

where active rioting is taking place. The incident commander has the responsibility of advising the news media of appropriate information, with the advice and assistance of the director of the Office of Communications.

(8) There shall be no bargaining with or concessions to inmates who continue in a state of revolt or insurrection. An appropriate official may talk to and attempt to reason with the rebellious inmates in an attempt to regain control by peaceful means. Demands of inmates that they be permitted to negotiate only with the Governor, news media, or other specified party will be refused.

(9) Dealing with inmate leaders in regard to hostages will be handled by the incident commander or other designated, trained officials of the institution or department. Immediate efforts will be directed toward the liberation of said hostages without undue delay. Any employee taken hostage has no authority regardless of his rank or position while he is a hostage. An inmate(s) who demands to be released from custody by threatening to do bodily harm to a hostage if he is not released will not be released, even if all efforts to secure the hostage fail.

Rulemaking Authority 944.09 FS. Law Implemented 944.09, ~~944.34, 944.43~~, 944.44, 944.45 FS. History—New 11-3-82, Formerly 33-3.16, 33-3.016, Amended_____.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Beaches and Coastal Systems

RULE NO.: RULE TITLE:
62B-41.005 Policy and Eligibility Criteria for
 Coastal Construction Permits

SECOND NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 36, No. 35, September 3, 2010 and Vol. 36, No. 47, November 24, 2010 issue of the Florida Administrative Weekly.

62B-41.005 Policy and Eligibility Criteria for Coastal Construction Permits.

(1) through (16) No change.

(17) If the proposed coastal construction is reasonably likely to have adverse impacts to the coastal system, then the applicant shall revise the project design to avoid or minimize those impacts to the greatest extent practicable. After all

practicable revisions have been made to avoid and minimize impacts, any remaining adverse impacts shall be offset by a mitigation plan that has been proposed by the applicant.

(18) No change.

Rulemaking Authority No change Law Implemented No change.

**Section IV
Emergency Rules**

**BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND**

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

Section V

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

**BOARD OF TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND**

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

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN THAT on December 16, 2010, the South Florida Water Management District (SFWMD), received a petition for Variance (Application 101216-7) from Pelican Cove Property Owner's Association, Inc. for a project known as Pelican Cove, Palm Beach County, FL. The petition seeks relief from provisions in Chapter 40E-24, F.A.C., pertaining to mandatory year-round landscape irrigation conversation measures, pursuant to Section 120.542, Florida Statutes.

A copy of the Petition for Variance or Waiver may be obtained by contacting: the Water Resource Regulation Department, during the normal business hours of 8:00 a.m. to 5:00 p.m.,

Monday through Friday, except legal holidays, at 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-6911, email: permits@sfwmd.gov or by accessing the District's website (www.sfwmd.gov) using the Application/Permit Search on the ePermitting page. To be considered, comments must be received by the end of business on the 14th day at the: South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33401, Attn.: District Clerk. For additional information, contact: Jesus Rodriguez at (561)682-6060, email: jerodrig@sfwmd.gov.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT on December 6, 2010, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Section 5-203.13, 2001 FDA Food Code, Paragraph 4-301.12(A), 2001 FDA Food Code and subsection 61C-4.010(5), Florida Administrative Code, from Cappucino Etc., Wellington, FL. The above referenced F.A.C. addresses the requirements the requirement that at least one service sink is provided for the cleaning of mops or similar cleaning tools and the disposal of mop water and that dishwashing facilities are provided for manually washing, rinsing and sanitizing equipment and utensils. They are requesting to share the mop sink, three-compartment sink and food preparation area located within Wellington Regional Hospital's main kitchen.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN that on December 7, 2010, the The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

The Department received a Petition for an Emergency Variance on November 9, 2010 for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2001 FDA Food Code from New York Deli at Gateway Center located in Orlando. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater.

The initial petition published in Vol. 36/48 on 12/03/10. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds

that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the wastewater holding tank must be emptied at a frequency as to not create a sanitary nuisance; and the potable water provided must come from an approved source and be protected from contamination during handling.

A copy of the Order may be obtained by contacting: Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on December 21, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Section 5-203.13, 2001 FDA Food Code, paragraph 61C-1.004(2)(a), Florida Administrative Code, subsections 61C-4.010(6), (7), Florida Administrative Code, and Section 6-402.11, 2001 FDA Food Code from Ocean Ave. Green Market 2 located in Boynton Beach. The above referenced F.A.C. addresses the requirements that at least one service sink is provided for the cleaning of mops or similar cleaning tools and the disposal of mop water and the requirement that at least one accessible bathroom on the same level be provided for use by customers and employees. They are requesting to utilize a mopsink located within another establishment and to share bathroom facilities with another nearby business.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 5 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN that on December 20, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from UCF Morgridge International Reading Center. Petitioner seeks an emergency variance of the requirements of ASME A17.1, Section 2.20.4 and 2.24.2.1, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires 9.5mm steel rope and metallic sheave which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-730).

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

NOTICE IS HEREBY GIVEN that on December 20, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Grand Villa Senior Living. Petitioner seeks an emergency variance of the requirements of ASME A17.1, Section 2.20.1 and 2.24.2.1, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires 9.5mm steel rope and metallic sheave which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-731).

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

NOTICE IS HEREBY GIVEN that on December 20, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Regency Condo Assoc. of St. Petersburg. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.10.3, 3.9.1 and 3.3.2, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires top-of-car operating devices, normal terminal stopping devices and platform guards which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-732).

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

NOTICE IS HEREBY GIVEN that on December 20, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Smurfit Stone Containers. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires upgrading the elevators for firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2010-734).

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

NOTICE IS HEREBY GIVEN that on December 21, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Bank of America Centre. Petitioner seeks a variance of the requirements of ASME A17.3, Section 2.7.4 and 3.3.2 and of ASME A17.1, Section 8.11.1.6, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires upgrading the elevators for restricted door openings, platform guards and periodic test tags 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 2010-735).

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

NOTICE IS HEREBY GIVEN that on December 27, 2010, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition from Call-Collins House at the Grove. Petitioner seeks a variance of the requirements of ASME A17.1, Section 3.4.7, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires refuge space on top of car enclosure 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 2010-738).

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

NOTICE IS HEREBY GIVEN that on December 21, 2010, the Board of Architecture and Interior Design, received a petition for Liliana Custy, seeking a variance or waiver of subsection 61G1-22.002(1), Florida Administrative Code, which requires that applicants for licensure obtain the diversified interior design experience required by Section 481.209(2), F.S., with a registered interior designer (any state) or registered architect (any state) performing interior design services, unlicensed interior designer (outside of Florida) who has passed the NCIDQ (National Council for Interior Design Qualification) or the AID (American Institute of Designers) examination, or unlicensed interior designer (outside of Florida) who would have met the six-year experience grandfather requirement of Section 21, Chapter 88-383, Laws of Florida.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Anthony Spivey, Executive Director, Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0783. Comments on this petition should be filed with the Board of Architecture and Interior Design within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN that on December 10, 2010, the Board of Accountancy, received a petition for Marline Duroseau, seeking a variance or waiver of paragraphs 61H1-27.0041(1)(b), (c) and subsection (2), Florida Administrative Code, and the requirement to obtain one year of work experience after completing the education requirements under the supervision of a licensed CPA.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

DEPARTMENT OF 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 VI

Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

The **Friends of Mission San Luis, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, January 24, 2011, 11:00 a.m. – conclusion

PLACE: 2100 W. Tennessee Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The FOMSL Executive Committee will meet to discuss income and expense reports, marketing reports, 2011 special events, meeting dates, and other Friends business.

A copy of the agenda may be obtained by contacting: Jessica Shiver at (850)245-6379.

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: Jessica Shiver at (850)245-6379. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Jessica Shiver at (850)245-6379 or at jbshiver@dos.state.fl.us.

DEPARTMENT OF EDUCATION

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

DATE AND TIME: January 18, 2011, 8:00 a.m.

PLACE: Pensacola State College, 1000 College Blvd., Pensacola, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting agenda will consist of minutes from the December 17, 2010, meeting, and updates on current educational initiatives by the Commissioner. Items for consideration include approval of the class size reduction transfer calculation and approval of Adoption of Resolutions Authorizing the Issuance and Sale of Not Exceeding \$700,000,000 State of Florida, Full Faith and Credit, State Board of Education Public Education Capital Outlay Refunding Bonds, 2011 Series [to be determined]; Approval of Amendments to the Master Resolution.

A copy of the agenda may be obtained by contacting: Lynn Abbott, Office of the Commissioner, State Board of Education, lynn.abbott@fldoe.org or (850)245-9661.

For more information, you may contact: Lynn Abbott, Office of the Commissioner, State Board of Education, lynn.abbott@fldoe.org or (850)245-9661.

The **State Board of Education** announces a workshop to which all persons are invited.

DATE AND TIME: January 18, 2011, 9:30 a.m. – 12:00 Noon

PLACE: Pensacola State College, 1000 College Blvd., Pensacola, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: An overview of the assessment and accountability programs will be provided by the Commissioner and Department staff in response to requests by State Board members.

A copy of the agenda may be obtained by contacting: Lynn Abbott, Office of the Commissioner, State Board of Education, lynn.abbott@fldoe.org or (850)245-9661.

For more information, you may contact: Lynn Abbott, Office of the Commissioner, State Board of Education, lynn.abbott@fldoe.org or (850)245-9661.

The **Education Practices Commission** announces a hearing to which all persons are invited.