0055 Pro-Debut Requirements

PURPOSE AND EFFECT: The purpose and effect of the rule development is to set criteria pro-debut participants and their trainers and managers requirements.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is criteria for pro-debut participants and their trainers and managers requirements.

RULEMAKING AUTHORITY: 548.003(2)(d), (e) FS.

LAW IMPLEMENTED: 548.003(2)(d), (e) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: R. Kathleen Brown-Blake, 1940 North Monroe Street, Suite 42, Tallahassee, Florida 32399, (850)717-1244

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

State Boxing Commission

RULE NO.: RULE TITLE:

61K1-3.042 Pro-Am Events

PURPOSE AND EFFECT: The purpose and effect of the rule development is to set criteria for Pro-Am Events held in the state of Florida.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is criteria for Pro-A, Events held in the state of Florida.

RULEMAKING AUTHORITY: 548.003(2) FS.

LAW IMPLEMENTED: 548.003(2), 548.006, 548.0065, 548.041, 548.056 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: R. Kathleen Brown-Blake, 1940 North Monroe Street, Suite 42, Tallahassee, Florida 32399, (850)717-1244

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Air Resource Management

RULE NO.: RULE TITLE:

62-252.300 Gasoline Dispensing Facilities –
Stage I Vapor Recovery

PURPOSE AND EFFECT: The Department proposes amendments to update Rule 62-252.300, F.A.C., (OGC No. 12-0868) to delete language that has become obsolete because either the language references a rule that has been repealed or the compliance dates in the compliance schedule have passed.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendments delete obsolete provisions related to Stage I Vapor Recovery at gasoline dispensing facilities.

RULEMAKING AUTHORITY: 403.061 FS.

LAW IMPLEMENTED: 403.061, 403.087 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Terri Long, Florida Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400. Telephone (850)717-9023. E-mail terri.long@dep.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE OR ONLINE AT: <http://www.dep.state.fl.us/air/rules/regulatory.htm>

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: RULE TITLE:

64B9-3.002 Qualifications for Examination

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to update the requirements with regard to qualification for examination.

SUBJECT AREA TO BE ADDRESSED: Qualifications for Examination.

RULEMAKING AUTHORITY: 464.006 FS

LAW IMPLEMENTED: 456.013, 464.008 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 REGISTER.

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, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399

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

FLORIDA HOUSING FINANCE CORPORATION

RULE NOS.:	RULE TITLES:
67-59.001	Purpose and Intent
67-59.005	Definitions
67-59.010	Programs
67-59.020	Eligibility for UMAP or UMAP/MLRP
67-59.030	Eligibility for MLRP Only
67-59.040	Application
67-59.050	Form of Assistance
67-59.060	Quarterly Reviews
67-59.070	Quarterly Reviews

PURPOSE AND EFFECT: The purpose of this Rule is to establish the procedures by which the Corporation shall develop eligibility criteria, administer the Application process, determine loan amounts, and make mortgage loans for existing homeowners.

SUBJECT AREA TO BE ADDRESSED: Hardest Hit Fun Program.

RULEMAKING AUTHORITY: 420.507(33) FS.

LAW IMPLEMENTED: 420.507(33) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: David R. Westcott, Director of Homeownership Programs, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329, (850)488-4197

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NO.:	RULE TITLE:
68B-3.002	Repeal of Chapters 27473 and 30665, Collier County Special Acts

PURPOSE AND EFFECT: The purpose of this rule development is to repeal two Special Acts of Local Application for Collier County. The first prohibits using artificial lights while spearing or gigging, and the second prohibits spearfishing in all state waters off the county. With the repeal of these Special Acts, spearfishing in state waters off Collier County would be regulated in accordance with statewide spearfishing rules, making spearfishing allowable in Collier County, except as prohibited by 68B-20, Florida Administrative Code. The use of lights would also be regulated pursuant to statewide gear rules.

SUBJECT AREA TO BE ADDRESSED: Subject areas to be addressed in the rule development notice include the use of artificial lights and spears in marine waters of Collier County.

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

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

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 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 DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ms. Jessica McCawley, Director, Division of Marine Fisheries Management, Florida Fish and Wildlife Conservation Commission, 2590 Executive Center Circle E., Station 201, Tallahassee, Florida 32301, (850)487-0554

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NO.:	RULE TITLE:
68B-5.006	Lionfish

PURPOSE AND EFFECT: The purpose of this rule amendment is to facilitate removal of non-native, ecologically detrimental lionfish from Florida waters by waiving the recreational saltwater fishing license requirement for the harvest of lionfish by recreational divers using specified gear. The effect of this rule amendment would be encouragement of the removal of non-native lionfish from Florida waters by allowing divers without a recreational fishing license to target and recreationally harvest lionfish by spearfishing or using small nets without incidentally taking other species.

SUBJECT AREA TO BE ADDRESSED: Subject areas to be addressed by rule development include a license exemption for recreational harvest of lionfish by diving and allowable gears for harvest pursuant to this exemption.

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

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

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

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ms. Jessica McCawley, Director, Division of Marine Fisheries Management, Florida Fish and Wildlife Conservation Commission, 2590 Executive Center Circle E., Station 201, Tallahassee, Florida 32301, (850)487-0554

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NO.: 68B-20.003	RULE TITLE: Spearing, Statewide Regulation; Prohibition Against Powerheads, Bangsticks, and Rebreathers; Repeal of Certain Special Acts
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PURPOSE AND EFFECT: The purpose of this rule development is to repeal the prohibition on spearfishing in state waters off Collier County. The Collier County Board of Commissioners requested the FWC repeal the existing

county-wide ban. The effect of this amendment would be to allow spearfishing in waters off Collier County in accordance with existing statewide spearfishing regulation

SUBJECT AREA TO BE ADDRESSED: Subject areas to be addressed in the rule development notice include the use of spears in marine waters off Collier County.

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

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

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

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ms. Jessica McCawley, Director, Division of Marine Fisheries Management, Florida Fish and Wildlife Conservation Commission, 2590 Executive Center Circle E., Station 201, Tallahassee, Florida 32301, (850)487-0554

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

**Section II
Proposed Rules**

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-1.09981	RULE TITLE: Implementation of Florida's System of School Improvement and Accountability
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PURPOSE AND EFFECT: The purpose and effect of this rule amendment is to revise the definition of “graduates” for the five-year high school graduation rate in the school grades calculation to align with the requirements of the Elementary and Secondary Education Act (ESEA) waiver.

SUMMARY: This rule describes the school grading process, lays out the data used in the process, how points for school grades are calculated, and requirements to receive an A, B, C, D, or F grade. This rule amendment is proposed to align the school grades rule with the requirements of the ESEA waiver. This change includes revising the definition of “graduates” for

the five-year high school graduation rate in the school grades calculation beginning with 2012-2013 school year, to match the four year graduation rate. The five-year graduation rate will no longer include students who earn a special diploma under Section 1003.438, Florida Statutes, when calculating the graduation component of high schools grade.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: 1) no requirement for SERC was triggered under Section 120.541(1), Florida Statutes, and; 2) based on past experiences with the school grade rule and rules of this nature, adverse impact or regulatory cost, nor would be expected to exceed any one of the economic analysis criteria set forth in Section 120.541(2)(a), Florida Statutes. Further, the subject matter of the proposed rule amendment, namely modifying the methodology by which the Department of Education calculates one component of school grades, is not one that will adversely impact economic growth, private sector job creation or growth, or business competitiveness or increase regulatory costs. Moreover, it is expected that the cost of implementing the change will be change absorbed by the agency with existing resources. As noted above in the summary, the amendment is necessary to gain approval of the United States Department of Education for the ESEA waiver, through which the state receives significant federal educational funding.

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: 1001.02, 1008.22, 1008.33 1008.34, 1008.345 FS.

LAW IMPLEMENTED: 1008.34, 1008.22, 1008.33 1008.34, 1008.345, 1008.36 FS.

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

DATE AND TIME: April 16, 2013, 8:00 a.m.

PLACE: Room LL03, The Capitol, 400 South Monroe Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ed Croft, Director, Accountability Reporting, Accountability Research and Measurement, 325 West Gaines Street, Room 1401, Tallahassee, FL 32399, Ed.Croft@fldoe.org

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.09981 Implementation of Florida's System of School Improvement and Accountability.

(1) through c. No change.

d. For high schools, when data for the elements described in paragraph (4)(c) of this rule is available for ten (10) or more students, the accountability system will also include graduation rates as measured by the federal uniform graduation rate according to 34 CFR § 200.19 (<http://www.flrules.org/Gateway/reference.asp?No=Ref-01332>), which rate calculation is incorporated herein by reference, a five-year federal uniform rate, ~~modified to include special diploma graduates~~, an at-risk graduation rate, participation and performance in accelerated mechanisms, and college readiness as measured by the Postsecondary Education Readiness Test (P.E.R.T.), or other common placement tests authorized under Rule 6A-10.0315, F.A.C., which is incorporated by reference herein.

2. through (4)(b) No change.

(c) Additional components that apply to high schools:

1. Fifty (50) percent of school grades for high schools (schools that include grades 9 through 12 among grades taught) shall be based on the following components in addition to the components previously described in paragraph (4)(a) of this rule:

a. High school graduation rate. School grade points for the high school graduation rate will be based on a combination of two graduation rate calculations. The first graduation rate component shall be a four-year adjusted cohort rate using criteria for the federal uniform graduation rate defined in the Code of Federal Regulations at 34 C.F.R. § 200.19(b). The second graduation rate component shall be a five-year adjusted federal uniform cohort graduation rate. The five-year graduation rate will apply the same criteria as for the four-year graduation rate, ~~except that fifth-year standard diploma recipients will also be counted as graduates with one exception: Students with disabilities who earn a special diploma will be counted as graduates in the five-year graduation rate component for Florida's high school grades.~~

b. through f. No change.

2. The school grading measures and requirements described in subparagraph (4)(c)1. of this rule, shall be applied to high schools for which there are at least ten (10) students included in the denominator of each component described in paragraph (4)(c) of this rule. For high schools in which there are fewer than ten (10) students in the denominator of any one of these components, except for the four-year graduation rate for at risk students and the five-year graduation rate the school grade shall be determined using the components described in paragraph (4)(a) of this rule and shall not include any of the components described in subparagraphs (4)(c)1. of this rule. However, for high schools in which there are fewer than ten

(10) students in the denominator of the four-year high school graduation rate for academically at-risk students (sub-subparagraph (4)(c)1.b. of this rule), the grade point component defined in sub-subparagraph (5)(c)1.a. of this rule shall be substituted for the grade point component defined in sub-subparagraph (4)(c)1.b. of this rule. For high schools with at least ten (10) students in the four-year graduation rate cohort but with fewer than ten (10) students in the five-year ~~modified~~ graduation rate cohort, the five-year ~~modified~~ graduation rate cohort will be replaced by the four-year graduation rate ~~modified to count special diploma recipients as graduates.~~

(5) through 3. No change.

(c) Points for high schools in addition to the points described in paragraph (5)(a) of this rule (800 points available).

1. Graduation Rate (200 points). The total possible points awarded for the combined graduation rate component is 200 points: 100 possible points awarded for the four-year federal uniform graduation rate and 100 points for the five-year ~~modified~~ federal uniform graduation rate. School grade points for annual growth or decline as described in subparagraph (5)(c)7. of this rule will be applied to the points earned for the combined graduation rate component.

2. At-Risk Graduation Rate (100 points). The total possible points awarded for the at-risk graduation rate component is 100 points. For this component, 0.5 grade points shall be awarded for each percent of students counted as on-time graduates in the four-year graduation rate, and 0.5 grade points shall be awarded for each percent of students counted as graduates in the 5-year cohort in the ~~modified~~ five-year graduation rate. School grade points for annual growth or decline as described in subparagraph (5)(c)7. of this rule will be applied to the points earned for the combined graduation rate component for at-risk students.

3. through (9) No change.

Rulemaking Authority 1001.02, 1008.22, 1008.34, 1008.345 FS. Law Implemented 1008.22, 1008.34, 1008.345, 1008.36 FS. History—New 10-11-93, Amended 12-19-95, 3-3-97, 1-24-99, 2-2-00, 2-11-02, 12-23-03, 5-15-06, 6-19-08, 11-26-08, 11-12-09, 6-21-11, 7-16-12, 1-17-13, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jane Fletcher, Interim Deputy Commissioner, Division of Accountability, Research and Measurement

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Tony Bennett, Commissioner, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 18, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: February 15, 2013

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-13.004
 RULE TITLE: Open Season for Taking and Bag Limits for Non-Migratory Game and Issuance of Antlerless Deer Permits

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to establish a voluntary Private Lands Deer Management Permit program. The effect of the proposed rule amendment will be to encourage conservation practices on private lands that benefit deer and other wildlife.

SUMMARY: The proposed rule amendment would establish a voluntary Private Lands Deer Management Permit program for landowners or their lessees that provides greater flexibility in herd and harvest management and promotes habitat conservation and hunting heritage efforts. The program would be for parcels of sufficient size to successfully implement herd and wildlife management measures and to reduce potential concerns of hunters on adjacent properties where management programs differ.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

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; 379.2223, 375.313 FS.

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

DATES AND TIME: During the Commission’s regular meeting April 17-18, 2013, 8:30 a.m. – 5:00 p.m., each day

PLACE: Florida Public Safety Institute, Pat Thomas Law Enforcement Academy, 85 Academy Drive, Havana, FL 32333 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 R. 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-13.004 Open Season for Taking and Bag Limits for Non-Migratory Game, ~~and~~ Issuance of Antlerless Deer Permits and Private Lands Deer Management Permits.

The open season and bag limits for non-migratory game shall be as follows unless otherwise amended by the Commission, provided that regulations for hunting on wildlife management areas shall be as established by specific rule.

(1) Bag and possession limits:

(a) Deer: Possession limit, four; daily bag as follows:

1. through 4. No change.

5. Antlerless and antlered deer taken under the authority of a permit issued under subsection (4) of this rule shall not be subjected to daily bag or possession limits.

(b) through (c) No change.

(2) through (3) No change.

(4) Issuance of Private Lands Deer Management Permits to landowners – Antlerless and antlered deer may be taken under permit from the executive director from the first day of the zonal deer season till the last day of the zonal deer season for not more than 128 total days (including during archery, crossbow, muzzleloading gun, and antlered deer seasons, and during any periods closed to deer hunting within this time frame) by any gun allowed for deer in Rule 68A-12.002, F.A.C., on property enrolled in the Private Lands Deer Management Permit program. Property enrolled in the program that is bisected by a zone line (permitted lands lie within multiple zones) may have one of the zonal deer seasons apply to all permitted lands as designated by the applicant. Property may be enrolled in this program in accordance with the following:

(a) Only property that meets the criteria listed in this paragraph is eligible to be enrolled in the Private Lands Deer Management Permit program. The property identified for enrollment in an application must be at least 5,000 acres that form one continuous uninterrupted piece of land; an aggregate of properties under different ownership that adjoin one another so as to form one continuous uninterrupted piece of land that together satisfy the acreage requirement will be considered one property for purposes of this program if those properties are the subject of one application. A written Wildlife Management

Plan (WMP), developed or approved by a Certified Wildlife Biologist (CWB; certified by The Wildlife Society 5410 Grosvenor Lane, Suite 200, Bethesda, MD, 20816), must be provided for the property identified for enrollment in an application. Annual recommendations for the harvest of antlered and antlerless deer shall be developed by a CWB and be intended to help reach the stated deer management objectives for the property. FWC-approved survey standards shall be used to estimate and monitor the deer population. Antlered and antlerless deer harvest recommendations may be submitted without conducting a deer population survey in the year immediately following two consecutive years of deer population surveys, and in alternate years thereafter, provided the surveyed areas and survey methodologies are comparable between surveys. The permit shall require a minimum of three (3) qualifying conservation activities (active habitat management, wildlife management or conservation-related activities for youth) annually on the property during the period it is enrolled in the program. Acceptable conservation activities shall include, but not be limited to: agricultural plantings, creation of or maintenance of wildlife openings, invasive vegetation management, prescribed burning, silvicultural practices that benefit wildlife, mechanical treatments (mowing, disking, roller chopping), management for rare, threatened or endangered species, allowing Commission personnel or its partners to conduct wildlife surveys or research, wetland restoration or enhancement or conservation easements. Conservation-related activities for youth may only account for one (1) of the three (3) qualifying conservation activities required by the permit. For an application to be approved, the three (3) qualifying conservation activities combined must affect at least 10% of the permitted land.

(b) A person must be the owner of the property, the leasee of the property or otherwise have written permission from the landowner to participate in the Private Lands Deer Management Permit program. Applications for the Private Lands Deer Management Permit program shall be on such a form as prescribed by the Commission and shall include: a written description of the property boundaries; total acreage of the property; name, street or physical address, and telephone numbers for the applicant and the landowner; a signature of the landowner or legal agent of the landowner providing permission to participate in the program; and other information pertaining to the proposed activity necessary for permit issuance and enforcement of this subsection.

(c) Commission personnel shall review the application and approve or deny based on whether it is complete and includes the required proposed conservation activities. Annual harvest limits for antlered and antlerless deer shall be established by the Commission, based upon the CWB's recommendations included in the WMP in consideration of the stated deer management objectives for the property. If the application is approved, the Commission shall enroll the property in the program and issue a permit in the name of the applicant. As a

condition of issuance or renewal of the permit, the property must be managed consistent with the WMP and the conservation activities must be performed substantially as proposed.

(d) No person may harvest deer on property enrolled in the Private Lands Deer Management Permit program except as authorized under a permit issued under this subsection or under the authority of a deer depredation permit.

(e) The Commission shall furnish an identifying tag for each antlerless and antlered deer to be taken from the permitted area. Each person who takes an antlerless or antlered deer shall immediately lock the identifying tag to the carcass of the deer. Antlerless or antlered deer may not be possessed unless the identifying tag has been locked on the carcass. Each tag shall remain locked on the carcass until the deer is dismembered and stored at the hunter's domicile.

(f) Commission personnel may access property enrolled in the Private Lands Deer Management Permit program to check for permit compliance or to collect biological specimens and data on any deer taken.

(g) The permittee shall submit a deer harvest report by April 1 as prescribed by the Commission.

PROPOSED EFFECTIVE DATE: June 1, 2013.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Amended 5-19-80, 6-4-81, 6-21-82, 7-1-83, 7-1-84, 7-1-85, Formerly 39-13.04, Amended 6-1-86, 5-10-87, 6-8-87, 5-1-88, 7-1-89, 7-1-90, 7-1-91, 7-1-92, 7-1-93, 3-1-94, 7-1-94, 7-1-96, 10-28-97, 4-27-98, 12-28-98, Formerly 39-13.004, Amended 7-1-01, 5-13-02, 10-16-02, 7-1-05, 7-1-06, 7-1-08, 7-1-10, 1-1-11, 7-26-12, 6-1-13.

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.R.

NAME OF PERSON ORIGINATING PROPOSED RULE:
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: February 14, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 8, 2013

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-20.005
 RULE TITLE: Specific Fish Management Area Regulations

PURPOSE AND EFFECT: The proposed rule is to establish new regulations for recently established Edward Medard Park Reservoir Fish Management Area. The proposed rule will provide effective fishery protection as was supported by area stakeholders.

SUMMARY: Edward Medard Park Reservoir is a 770 acre water body located in Hillsborough County that underwent complete renovation and reestablishment of a balanced sport fish population. The proposed rule was developed through cooperative efforts with local stakeholders and partners to provide effective fishery protection.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

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.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATES, TIME AND PLACE SHOWN BELOW:

DATES AND TIME: During the Commission's regular meeting April 17-18, 2013, 8:30 a.m. – 5:00 p.m. each day

PLACE: Florida Public Safety Institute, Pat Thomas Law Enforcement Academy, 85 Academy Drive, Havana, 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: 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: Tom Champeau, Director, Division of Freshwater Fisheries Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-20.005 Specific Fish Management Area Regulations.

(1) through (3) No change.

(4) Southwest Region:

(a) through (v) No change.

(w) Edward Medard Park Reservoir, Hillsborough County:

1. Daily bag limit for largemouth bass shall be five, only one of which may be 16 inches in total length or longer.

2. No person shall use any gear other than hook and line or rod and reel to take and possess game fish and and nongame fish species.

3. Persons possessing a valid freshwater commercial fishing license may use cast nets to catch nongame fish other than channel catfish from 12:01 AM Tuesday to 12:01 AM Friday.

4. Days and hours of operation, park entrance and other user fees shall be designated by Hillsborough County and posted at the park main entrance.

(5) No change.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Amended 2-19-80, 5-19-80, 6-4-81, 9-28-81, 6-21-82, 7-1-83, 11-17-83, 7-1-84, 7-1-85, Formerly 39-20.05, Amended 2-27-86, 6-1-86, 5-10-87, 4-13-88, 7-1-89, 7-1-90, 4-11-91, 7-1-91, 7-2-92, 8-23-92, 4-20-93, 7-1-94, 8-15-95, 10-23-95, 4-1-96, 2-16-97, 6-1-97, 6-29-97, 1-1-98, 7-1-98, 11-2-98, Formerly 39-20.005, Amended 4-30-00, 7-1-00, 10-10-00, 4-1-01, 7-1-01, 10-9-01, 7-1-02, 1-1-03, 7-1-03, 1-1-04, 7-1-04, 7-17-05, 7-1-06, 4-1-07, 7-1-08, 7-1-10, 2-8-11, 3-25-12, 7-1-12,_____.

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.R.

NAME OF PERSON ORIGINATING PROPOSED RULE: Tom Champeau, Director, Division of Freshwater Fisheries Management

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 13, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 8, 2013

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-23.005
 RULE TITLE: Bag Limits, Length Limits, Open Season: Freshwater Fish

PURPOSE AND EFFECT: The proposal to delete paragraph 68A-23.005(8)(f), F.A.C., is to remove the Fish and Wildlife Conservation Commission regulations for Edward Medard Reservoir, Hillsborough County that is being established as a Fish Management Area (FMA) with new set of rules. The deletion of existing rules will prevent angler confusion and enhance enforcement of new Fish Management Area rules.

The proposed rule language in subparagraph 68A-23.005(8)(i)1., F.A.C., will incorporate two canals and one creek into the Florida Fish and Wildlife Conservation Commission’s boundary for Lake Okeechobee. The boundary of Lake Okeechobee will be redefined to include all of L-50 canal in Glades County, all of Sportsman’s Canal (LD-3) in Glades County, and Creek to U.S. 27 and Fisheating Creek to U.S. Hwy 27.

The new boundary will ensure that anglers fishing in the two canals and one creek or traversing Lake Okeechobee from the two canals and one creek will be subject to same set of rules currently in place for Lake Okeechobee. The proposed rule will eliminate angler confusion on Lake Okeechobee boundaries and reduce difficulties in effectively enforcing rules for freshwater fish.

The proposed rule language in subsection 68A-23.005(10), F.A.C., will allow anglers participating in the TrophyCatch Program to temporarily possess in live condition, one Hall of Fame candidate bass (13 pounds or greater) over the legal length limit and bag limit until the fish is certified by FWC staff or authorized representative. The proposed rule will increase recycling of large bass and enable the FWC to document catch of trophy bass, which are the primary goals of the TrophyCatch Program.

SUMMARY: Removing existing rule language for Edward Medard Park Reservoir will prevent angler confusion and enhance law enforcement of new proposed rules for the newly established Edward Medard Park Reservoir Fish Management Area. The proposed rule language for the new FMA were developed through cooperative efforts with local stakeholders and partners to provide effective fishery protection.

The current boundary of Lake Okeechobee does not include two canals and one creek, which leads to angler confusion and difficulties for effectively enforcing current freshwater fish

harvest rules. The proposed rule will eliminate angler confusion relative to Lake Okeechobee boundaries and enhance the enforcement of current freshwater rules.

The proposed rule will increase documentation and encourage recycling of largemouth bass by allowing anglers to temporarily possess one, 13 pounds and greater bass in live condition that is over the legal length limit and bag limit until the fish is certified by FWC staff.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the nature of the rule and the preliminary analysis conducted to determine whether a SERC was required

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

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

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATES, TIME AND PLACE SHOWN BELOW:

DATES AND TIME: During the Commission’s regular meeting April 17-18, 2013, 8:30 a.m. – 5:00 p.m. each day

PLACE: Florida Public Safety Institute, Pat Thomas Law Enforcement Academy, 85 Academy Drive, Havana, 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: 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: Tom Champeau, Director, Division of Freshwater Fisheries Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-23.005 Bag limits, Length Limits, Open Season: Freshwater Fish.

(1) through (7) No change.

(8) In that portion of the state south and east of the Suwannee River to the line established by reference to certain counties in subsection (9) below, bag or length limits or areas closed to fishing are as follows:

(a) through (e) No change.

~~(f) Edward Medard Reservoir, Hillsborough County: No person shall kill or possess any black bass that is 15 inches or more in total length and less than 24 inches in total length. No person shall take in any one day more than 3 black bass.~~

(g) through (h) renumbered (f) through (g) No change.

~~(h) Lake Okeechobee:~~

1. Defined as any point lakeward of a boundary line delineated by the following points: Intersection of St. Rd. 78 and U.S. 441, U.S. 441 SE to St. Rd. 5 (“80”) St. Rd. 5 (“80”) to St. Rd. 25 (U.S. 27) St. Rd. 25 (U.S. 27) to St. Rd. 78 St. Rd. 78 to U.S. 441 Including: Harney Pond Canal (C-41) north of St. Rd. 78 to South Florida Water Management District (SFWMD) structure S-71.C-41-A Canal, southeast of the S-84 structure Indian Prairie Canal (C-40) north of St. Rd. 78 to SFWMD structure S-72 All of Taylor Creek and Nubbin Slough in Okeechobee County C-38/Kissimmee River south of SFWMD structure S-65E to St. Rd. 78, All of L-50 Canal in Glades County, Fisheating Creek to U. S. 27, All of Sportsman’s Canal (LD-3 in Glades County.

2. through 3. No change.

(9) No change.

(10) Anglers participating in the Trophy Catch Program in compliance with Trophy Catch Program rules and fish handling guidelines may temporarily possess in live condition one Hall of Fame candidate largemouth bass (13 pounds or greater) over the legal length limit and bag limit until the fish is certified by FWC staff or authorized representative.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Amended 5-19-80, 6-4-81, 6-21-82, 7-1-83, Formerly 39-23.05, Amended 2-27-86, 5-10-87, 3-1-88, 4-13-88, 7-1-89, 4-11-90, 7-1-92, 8-23-92, 4-20-93, 7-1-94, 9-15-94, 4-1-96, 7-1-98, 10-20-98, Formerly 39-23.005, Amended 7-1-00, 7-1-01, 7-1-04, 7-1-05, 7-1-06, 7-1-08, 7-1-11,_____.

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.R.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Tom Champeau, Director, Division of Freshwater Fisheries Management
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission.
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 13, 2013
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 8, 2013

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF CORRECTIONS

RULE NOS.:	RULE TITLES:
33-601.226	Youthful Offender Program Participation
33-601.236	Basic Training Program – Operation

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 39, No. 38, February 25, 2013 issue of the Florida Administrative Register has been withdrawn.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE NO.:	RULE TITLE:
40C-1.135	Delegations of Authority

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 39, No. 51, March 14, 2013 issue of the Florida Administrative Register.

The Notice of Proposed Rule stated that the Notice of Rule Development for 40C-1.135, F.A.C., was published on August 24, 2012. The Notice of Rule Development for 40C-1.135 was actually published in Vol. 38, No. 29, on July 20, 2012.

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.:	RULE TITLE:
58A-5.0194	Alzheimer’s Disease or Related Disorders Training Provider and Curriculum Approval

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 38, No. 76, November 21, 2012 issue of the Florida Administrative Register.

At the suggestion of the Joint Administrative Procedures Committee, DOEA Forms ALF/ADRD-001 and ALF/ADRD-002 were amended to remove certain ancillary provider credentialing and curriculum requirements so that the forms fully comport with the requirements of proposed Rule Section 58A-5.0194, Florida Administrative Code.

DEPARTMENT OF MANAGEMENT SERVICES

Division of Facilities Management

RULE NOS.:	RULE TITLES:
60H-10.001	Definitions
60H-10.002	Reports and Records
60H-10.003	Inventory Data

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 39, No. 54, March 19, 2013 issue of the Florida Administrative Register.

The Department hereby notices the following correction: Legislative ratification will not be needed for this rule because there is no adverse impact on economic growth, private sector job creation or employment, or private sector investment in the excess of \$1 million in the aggregate within five years of the implementation of the rule; nor is it likely to have an impact on business competitiveness in the excess of \$1 million in the aggregate within five years of the implementation of the rule; nor is it likely to increase regulatory costs in the excess of \$1 million in the aggregate within five years of the implementation of the rule.

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.:	RULE TITLE:
68A-9.005	Falconry

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. 39, No. 8, January 11, 2013 issue of the Florida Administrative Register.

Proposed amendment to Rule 68A-9.005 has been changed to include a new effective date of January 1, 2014 and the following modified paragraph (3)(b):

(b) General

1. Permittee shall be at least 18 years old and must submit a document from a General Falconer or Master Falconer (preferably your sponsor) to FWC stating that you have practiced falconry with raptors at the apprentice level or equivalent for at least 2 years including maintaining, training, flying, and hunting raptors for at least 4 months in each year. That practice may include capture and release of falconry raptors.

2.through 5. No change.

No other changes were made to the rule amendment as proposed.

**Section IV
Emergency Rules**

NONE

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

DEPARTMENT OF TRANSPORTATION

RULE NO.: RULE TITLE:

14-75.003: Minimum Technical Qualification Standards by Type of Work

NOTICE IS HEREBY GIVEN that on March 7, 2013, the Department of Transportation received a petition for Variance or Waiver from Jerry Pate Design, Inc. A waiver of Rule 14-75.003, F.A.C., requirement of at least 5 years post-registration experience in landscape architecture projects for qualification in Group 15 Landscape Architect, is being requested based on Jerry Pate Design Inc.'s landscape architect's 15 years of pre-registration experience.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Patricia A. Parsons, Clerk of Agency Proceedings, Department of Transportation, 605 Suwannee Street, M.S. 58, Tallahassee, Florida 32399-0458, trish.parsons@dot.state.fl.us.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NO.: RULE TITLE:

40E-24.201: Year-Round Landscape Irrigation Conservation Measures

The South Florida Water Management District hereby gives notice: that on March 14, 2013, the Governing Board issued an Order Granting Variance under Section 120.542, Fla. Stat. (Order No. 2013-017-DAO-WU) to the Walt Disney World Company concerning landscape irrigation conducted in Orange County, Florida. The Petition for Variance was received by the District on January 23, 2013. Notice of receipt of the petition requesting the variance was published in the Florida Administrative Register, Vol. 39, No. 26, on February 7, 2013. No public comment was received. Specifically the Order grants a Variance from subsection 40E-24.201(6), Florida Administrative Code (Fla. Admin. Code), which states that irrigation of existing landscaping shall be conducted on specific days based on address. Generally, the Order sets forth the basis of the District's decision to grant the Variance, as

follows: 1) the Petitioner has demonstrated that the use of the advanced technology irrigation system on its specified property is likely to achieve the purpose of the statutes underlying subsection 40E-24.201(6), Fla. Admin. Code; 2) the petitioner has demonstrated that it will experience substantial technological hardship if it is required to comply; 3) the District has reasonable assurance that the granting of this Variance will be consistent with statutory requirements.

A copy of the Order or additional information may be obtained by contacting The South Florida Water Management District's Water Resource Regulation Department during normal business hours of 8:00 a.m. – 5:00 p.m., Monday through Friday, except legal holidays, 3301 Gun Club Road, West Palm Beach, FL 33406-4680, phone, (561)682-6911, email, permits@sfwmd.gov, or access the District's website, www.sfwmd.gov using the Application/Permit Search on the ePermitting page.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On March 19, 2013 the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from Glades Road Self Storage, filed March 5, 2013, and advertised on March 8, 2013 in Vol. 39, No. 47, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.2.2.5 ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires upgrading the elevators sump pump because the Petitioner has demonstrated that the intent of the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2013-066).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On March 19, 2013 the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from Corporate Plaza, filed March 5, 2013, and advertised on March 8, 2013 in Vol. 39, No. 47, of

the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires upgrading the elevators for firefighters' emergency operations until January 1, 2015 because the Petitioner has demonstrated that the intent of the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2013-065).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On March 19, 2013 the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from The Gulfstream Condominium, filed March 5, 2013, and advertised on March 8, 2013 in Vol. 39, No. 47, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires upgrading the elevators for firefighters' emergency operations until November 1, 2013 because the Petitioner has demonstrated that the intent of the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2013-067).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

NOTICE IS HEREBY GIVEN that on March 19, 2013, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Conservancy EPC Building. Petitioner seeks an emergency variance of the requirements of ASME A17.1, Section 2.20.4, 2.18.5, 2.18.5.1 and 8.11.2.1.3(cc)(1) & (3) as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires steel ropes of a minimum diameter of 9.5 mm which poses a significant economic/financial hardship.

Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2013-091).

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.

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NO.: RULE TITLE:

64E-6.013: Construction Materials and Standards for Treatment Receptacles

The Department of Health hereby gives notice: On March 20, 2013, the Department of Health issued an order in response to a petition for a variance filed on December 21, 2012, by Martha Harrell Chumbler, representing Infiltrator Systems, Inc., regarding the "Infiltrator Polypropylene Septic Tanks". Petitioner sought a variance from paragraph 64E-6.013(10)(d), Florida Administrative Code, which requires tanks with seams below the invert of the outlet to be watertightness tested in accordance with ASTM C 1227-98, Standard Specification for Precast Concrete Septic Tanks, paragraph 9.2.2, after installation in the field. Notice of the petition was published in the December 27, 2012, edition of the Florida Administrative Register.

The Department found that the Petitioner demonstrated that the underlying intent of the statute could be achieved by alternative means and that strict application of the rules would create a substantial hardship in the Petitioner's particular circumstance. Therefore, pursuant to the requirements of Section 120.542(2), Florida Statutes, the Department GRANTED WITH CONDITIONS Petitioner's request for a variance.

A copy of the Order or additional information may be obtained by contacting Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin A02, Tallahassee, Florida 32399-1703.

Section VI
Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF EDUCATION

The Florida Rehabilitation Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 1, 2013, 9:00 a.m. – 11:00 a.m.

PLACE: Conference call. Telephone number (888)670-3525, conference code (7923533220#).

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Rehabilitation Council, Executive Committee, General Business.

A copy of the agenda may be obtained by contacting Roy Cosgrove, (850)245-3317.

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 Roy Cosgrove, (850)245-3317. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

For more information, you may contact: Roy Cosgrove, (850)245-3317.

DEPARTMENT OF TRANSPORTATION

The Florida Transportation Commission announces a workshop to which all persons are invited.

DATE AND TIME: Monday, April 1, 2013, 12:00 p.m. to conclusion of business

PLACE: Department of Transportation, Burns Building, Executive Conference Room, 605 Suwannee Street, Tallahassee

GENERAL SUBJECT MATTER TO BE CONSIDERED: Presentation on Alternative Revenue Sources for the sustainability of Florida's Transportation System.

For more information, you may contact: The Florida Transportation Commission, (850)414-4105.

REGIONAL UTILITY AUTHORITIES

Tampa Bay Water - A Regional Water Supply Authority

The Tampa Bay Water announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, April 15, 2013, 9:00 a.m.

PLACE: Tampa Bay Water Administrative Offices, 2575 Enterprise Road, Clearwater, FL 33763

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Budget Workshop concerning the proposed 2013/2014 Fiscal Year Budget will be followed by a Regular Board Meeting of the Tampa Bay Water Board of Directors.

A copy of the agenda may be obtained by contacting: Records Department, (727)796-2355.

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, (727)796-2355. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Records Department, (727)796-2355.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.013: Service Maintenance Contracts

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety announces a hearing to which all persons are invited.

DATE AND TIME: April 23, 2013, 10:00 a.m. – 11:30 a.m.

PLACE: Professions Board Room, Department of Business and Professional Regulation, 1940 N. Monroe St., Tallahassee, FL 32399 or via conference call at (888)670-3525, participant passcode 9003077628#.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Proposed Rule 61C-5.013.

A copy of the agenda may be obtained by contacting: Michelle Comingore, Division of Hotels and Restaurants, 1940 N. Monroe St., Tallahassee, FL 32399-1011, (850)488-1133; Michelle.Comingore@MyFloridaLicense.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: Michelle Comingore, Division of Hotels and Restaurants, 1940 N. Monroe St., Tallahassee, FL 32399-1011; (850)488-1133; Michelle.Comingore@MyFloridaLicense.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

For more information, you may contact: Michelle Comingore, Division of Hotels and Restaurants, 1940 N. Monroe St., Tallahassee, FL 32399-1011; (850)488-1133; Michelle.Comingore@MyFloridaLicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

The Board of Architecture and Interior Design announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 27, 2013, 2:00 p.m. CANCELLED.

PLACE: The telephone conference call scheduled for March 27, 2013 at 2:00 p.m. has been cancelled.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The telephone conference call scheduled for March 27, 2013 at 2:00 p.m. has been cancelled.

DEPARTMENT OF HEALTH

The Florida Department of Health announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, March 27, 2013, 4:30 p.m.

PLACE: Smith Auditorium, Duval County Health Department, 900 University Boulevard North, Jacksonville, Florida 32211; or, conference call-in number: (888)670-3525, participant passcode: 5855727282#.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a public meeting to discuss the interview process for the Director position in the Florida Department of Health in Duval County.

A copy of the agenda may be obtained by contacting: Beth A. Paterniti, (850)245-4243 or by email at StatewideServices@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 5 days before the workshop/meeting by contacting: Beth A. Paterniti, (850)245-4243 or by email at StatewideServices@doh.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

For more information, you may contact: Beth A. Paterniti, (850)245-4243 or by email at StatewideServices@doh.state.fl.us.

DEPARTMENT OF HEALTH

The Florida Department of Health announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, April 5, 2013, 9:00 a.m.

PLACE: Smith Auditorium, Duval County Health Department, 900 University Boulevard North, Jacksonville, Florida 32211

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct interviews for the Director position with the Florida Department of Health in Duval County.

A copy of the agenda may be obtained by contacting: Beth A. Paterniti, (850)245-4243, or by email at StatewideServices@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 Beth A. Paterniti, (850)245-4243 or by email at StatewideServices@doh.state.fl.us. If you are hearing or

speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Beth A. Paterniti, (850)245-4243 or by email at StatewideServices@doh.state.fl.us.

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

The Department of Health, Board of Physical Therapy announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, April 2, 2013, 8:30 a.m. E.S.T. or soon thereafter.

PLACE: Telephone conference call: (888)670-3525. After dialing the meet me number, when prompted, insert the participant code 6808029433 followed by the # sign in order to join the meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Orientation and Training of New Physical Therapy Board Members.

A copy of the agenda may be obtained by contacting: Board of Physical Therapy, 4052 Bald Cypress Way, Bin C-05, Tallahassee, FL 32399-3255 or by calling the board office at (850)245-4373, ext. 3468.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: The Board/Council office at (850)488-0595. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

DEPARTMENT OF HEALTH

Division of Emergency Medical Operations

The Bureau of Emergency Medical Oversight announces a public meeting to which all persons are invited.

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

PLACE: CCOC-Southwood Building 4042, 2nd Floor, Room 210J.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting – this meeting will discuss confidential cases.

A copy of the agenda may be obtained by contacting: Kimberly Moore, (850)245-4440, ext. 2759.

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: Kimberly Moore, (850)245-4440, ext. 2759.

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

The Florida Fish and Wildlife Conservation Commission announces a public meeting to which all persons are invited.

DATE AND TIME: April 4, 2013, 7:00 p.m.

PLACE: Northwest Florida Water Management District, 81 Water Management Dr, Havana, FL 32333

GENERAL SUBJECT MATTER TO BE CONSIDERED: PURPOSE: To receive public comment regarding considerations for FWC's ten-year Management Plan for the FWC Lead Managed Portions of Joe Budd Wildlife Management Area (JBWMA).

This hearing is being held exclusively for discussion of the draft Joe Budd WMA Management Plan. This meeting is not being held to discuss area hunting or fishing regulations. For more information on the process for FWC rule and regulation development go online to: myfwc.com/about/rules-regulations/rule-changes or call (850)487-1764.

A Management Prospectus for Joe Budd WMA and copy of the agenda is available upon request from the Florida Fish and Wildlife Conservation Commission, Land Conservation and Planning Group, 620 South Meridian Street, Tallahassee, Florida 32399-1600. Telephone: (850)487-9982 or (850)487-9767, email Rebecca.Shelton@MyFWC.com.

FLORIDA AUTOMOBILE JOINT UNDERWRITING ASSOCIATION

The Florida Automobile Joint Underwriting Association announces an Operating Committee telephone conference call to which all persons are invited.

DATE AND TIME: Friday, April 12, 2013, 10:00 a.m.

PLACE: Please contact for dial-in information.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review proposed changes in the FAJUA Underwriting Manual for recommendation to the Board of Governors and any other matters that may come before the committee.

A copy of the agenda may be obtained by contacting: Lisa Stoutamire, 1425 Piedmont Drive East, #201A, Tallahassee, FL, (850)681-2003, lstoutamire@fajua.org.

NORTHWEST FLORIDA TRANSPORTATION CORRIDOR AUTHORITY

The Northwest Florida Transportation Corridor Authority announces a public meeting to which all persons are invited.

DATE AND TIME: March 28, 2013, 10:00 a.m. CST.

PLACE: Pensacola City Hall, City Council Chambers, 222 W. Main Street, Pensacola, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review draft Master Plan update.

A copy of the agenda may be obtained by contacting Alicia Stephen, (850)429-8905, alicia.stephen@hdrinc.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting Alicia Stephen, (850)429-8905, alicia.stephen@hdrinc.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

For more information, you may contact Alicia Stephen, (850)429-8905, alicia.stephen@hdrinc.com.

HHI DESIGN

The LYNX announces a workshop to which all persons are invited.

DATE AND TIME: Thursday, March 28, 2013, 3:00 p.m. – 7:00 p.m.

PLACE: Seminole Centre SuperStop, 3653 S. Orlando Drive, Sanford, FL 32773

GENERAL SUBJECT MATTER TO BE CONSIDERED: LYNX is conducting a Comprehensive Operational Analysis (COA) of its transit route network in Orange, Osceola and Seminole counties to develop a plan that meets the travel needs of the community. Let us know what you think - purpose is to gather input from LYNX riders on their desired improvements to bus routes and schedules. Please come by our information booth to review information boards and fill out a short questionnaire. Your input is essential to identify LYNX service needs and opportunities.

A copy of the agenda may be obtained by contacting: Ginger Corless at (407)616-5500, gcorless@tindaleoliver.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: Ginger Corless, (407)616-5500,

gcorless@tindaleoliver.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice). For more information, you may contact: Ginger Corless, (407)616-5500, gcorless@tindaleoliver.com. Please forward any specific comments and/or questions to COA@golynx.com.

Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements

NONE

Section VIII
Notices of Petitions and Dispositions
Regarding the Validity of Rules

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

NONE

Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges

NONE

Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

NONE

Section XII
Miscellaneous

EXECUTIVE OFFICE OF THE GOVERNOR

Division of Emergency Management

Notice of Funding Availability for Hurricane Isaac DR-4084

To: Local Governments, State and Regional Agencies, Indian Tribal Governments, Local Mitigation Strategy Working Groups, Private Non-Profit Organizations Submitting Hazard Mitigation Grant Program Applications for the Hurricane Isaac.

From: Bryan W. Koon, State Coordinating Officer

Subject: Hazard Mitigation Grant Program Funding Summary

Date: March 15, 2013

Program Summary

The Florida Division of Emergency Management (the Division) is pleased to announce the availability of Hazard Mitigation Grant Program (HMGP) funds as a result of the recent Presidential Disaster Declaration for Hurricane Isaac (FEMA 4084-DR-FL).

HMGP funding is authorized by Section 404 of the Robert T. Stafford Disaster Relief Act. This funding helps communities implement measures to reduce or eliminate long-term risk to people and property from natural hazards and their effects. The Division encourages all potential applicants to submit applications for projects that address eligible mitigation activities. The amount of HMGP funding available to the state is based on the total federal disaster assistance for the Presidential Disaster Declaration.

Application Timeline

Applications are currently being accepted. The application period will close June 21, 2013. Applications mailed to the Division must be postmarked on or before June 21, 2013. Hand-delivered applications must be stamped in at the Division no later than 5:00 p.m. EDT on June 21, 2013. The Division encourages potential applicants to submit complete applications before the close of the application period.

Applications will only be accepted from eligible applicants as defined in the Minimum Program Eligibility section of this notice.

Please provide four completed copies of the State of Florida Hazard Mitigation Grant Program Application and all appropriate attachments. The application and all other pertinent

forms may be obtained at the Division's website located at <http://www.floridadisaster.org/Mitigation/Hazard/forms.htm>. You may also contact the Division directly at (850)487-2053.

Completed applications must be sent to the following address:

ATTN: Kathleen Marshall, Hazard Mitigation
Grant Program
Florida Division of Emergency Management
Mitigation Section
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

Minimum Program Eligibility

Eligible Applicants: According to the Code of Federal Regulations (CFR) 44 §206.434(a), the following parties are eligible to apply for Hazard Mitigation Grant Program funds:

- State and local governments who have an approved Local Mitigation Strategy (LMS) in accordance with 44 CFR 201.6, prior to receipt of HMGP subgrant funding for projects;
- Private non-profit organizations or institutions that own or operate a private non-profit facility as defined in §206.221(e); and
- Indian tribes or authorized tribal organizations.

Eligible Activities: Activities include mitigation projects that will result in protection of public or private property from natural hazards. Activities for which implementation has already been initiated or completed are not eligible for funding. Eligible projects include, but are not limited to, the following:

- Acquisition or relocation of hazard prone structures
- Retrofitting of existing buildings and facilities that will result in increased protection from hazards
- Elevation of flood prone structures
- Infrastructure protection measures
- Stormwater management improvements
- Minor structure flood control projects
- Residential and community safe room construction

Ineligible Activities: The state will not consider funding requests for:

- Generators (unless for a critical facility provided they are cost-effective, contribute to a long-term solution to the problem that they are intended to address, and meet other project eligibility criteria as required by 44 CFR § 206.434(c); or unless they are an integral part of a larger eligible project);
- Construction of new facilities (Nevertheless, the cost associated with above code upgrades to new facilities may be considered);
- Equipment such as emergency pumps, vehicles, and communication devices;
- Tree removal, debris removal and other forms of maintenance; or
- Projects already in progress (Construction may not begin until the contract between the State and subgrantee is executed and the project has met requirements of the National Environmental Policy Act).

Eligibility Criteria: All projects submitted must meet minimum criteria to be considered for funding. An eligible project must:

- Conform to the Florida State Hazard Mitigation Plan and the respective community's LMS;
- Conform to the funding priorities for the disaster, as established in the appropriate LMS;
- Demonstrate cost-effectiveness;
- Be technically feasible;
- Benefit the designated disaster area;
- Conform to all applicable environmental laws and regulations, as well as Executive Orders;
- Solve a problem independently or constitute a functional part of a solution;
- Benefit a National Flood Insurance Program (NFIP) participating community that is not on probation or suspended from the NFIP; and
- Meet all applicable State and local codes and standards.

Cost-Share Requirements

Under the HMGP, FEMA will contribute up to 75 percent of the total amount approved under the grant award to implement eligible, cost-effective mitigation measures. The applicant must provide the remaining 25-percent non-federal share. Contributions, cash, and in-kind services are acceptable as part of the non-federal share. Requirements for in-kind contributions can be found in 44 CFR §13.24. In-kind contributions must be directly related to the eligible project cost and are those personnel, materials, equipment and supplies owned, controlled, and operated by the applicant or a third party contributor.

Applicants may use the Global Match concept as part of the 25-percent non-federal share. Global Match permits a potential applicant to meet the non-federal share match by receiving credit for state and/or local government funds that were committed to similar type project(s). These similar, non-federally funded projects must meet all of the HMGP eligibility requirements. This means that if Global Match is approved, the applicant may receive up to 100-percent federal share.

Pre-Award Costs

Prior to receiving a grant award, pre-award costs may be requested. Pre-award costs include items such as engineering, environmental study, permitting, and other "soft" costs associated with a construction project. Construction activities are not considered pre-award costs. Pre-award costs must be requested in writing. Guidelines for pre-award costs are included in Attachment A.

County Funding Allocation

To ensure funds are distributed equitably, designated counties have been assigned a portion of the total HMGP grant. The amount is based on a calculation of the proportional share of the total federal assistance under the Public Assistance (PA), Individual Assistance (IA), and Small Business Administration

(SBA) programs as of March 2013. Commitment of project funds by the Division is contingent upon receipt of appropriate Legislative Budget Authority.

These figures are shown in Attachment B and represent the estimated amount of HMGP funds currently available. HMGP funding is available only to those counties that have a current FEMA-approved LMS. Project applications will be considered only if:

- (1) The application is accompanied by an endorsement by the LMS Chairperson or Vice-Chairperson stating that the project is included in the current LMS; and,
- (2) If more than one project is submitted, the endorsement indicates the prioritization. A sample project submission letter is shown in Attachment C.

The Division will attempt to fund each submitted project in priority order until the county’s allocation has been exhausted. In accordance with Florida Administrative Code (F.A.C.) 27P-22.006, the Division uses the following tiered allocation system up until the State application deadline with FEMA:

Tier 1 The available HMGP funds are allocated to counties included in the relevant Presidential Disaster Declaration in proportion to each county’s share of federal disaster funding from the Public Assistance (PA), Individual Assistance (IA), and Small Business Administration (SBA) Disaster Loan Program as of the date of receipt of the FEMA funding notice described above. Eligible projects submitted by each county included in the relevant Presidential Disaster Declaration will be funded in order of priority as outlined in the LMS until the allocated funds (through the 12-Month Lock-in) are exhausted or all eligible projects are funded.

Tier 2 Any allocation remaining after all eligible projects in any declared county are funded, shall be re-allocated to those counties included in the relevant Presidential Disaster Declaration whose allocation was not sufficient to fund all submitted eligible projects. The order of priority for re-allocating funds is detailed in Attachment D.

Tier 3 In the event funds remain after the Tier 1 and Tier 2 process, any remaining funds will be offered on a statewide basis as described in Attachment D.

Please see Attachment D for a detailed explanation of funding tiers.

Funding Availability and Notification

FEMA notifies the State of HMGP funding availability at several milestones:

1. Initial Estimate

This represents an early estimate only and is not an actual commitment of funding by FEMA. Funding may increase or decrease based on actual disaster claims during the declaration period. These estimates are provided for planning purposes and to jump-start the HMGP application process.

2. 180 Days from the Date of Declaration

This represents the State’s Lock-in Amount. It is the minimum the State can expect to receive from FEMA. County allocations listed in Attachment B are based on this estimate. After this disclosure, HMGP funds to the State cannot be decreased.

It is important for potential applicants to recognize that HMGP funds are contingent upon FEMA’s reexamination of the disaster figures at the given time intervals. A county’s funding allocation can increase or decrease after it has submitted an application.

Technical Assistance

The Division is in the process of scheduling HMGP application development workshops. Please check the Division’s website <http://www.floridadisaster.org/Mitigation/Hazard> for date, time, location and a short overview of the workshops. The Division will provide technical assistance throughout the application process. This includes assistance with the application process, Benefit Cost Analysis, Engineering Feasibility and Environmental/Historical Preservation Compliance. If there are any questions regarding the allocation of funds or the project review and selection criteria, please call Bureau staff at one of the following numbers:

- (850) 922-5944 (Program Eligibility)
- (407) 856-5019 (Environmental)
- (407) 856-5010 (Engineering and Technical Feasibility)

For additional information and technical assistance, please refer to FEMA’s Hazard Mitigation Assistance Unified Guidance document available at <http://www.fema.gov/library/viewRecord.do?id=4225>.

To assist you in submitting qualified project applications, the following attachments are located on the Division website <http://www.floridadisaster.org/Mitigation/Hazard> including the Hazard Mitigation Grant Program Application:

- Attachment A: HMGP Program Policy on Pre-award Cost and Form
- Attachment B: Initial Estimate of Available HMGP Funding
- Attachment C: Sample Project Submission Letter
- Attachment D: Florida Administrative Code 27P-22 BWK/km Attachments

Attachment A

Guidance on Pre-award Cost Associated with HMGP Projects
Pre-award costs are costs incurred by a sub-grantee before the grant was awarded. Any and all pre-award costs associated with an HMGP project must be incurred after the date of declaration of a disaster under which the project is proposed for funding (GAO 10-129).

All construction associated with an HMGP project must be incurred after approval by FEMA and after the State of Florida and the sub-grantee has executed a project contract. According to Webster’s II New Riverside Dictionary Revised Edition, the word construction means “the act, process, or work of

building.” Breaking ground, installing a shutter, taking out a window to replace with impact glass, are all examples of “construction.”

FEMA may approve pre-award costs. These costs include study or research required to plan a construction project. Such activities may include engineering, modeling, permitting, environmental study, benefit-cost analysis, etc. These are soft costs and not to be confused with hard construction costs. Construction costs may not be included as pre-award costs. Pre-award costs must be factored into total project costs and included in the benefit-cost analysis calculations.

The applicant may request pre-award costs any time after the disaster declaration. The request must be in writing and include the type of activity or activities proposed and estimated cost. All pre-award activity must clearly be associated with the applicant’s proposed project. The State and FEMA will do a preliminary review of the request and may concur that the activities are necessary for the type of project envisioned or may consult with the applicant on an identified activity that the State or FEMA does not feel is necessary for a proposed project. Conversely, the State or FEMA may suggest additional study or research the applicant has not identified for a particular project. Review by the State and FEMA of pre-award activities may save money and time for the State, FEMA, and the applicant. Letters and documentation of all pre-award activities will need to be submitted to the State with the project application. Preliminary review by the State or FEMA of pre-award activities is no guarantee of eligibility or approval of the activities or the proposed project. FEMA will provide a written final determination on the pre-award request. An alternative is for the applicant to request approval of pre-award cost by letter attached to the project application. The request must include the type of activity or activities and costs incurred by the applicant. There is greater risk to the applicant with this alternative that incurred costs may not be considered eligible.

If the proposed project meets all eligibility criteria and is approved by FEMA, then pre-award costs identified by the applicant prior to project submittal, or identified by the applicant in documentation attached to the application, will be considered project costs eligible for 75/25 re-imburement (same as other project costs).

All pre-award costs are subject to an approved grant award and available funding. If funding is not available, even if pre-award costs are approved in writing, they will not be reimbursed and will be solely the responsibility of the applicant.

REFERENCES

General Accounting Office, Principles of Federal Appropriations Law, Volume II, January 2004

Excerpts from OMB Cost Principle Circulars:

OMB Circular A-87 and A-122 (2 CFR 225 and 2 CFR 230, respectively) – Pre-award costs are those incurred prior to the effective date of the award directly pursuant to the negotiation

and in anticipation of the award where such costs are necessary to comply with the proposed delivery schedule or period of performance. Such costs are allowable only to the extent that they would have been allowable if incurred after the date of the award and only with the written approval of the awarding agency.

OMB Circular A-21 (2 CFR 220) – Pre-agreement costs incurred prior to the effective date of the sponsored agreement, whether or not they would have been allowable thereunder if incurred after such date, are unallowable unless approved by the sponsoring agency.

44 CFR Part 206.439(c) further explains the pre-award cost regulations as allowable costs under HMGP.

44 CFR Part 13.22(b) lists the circulars above as the applicable cost principles for HMGP applicants; governments (A-87), private non-profits (A-122), & educational institutions (A-21).

HAZARD MITIGATION ASSISTANCE PROGRAM
PRE-AWARD COST REQUEST FORM

To request Pre-Award Costs, please complete this form and submit with your project application. All ELIGIBLE pre-award costs are subject to an approved grant award and availability of funding. If funding is not available or the project is not approved, pre-award costs will NOT be reimbursed and will be the sole responsibility of the applicant. If your project is approved and pre-award costs are eligible, the costs share for the reimbursement of these activities is up to a 75/25 split.

Program: _____

Name of Applicant: _____

Project Title: _____

Start Date for Pre-Award Activities: _____

Pre-award costs associated with this request incurred prior to the date of declaration are NOT eligible. These costs include: study or research to plan project, engineering, modeling, permitting or environmental study. These costs must be reflected as a line item in the project budget. Construction costs should NOT be included. Construction activities may NOT begin until after a contract has been fully executed with the State for this project.

Activity	Estimated Cost	Estimated Start Date

Point of Contact Information:

Name: _____ Title: _____

Agency: _____

Address: _____

Phone: _____ Email: _____

Authorized Applicant Agent:

Name: _____ Title: _____

Signature: _____ Date: _____

Attachment B
 FEMA-4084-DR-FL
 Hurricane Isaac
 Initial 90-Day Estimate

County	Federal Allocation	25% Non-Federal Match
Bay County	\$403,099	\$134,366
Collier County	\$199,550	\$66,517
Escambia County	\$1,331,072	\$443,691
Franklin County	\$51,110	\$17,037
Glades County	\$41,332	\$13,777
Gulf County	\$38,221	\$12,740
Martin County	\$478,208	\$159,403
Monroe County	\$134,218	\$44,739
Okaloosa County	\$537,762	\$179,254
Palm Beach County	\$797,754	\$265,918
Santa Rosa County	\$183,106	\$61,035
St. Lucie County	\$248,882	\$82,961
	\$4,444,314	1,481,438

*Note: The amounts shown are initial 90-day estimates and should be used for planning purposes only. These figures are based upon best available data as of March 2013 and are subject to change.

The State anticipates that FEMA will provide the 6-month Lock-in estimate for the Hazard Mitigation Grant Program (HMGP) in April or May 2013. This future estimate will be used to re-evaluate the initial 90-day estimate and establish a lock-in. At this time the lock-in will reflect any increase or decrease in the amount of available HMGP funding.

Attachment C

Date

Mr. Miles Anderson, State Hazard Mitigation Officer, Florida Division of Emergency Management, 2555 Shumard Oaks Boulevard, Tallahassee, Florida 32399-2100

Re: Hazard Mitigation Grant Program (HMGP) applications for FEMA 4084-DR-FL "Hurricane Isaac"

Dear Mr. Anderson,

The _____ County Local Mitigation Strategy (LMS) working group has approved by vote and prioritized the following projects for HMGP funding from this disaster. These projects align with our LMS goals and objectives as noted, and with the State's mitigation goals and objectives (in accordance with the Code of Federal Regulations 44§ 201.6.)

The _____ County LMS group therefore presents the projects below (or in the attachment) in the order in which they are to be considered for funding.

FEMA 4084-DR-FL "Hurricane Isaac"

Funding priority	Project name or description	Applicant	Goal/ objective implemented	Estimated federal share
1.	Project name	Applicant	3. B. (2)	\$000,000
2.	Project name	Applicant	1. A. (4)	\$000,000
3.	Project name	Applicant	2. B. (4)	\$000,000
Etcetera				

For further information or inquiry, please contact me at phone number and email.

Sincerely,

_____, LMS Chair
 _____ County LMS

cc:

Attachment D
 CHAPTER 27P-22

HAZARD MITIGATION GRANT PROGRAM

- 27P-22.001 Purpose
- 27P-22.002 Definitions
- 27P-22.003 Eligibility
- 27P-22.004 LMS Working Groups
- 27P-22.005 Local Mitigation Strategy

- 27P-22.006 County Allocations and Project Funding
- 27P-22.007 Application

27P-22.001 Purpose.

This chapter describes the processes for application, project selection and distribution of funds under the Hazard Mitigation Grant Program.

Rulemaking Authority 252.35(2)(x) FS. Law Implemented 252.311, 252.32, 252.35 FS. History—New 2-24-02, Formerly 9G-22.001.

27P-22.002 Definitions.

(1) "Adoption" means a resolution, ordinance or other formal action taken by the governing body of a county or municipality indicating agreement with and acceptance of the relevant Local Mitigation Strategy.

(2) “Application” means the request for hazard mitigation funding as submitted to the Division by an Applicant.

(3) “Applicant” means a state agency, local government, Native American tribe or authorized tribal organization or private non-profit organization requesting hazard mitigation funding.

(4) “FEMA” means the Federal Emergency Management Agency.

(5) “Florida Hazard Mitigation Strategy” means Florida’s version of the Hazard Mitigation Plan referred to in 44 C.F.R., Part 206, Subpart M. The Florida Hazard Mitigation Strategy (Rev. September 11, 1997) is hereby incorporated into this rule by reference. A copy may be obtained by contacting the Division of Emergency Management.

(6) “Hazard” means a condition that exposes human life or property to harm from a man-made or natural disaster.

(7) “Hazard Mitigation” means any action taken to reduce or eliminate the exposure of human life or property to harm from a man-made or natural disaster.

(8) “Hazard Mitigation Grant Program”, herein referred to as HMGP, means the program authorized under Section 404 of the Stafford Act and implemented by 44 C.F.R., Part 206, Subpart N, hereby incorporated by reference, a copy of which may be obtained by contacting the Division, which provides funding for mitigation projects as identified in the State Hazard Mitigation Strategy.

(9) “Local Mitigation Strategy” or “LMS” means a plan to reduce the identified hazards within a county.

(10) “Project” means a hazard mitigation measure as identified in an LMS.

(11) “Repetitive loss structures” means structures that have suffered two or more occurrences of damage due to flooding and which have received payouts from the National Flood Insurance Program as a result of those occurrences.

(12) “Working Group” is the group responsible for the development and implementation of the Local Mitigation Strategy.

Rulemaking Authority 252.35(2)(x) FS. Law Implemented 252.311, 252.32, 252.35 FS. History—New 2-24-02, Formerly 9G-22.002.

27P-22.003 Eligibility.

(1) Eligible types of projects shall include, but not be limited to, the following:

(a) New construction activities that will result in protection from hazards;

(b) Retrofitting of existing facilities that will result in increased protection from hazards;

(c) Elevation of flood prone structures;

(d) Vegetative management/soil stabilization;

(e) Infrastructure protection measures;

(f) Stormwater management/flood control projects;

(g) Property acquisition or relocation; and

(h) Plans that identify and analyze mitigation problems and include funded, scheduled programs for implementing solutions.

(2) In order to be eligible for funding, projects shall meet the following requirements:

(a) Conform to the Florida Hazard Mitigation Strategy;

(b) Conform to the funding priorities for the disaster as established in the LMS governing the project;

(c) Conform to 44 C.F.R., Part 9, Floodplain Management and Protection of Wetlands, and 44 C.F.R., Part 10, Environmental Considerations, both hereby incorporated by reference, copies of which may be obtained by contacting the Division;

(d) Eliminate a hazard independently or substantially contribute to the elimination of a hazard where there is reasonable assurance that the project as a whole will be completed; and

(e) Be cost-effective and substantially reduce the risk of future damage, hardship, loss, or suffering resulting from a disaster.

Rulemaking Authority 252.35(2)(x) FS. Law Implemented 252.311, 252.32, 252.35 FS. History—New 2-24-02, Formerly 9G-22.003.

27P-22.004 LMS Working Groups.

Each county electing to participate in the HMGP must have a formal LMS Working Group and a current LMS.

(1) Not later than the last working weekday of January of each year the Chairperson of the Board of County Commissioners shall submit to the Division a list of the members of the Working Group and its designated Chairperson and Vice-Chairperson.

(2) The Working Group shall include, at a minimum:

(a) Representation from various agencies of county government which may include, but not be limited to, planning and zoning, roads, public works and emergency management;

(b) Representation from all interested municipalities within the county; and

(c) Representation from interested private organizations, civic organizations, trade and commercial support groups, property owners associations, Native American Tribes or authorized tribal organizations, water management districts, regional planning councils, independent special districts and non-profit organizations.

(3) The county shall submit documentation to show that within the preceding year it has issued a written invitation to each municipality, private organization, civic organization, Native American Tribe or authorized tribal organization, water management district, independent special district and non-profit organization, as applicable, to participate in the LMS working group. This documentation shall accompany the membership list submitted to the Division.

(4) The Working Group shall have the following responsibilities:

- (a) To designate a Chairperson and Vice-Chairperson;
- (b) To develop and revise an LMS as necessary;
- (c) To coordinate all mitigation activities within the County;
- (d) To set an order of priority for local mitigation projects; and

(e) To submit annual LMS updates to the Division by the last working weekday of each January. Updates shall address, at a minimum:

- 1. Changes to the hazard assessment;
- 2. Changes to the project priority list;
- 3. Changes to the critical facilities list;
- 4. Changes to the repetitive loss list; and
- 5. Revisions to any maps.

Rulemaking Authority 252.35(2)(x) FS. Law Implemented 252.311, 252.32, 252.35 FS. History—New 2-24-02, Formerly 9G-22.004.

27P-22.005 Local Mitigation Strategy.

Each LMS shall have the following components:

(1) A description of the activities of local government and private organizations that promote hazard mitigation; a description of the policies, ordinances or programs that guide those activities; and any deficiencies in the policies, ordinances, and programs with recommendations to correct those deficiencies;

(2) A description of the methods used to engage private sector participation;

(3) A statement of general mitigation goals, with Working Group recommendations for implementing these goals, and estimated dates for implementation;

(4) A description of the procedures used by the Working Group to review the LMS at regular intervals to ensure that it reflects current conditions within the County;

(5) A hazard assessment to include, at the minimum, an evaluation of the vulnerability of structures, infrastructure, special risk populations, environmental resources and the economy to storm surge, high winds, flooding, wildfires and any other hazard to which the community is susceptible;

(6) A statement of procedures used to set the order of priority for projects based on project variables which shall include technical and financial feasibility;

(7) A list of approved projects in order of priority with estimated costs and associated funding sources;

(8) A list of critical facilities that must remain operational during and after a disaster;

(9) A list of repetitive loss structures; and

(10) Maps, in Geographical Information System (GIS) format, depicting hazard areas, project locations, critical facilities and repetitive loss structures.

Rulemaking Authority 252.35(2)(x) FS. Law Implemented 252.311, 252.32, 252.35 FS. History—New 2-24-02, Formerly 9G-22.005.

27P-22.006 County Allocations and Project Funding.

(1) The available HMGP funds shall be allocated to the counties included in the relevant presidential disaster declaration, as defined in Section 252.34(1), F.S., in proportion to each county's share of the federal disaster funding from the Public Assistance, Individual Assistance and Small Business Administration programs as of 90 days after the disaster declaration as reported by FEMA.

(a) Eligible and submitted projects for each county included in the relevant presidential disaster declaration will be funded in order of priority as outlined in the LMS until the allocated funds are exhausted, or all eligible projects are funded, whichever occurs first.

(b) Any allocation remaining after all eligible projects in any declared county are funded shall be reallocated to those counties included in the relevant presidential disaster declaration whose allocation was not sufficient to fund all submitted eligible projects in proportion to each county's share of unfunded projects.

(2) If funds remain after all eligible projects under subsection (1) above have been funded, then they shall be applied to fund eligible projects submitted from counties not

included in the relevant presidential disaster declaration on a first-come-first-served basis until all available funds are obligated.

(3) Once a project has been selected for funding, the agreement between the applicant and the Division regarding the terms and conditions of the grant shall be formalized by contract.

Rulemaking Authority 252.35(2)(x) FS. Law Implemented 252.311, 252.32, 252.35 FS. History—New 2-24-02, Formerly 9G-22.006.

27P-22.007 Application.

(1) The following entities may apply for funding under the program:

- (a) State agencies and local governments;
- (b) Private non-profit organizations or institutions that own or operate a private non-profit facility as defined in 44 C.F.R., §206.221(e), hereby incorporated by reference, a copy of which may be obtained by contacting the Division; and
- (c) Indian tribes or authorized tribal organizations.

(2) The Division shall notify potential applicants of the availability of HMGP funds by publishing a Notice of Funding Availability in the Florida Administrative Weekly.

(3) Applicants will have not less than ninety (90) days from the date of notification to submit project applications. The opening and closing dates will be specified in the Notice of Funding Availability, and applications must be postmarked or stamped in at the Division no later than 5:00 p.m. on the final due date.

(4) A letter shall accompany each application from the Chairperson or Vice-Chairperson of the LMS Working Group endorsing the project. The endorsement shall verify that the proposed project does appear in the current LMS and state its priority in relation to other submitted projects. Applications without this letter of endorsement will not be considered.

(5) Applications must be submitted using Form No. HMGP/FMA-001, State of Florida Joint Hazard Mitigation Grant Program & Flood Mitigation Assistance Application (Effective Date September 30, 2001), which is incorporated into this rule by reference, a copy of which may be obtained by contacting the Division.

(6) If the Division receives an incomplete application, the applicant will be notified in writing of the deficiencies. The applicant will have thirty (30) calendar days from the date of the letter to resolve the deficiencies. If the deficiencies are not corrected by the deadline the application will not be considered for funding.

(7) Applications are to be delivered or sent to:
 Division of Emergency Management, Bureau of Mitigation,
 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399,
 ATTENTION: Hazard Mitigation Grant Program

Rulemaking Authority 252.35(2)(x) FS. Law Implemented 252.311, 252.32, 252.35 FS. History—New 2-24-02, Formerly 9G-22.007.

DEPARTMENT OF HEALTH

Board of Nursing

Emergency Action

On March 19, 2013, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Patrick J Ryan, C.N.A., License #CNA 211256. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Emergency Action

On March 19, 2013, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Misty Gayle Roth, R.N., License # RN 9214131. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes (2011). The

State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Emergency Action

On March 19, 2013, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Shanon Renee Abbott, R.N., License # RN 9281596. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Emergency Action

On March 19, 2013, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Kelly Marie Jacobs-Mere, L.P.N., License # PN 5166655. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011).

The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Pharmacy

Emergency Action

On March 19, 2013, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Jose Carlos Morales-Hernandez, R.Ph., License # PS 26289. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Section XIII
Index to Rules Filed During Preceding Week

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