

mobility-impaired eligibility certification application (Form QA-801, effective 9/2008, which is hereby incorporated by reference) to ~~on record with~~ the Commission. Certification as Participants in the mobility-impaired hunt shall be restricted to persons who are paraplegic, hemiplegic, or quadriplegic, permanently dependent upon a wheelchair for ambulation, permanently required to use assisting aids to walk, permanently required to use braces or prosthesis on both legs or who have had complete single-leg amputation above the knee.

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-25.002
 RULE TITLE: General Provisions for Taking, Possession and Sale of Reptiles

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 34, No. 33, August 15, 2008 issue of the Florida Administrative Weekly.

Subsection (6) of the proposed rule has been amended to read:

(6) No person shall take more than a total of five (5) native Florida freshwater turtles each day unless authorized by permit from the Executive Director as provided in Rules 68A-5.004, 68A-9.002, and 68A-27.002, F.A.C., except that holders of commercial freshwater fishing licenses as provided in Section 379.363, F.S., may take an additional fifteen (15) Florida softshell turtles (*Apolone ferox*) for a total of 20 turtles in the aggregate per day. Freshwater turtles may be taken as prescribed in Rules 68A-23.012 and 68A-23.003, F.A.C., and manually or by baited hooks, bow, dip nets, traps so designed that any freshwater fish taken therein may escape, or by spearing only during daylight hours. The taking of turtles by bucket traps, snares, or shooting with firearms is prohibited. No person shall buy, sell, or possess for sale any alligator snapping turtle (*Macrolemys temminckii*), box turtle (*Terrapene carolina*), Barbour’s map turtle (*Graptemys barbouri*), Escambia River map turtle (*Graptemys ernsti*), diamondback terrapin (*Malaclemys terrapin*), river cooter (*Pseudemys concinna*), or loggerhead musk turtle (*Sternotherus minor*), or parts thereof. No person shall possess more than two (2) Barbour’s map turtles, two (2) Escambia River map turtles, two (2) diamondback terrapins, two (2) river cooters, two (2) box turtles, two (2) loggerhead musk turtles, or one (1) alligator snapping turtle unless authorized by permit from the Executive Director as provided in Rule Rules 68A-5.004, 68A-9.002 and Chapter 68A-27 68A-27.002, F.A.C. River cooters may not be taken from 15 April to 31 July.

Subsection (8) of the proposed rule has been amended to read:

(8) No person shall possess more than 50 eggs taken from the wild in the aggregate of species of freshwater turtle native to Florida except as authorized by permit from the executive director as provided in Rule Rules 68A-5.004, 68A-9.002 and Chapter 68A-27 68A-27.002, F.A.C. Eggs of those turtle species enumerated in subsection 68A-25.002(6), F.A.C., are subject to the same possession limits as apply for those turtles. The purchase or sale of turtle eggs taken from the wild is prohibited.

Subsection (9) of the proposed rule has been amended to read:

(9) No person shall buy, sell, take or possess any gopher tortoise (*Gopherus polyphemus*), or any part thereof, unless authorized by permit from the executive director as provided in Rule Rules 68A-5.004, 68A-9.002, and Chapter 68A-27 68A-27.002, F.A.C.

**Section IV
 Emergency Rules**

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE NO.: 5FER08-1
 RULE TITLE: Volatility Standards for Gasoline

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: As a result of the effects on the supply and distribution of fuel caused by tropical storms and hurricanes during August and September, extreme and unusual circumstances exist that will prevent the distribution of an adequate fuel supply to consumers in Florida. On September 11, 2008, the United States Environmental Protection Agency (EPA) issued a fuel volatility waiver to nine southeastern states including Florida. Pursuant to these actions by the EPA, and following the adoption of this emergency rule, waiving certain volatility standards will allow for adequate and rapid distribution of available fuel, helping to stabilize Florida’s fuel market, thus protecting the welfare of Florida consumers.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: This emergency rule was initiated at the request of fuel suppliers in order to more adequately meet the fuel needs of Florida consumers, as a result of current fuel shortages created from recent tropical storms and hurricanes, in particular Hurricane Ike. This emergency rule will help alleviate present distribution difficulties and shortages of motor fuel resulting from these weather events and could not be implemented in time to provide relief to Florida Consumers through non-emergency rule making procedures.

SUMMARY: This emergency rule allows for the import and distribution of fuels of a different volatility class than adopted in ASTM International designation D4814-07b and Rule

5F-2.001, F.A.C., for the period beginning September 18, 2008, through September 25, 2008. The specific standards affected are below.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Dr. Matthew D. Curran, (850)488-9740

THE FULL TEXT OF THE EMERGENCY RULE IS:

5FER08-1 Volatility Standards for Gasoline.

(1) Volatility Class D-4 fuels as specified in ASTM International designation D4814-07b, shall be allowed for the time period from September 18, 2008 through September 25, 2008.

(2) The Vapor Lock Protection Class requirement as specified in subparagraph 5F-2.001(1)(a)3., F.A.C., for gasoline containing nine (9) through ten (10) percent ethanol by volume shall be allowed a minimum test temperature for a vapor-liquid ratio of twenty (20) of 107° F for the time period from September 18, 2008 through September 25, 2008.

Specific Authority 525.037, 525.14 FS. Law Implemented 525.01, 525.037, 525.14 FS. History—New 9-18-08.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: September 18, 2008

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN THAT on December 10, 2007, the Florida Public Service Commission has issued an order.

Order No. PSC-07-0986-PAA-TL granted a petition for waiver from paragraph 25-4.110(5)(c), Florida Administrative Code. The petition was filed on June 8, 2007, by BellSouth Telecommunications, Inc. d/b/a AT&T Florida d/b/a AT&T Southeast in Docket No. 070370-TL, and was amended on July 16, 2007. The rule addresses customer billing requirements for incumbent local exchange companies. The order granted the waiver because the purpose of the underlying statute will be met and the utility will suffer substantial hardship if the rule is not temporarily waived.

A copy of the Order may be obtained by contacting: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850.

For additional information, please contact: H. F. Mann, Office of the General Counsel, at the above address or telephone (850)413-6098.

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN THAT on September 11, 2008, the South Florida Water Management District has issued an order.

Order No. 2008-422-DAO-ROW grants a waiver under Section 120.542, F.S., to the Collier County Board of County Commissioners. The petition for waiver was received by the SFWMD on April 21, 2008. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 34, No. 18, on May 2, 2008. No public comment was received. This Order provides a waiver of the District's criteria for the proposed installation of a pedestrian bridge crossing the Henderson Creek Canal to be located immediately north of the District's Henderson Creek Weir #2 Structure, as part of the previously-authorized multi-use pathway designed to allow pedestrians movement over the canal from the east bank to the west bank and ultimately to be connected to the west side of the C.R. 951 Roadway; Section 2, Township 50 South, Range 26 East, Collier County. Specifically, the Order grants a waiver from paragraph 40E-6.221(2)(j), Florida Administrative Code, and the Basis of the District Permit Applications within the South Florida Water Management District, incorporated by reference in subsection 40E-6.091(1), Florida Administrative Code, which governs the minimum low member elevation of pile-supported crossings (pedestrian bridge) within Works or Lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) the facilities will not significantly interfere with the District's current ability to perform necessary construction, alteration, operation and routine maintenance activities; and 2)