

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Plant Industry

RULE NOS.: RULE TITLES:

- 5B-3.001 Definitions
- 5B-3.002 Purpose
- 5B-3.003 Requirements for the Interstate Movement of Nursery Stock and Other Plants and Plant Products
- 5B-3.0032 Requirements for the International Movement of Plants and Plant Products
- 5B-3.0035 Restrictions on Host Fruit of Fruit Flies
- 5B-3.0038 Quarantine Action

PURPOSE AND EFFECT: To update regulatory requirements for shipments entering Florida, to update the preferred host list of fruit flies, and to update list of pests, diseases, and organisms requiring immediate quarantine action on incoming shipments. These revisions will allow the department to better protect Florida's agricultural industries.

SUBJECT AREA TO BE ADDRESSED: To update regulatory requirements; fruit fly host lists; quarantined pests, diseases, and organisms lists; referenced materials; and to correct grammar.

RULEMAKING AUTHORITY: 570.07(23), 581.031(1),(4),(5), FS.

LAW IMPLEMENTED: 570.07, 581.011, 581.031(7),(9),(15),(19),(20), 581.101, 581.141, 581.182, 581.211, 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: Dr. Greg Hodges; (352)395-4627

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Plant Industry

RULE NO.: RULE TITLE:

5B-57.007 Noxious Weed List

PURPOSE AND EFFECT: The Invasive & Noxious Weed Review Committee met on August 23, 2016, and the outcome was to exempt the Sunshine cultivar for Ligustrum sinense from the noxious weed list. This request is set forth by the Florida's nursery industry via the Florida Nurserymen and Growers Association.

SUBJECT AREA TO BE ADDRESSED: to allow for the Sunshine cultivar to be moved within the State of Florida.

RULEMAKING AUTHORITY: 570.07(23), 581.031(4),(5), FS.

LAW IMPLEMENTED: 581.031(4), (5), (6), 581.083, 581.091, 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: Dr. Greg Hodges; (352)395-4627

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:

62-4.161 Public Notice of Pollution

PURPOSE AND EFFECT: The Department of Environmental Protection (Department) is developing a new rule in Chapter 62-4, F.A.C., to require owners and operators of any installation to provide notice to the Department, local government officials, and the public whenever there is an incident or discovery of pollution at an installation within 24 hours. In addition, the owner and operator would be required to provide a subsequent notice within 48 hours that describes any potentially affected areas beyond the property boundary of the installation, and the potential risk to public health, safety, or welfare. The owners and operators are required to notify the Department, local government officials, and the property owner within 24 hours of becoming aware that pollution from an installation has affected areas beyond the property boundaries of the installation.

SUBJECT AREA TO BE ADDRESSED: The Department is developing a new rule to require owners and operators of installations to provide notice to the Department, local

government and public when there is an incident resulting in pollution.

RULEMAKING AUTHORITY: 377.22(2), 403.061(7), 403.061(8), 403.062, 403.855(1), 403.861(9)

LAW IMPLEMENTED: 377.21, 377.371, 403.061(16), 403.061(17), 403.061(18), 403.062, 403.855(3), 403.861(9)

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: Robert A. Williams, Chief Deputy General Counsel, Florida Department of Environmental Protection, 3900 Commonwealth Blvd., MS-35, Tallahassee, FL 32399. robert.a.williams@dep.state.fl.us; (850)245-2233

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

62-4.161 Public Notice of Pollution

Any owner or operator of any installation who has knowledge of any pollution at such installation shall provide notice of the pollution as follows:

(1) Within 24 hours of the occurrence of any incident at an installation resulting in pollution, or the discovery of pollution, the owner or operator shall notify the Department and the following persons, in writing, of such pollution:

(a) The mayor, the chair of the county commission, or the comparable senior elected official representing the affected area.

(b) The city manager, the county administrator, or the comparable senior official representing the affected area.

(c) The general public by providing notice to local broadcast television affiliates and a newspaper of general circulation in the area of the contamination.

(2) Within 48 hours of the occurrence of any incident at an installation resulting in pollution, or the discovery of pollution, the owner or operator shall notify the Department and persons identified in (1)(a) through (1)(c), in writing, of any potentially affected areas beyond the property boundaries of the installation, and the potential risk to the public health, safety, or welfare.

(3) Within 24 hours of becoming aware of pollution from an installation that has affected areas beyond the property boundaries of the installation, the owner or operator shall notify, in writing, the property owner of any affected area, the Department, and the persons identified in (1)(a) through (1)(b).

(4) Such notification to the Department shall be accomplished by submitting an email to pollution.notice@dep.state.fl.us.

(5) Failure to provide this notification shall be considered a violation and subject to penalties for purposes of Section 403.161, Florida Statutes.

Rulemaking Authority 377.22(2), 403.061(7), 403.061(8), 403.062, 403.855(1), 403.861(9) FS. Law Implemented 377.21, 377.371, 403.061(16), 403.061(17), 403.061(18), 403.062, 403.855(3), 403.861(9) FS. History-New XX-XX-XXXX.

DEPARTMENT OF FINANCIAL SERVICES

FSC - Financial Institution Regulation

RULE NOS.: RULE TITLES:

69U-110.045 Reports to OFR

69U-110.053 Credit Union Assessments

PURPOSE AND EFFECT: To conform the assessments rule to the 2015 amendments to Section 655.047, F.S., regarding the filing and deadline requirements for state credit unions to submit semiannual assessments by mail and by electronic means; to clarify and define the terms Call Report and Credit Union Profile report; and to update requirements for the timing and electronic filing of such reports as required by the National Credit Union Administration.

SUBJECT AREA TO BE ADDRESSED: Requirements and deadlines for the filing of reports and the payment of semiannual assessments by state credit unions.

RULEMAKING AUTHORITY: 655.012(2), 657.053 FS.

LAW IMPLEMENTED: 655.045, 655.047, 657.053 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: Leslie Bryson, Senior Attorney, Division of Financial Institutions, Office of Financial Regulation, 200 East Gaines Street, Tallahassee, Florida 32399, Telephone: (850)410-9543, Email address: Leslie.Bryson@flofr.com

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

Section II Proposed Rules

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NO.: RULE TITLE:
61G15-30.003 Minimum Requirements for Engineering Documents

PURPOSE AND EFFECT: To review the rule's requirement that all codes and standards be listed and identified in the engineering documents.

SUMMARY: Requirements for engineering documents.

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 471.033(2), 471.008 FS.
LAW IMPLEMENTED: 471.033(1)(g), 471.025(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Zana Raybon, Executive Director, Board of Professional Engineers, 2639 North Monroe Street, Suite B-112, Tallahassee, FL 32303, (850)521-0500

THE FULL TEXT OF THE PROPOSED RULE IS:

61G15-30.003 Minimum Requirements for Engineering Documents.

(1) Engineering Documents are prepared in the course of performing engineering services. When prepared for inclusion with an application for a general building permit, the Documents shall meet all Engineer's Responsibility Rules, set forth in Chapters 61G15-31, 61G15-32, 61G15-33, and 61G15-34, F.A.C., and be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that the proposed work ~~it~~ will conform to all the provisions of the Florida Building Code, adopted in Section 553.73, F.S., and applicable standards, codes, laws, ordinances, rules and regulations in effect at the time the Documents are sealed, signed and dated, as determined by the AHJ. The Documents shall include:

(a) No change.

(b) If the Engineering Documents are intended to comply with requirements of any edition of List-Federal, State, Municipal, or and County standards, codes, ordinances, laws, or and rules, other than those currently in effect, with their effective dates, that the Engineering Documents must clearly state the edition and effective dates the Documents are intended to conform to.

(c) through (e) No change.

(2) Engineers shall legibly indicate their name and business address, on Engineering Documents. Engineering Documents which are issued for preliminary or conceptual use, shall clearly note the intended purpose of such Documents.

(3) When elements of the project are shown on an Engineering Document only for information or clarification and the Engineer does not intend to accept responsibility for the elements, the engineer shall clearly note on the Documents the extent of his responsibility.

(4) Engineering Documents drawings shall be legible and clearly define and delineate the work in the project. They must also comply with the requirements of Chapter 61G15-23, F.A.C., Seals.

(5) Engineers shall clearly note on any preliminary Engineering Documents that such Documents are not in final form, but are being transmitted to the AHJ public agency to receive agency reviews, comments and interpretations. The Documents may subsequently be revised by the engineer to reflect resolution of issues with the AHJ public agency prior to final action by the AHJ agency. Changes, revisions and modifications to a project may prompt additional document submittal for AHJ agency approval action on the same project. Rulemaking Specific Authority 471.033(2), 471.008 FS. Law Implemented 471.033(1)(g), 471.025(3) FS. History-New 1-26-93, Formerly 21H-30.003, Amended 11-13-08,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Professional Engineers

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Professional Engineers
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 17, 2016
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 9, 2016

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: 64B13-18.002 RULE TITLE: Formulary of Topical Ocular Pharmaceutical Agents

PURPOSE AND EFFECT: To add item to formulary rule.

SUMMARY: The rule.

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board concluded that this rule change will not have any impact on licensees and their businesses or the businesses that employ them. The rule will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, and will not require any specialized knowledge to comply. This change will not increase any direct or indirect regulatory costs. Hence, the Board determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 463.005, 463.0055(2)(a) FS.
 LAW IMPLEMENTED: 463.0055 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony B. Spivey, Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B13-18.002 Formulary of Topical Ocular Pharmaceutical Agents.

The formulary of topical ocular pharmaceutical agents consists of pharmaceutical agents that are appropriate to treat or diagnose ocular disease and disorders and which a certified optometrist is qualified to administer and prescribe in the practice of optometry pursuant to Section 463.0055(2)(a), F.S. The topical ocular pharmaceutical agents in the formulary include the following legend drugs alone or in combination in concentrations up to those specified, or any lesser concentration:

- (1) through (8) No change.
- (9) MISCELLANEOUS
- (a) through (d) No change.
- (e) Bimatoprost – .03%; ~~and~~
- (f) Natamycin Ophthalmic Suspension 5%~~;~~ and
- (g) Lifitegrast ophthalmic solution 5%.

Rulemaking Authority 463.005, 463.0055(2)(a) FS. Law Implemented 463.0055 FS. History–New 3-30-87, Amended 4-5-88, 5-7-90, Formerly 21-18.002, Amended 5-10-92, 1-29-93, Formerly 21Q-18.002, Amended 8-31-93, 7-30-94, Formerly 61F8-18.002, Amended 2-11-96, 4-21-96, 1-12-97, 6-8-97, Formerly 59V-18.002, Amended 6-15-00, 6-7-05, 6-10-06, 6-26-08, 10-16-08, 3-23-09, 6-28-09, 10-18-09, 4-21-10, 12-26-10, 7-21-11, 11-11-12, 11-29-13, 12-9-13, 4-10-14, 8-14-15, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Optometry

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 19, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 9, 2016

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NOS.: 64B15-19.002, 64B15-19.0065, 64B15-19.007 RULE TITLES: Violations and Penalties; Notices of Noncompliance; Minor Violations; Citations

PURPOSE AND EFFECT: The proposed rule amendments to Rules 64B15-19.002 and 64B15-19.007, F.A.C. are intended to set forth a penalty range for the recently added violation found in Section 459.015(1)(vv), F.S. The new Rule 64B15-19.0065, F.A.C. is intended to set forth violations which are minor violations and can be addressed through a notice of noncompliance.

SUMMARY: The proposed rule amendments to Rules 64B15-19.002 and 64B15-19.007, F.A.C. set forth a penalty range for

the recently added violation found in Section 459.015(1)(vv), F.S. The new rule 64B15-19.0065, F.A.C. sets forth violations which are minor violations and can be addressed through a notice of noncompliance.

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board concluded that this rule change will not have any impact on licensees and their businesses or the businesses that employ them. The rule will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, and will not require any specialized knowledge to comply. This change will not increase any direct or indirect regulatory costs. Hence, the Board determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 120.695, 456.073(3), 456.077, 456.079, 459.005, 459.015(5) FS.

LAW IMPLEMENTED: 120.695, 381.986(4)(d), 456.50, 456.072, 456.073(3), 456.077, 456.079 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kama Monroe, J.D., Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin # C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B15-19.002 Violations and Penalties.

In imposing discipline upon applicants and licensees, the board shall act in accordance with the following disciplinary guidelines and shall impose a penalty within the range corresponding to the violations set forth below. The statutory

language is intended to provide a description of the violation and is not a complete statement of the violation; the complete statement may be found in the statutory provision cited directly under each violation description.

(1) through (80) No change.

(81) Willfully failing to comply with s. 627.64194 or s. 641.513, F.S. with such frequency as to indicate a general business practice.

(Section 459.015(1)(vv), F.S.)
FIRST OFFENSE:

letter of concern reprimand and an administrative fine in the amount of \$1,000.00 to \$5,000.00.

SECOND OFFENSE: reprimand

revocation and an administrative fine in the amount of \$5,000.00 to \$10,000.00.

Rulemaking Authority 456.079, 459.015(5) FS. Law Implemented 381.986(4)(d), 456.072, 456.079, 456.50 FS. History—New 9-30-87, Amended 10-28-91, 1-12-93, Formerly 21R-19.002, 61F9-19.002, 59W-19.002, Amended 2-2-98, 2-11-01, 6-7-01, 2-26-02, 12-7-05, 11-14-06, 11-27-06, 5-10-10, 7-27-10, 11-10-11, 3-27-12, 7-3-12, 1-1-15, _____.

64B15-19.0065 Notices of Noncompliance; Minor Violations.

(1) For purposes of subsection 456.073(3), F.S., the Board finds the following list to be first time minor offenses. A minor offense is defined as an offense where there is no danger to public health, safety, and welfare and no indication of a serious inability to practice the profession, appropriate for notices of noncompliance. A notice of noncompliance in lieu of other action is authorized only if the violation is not a repeat violation and only if there is only one violation. If there are multiple violations, then the Department may not issue a notice of noncompliance, but must prosecute the violations under the other provisions of Section 456.073, F.S. There are only two exceptions to the prohibition against use of a notice of noncompliance when there is more than one violation. The first is that a notice of noncompliance may be issued to a registered dispensing practitioner for a first time violation of one or more of the violations listed in paragraph (2)(b), subparagraphs 2., 3., if there is no evidence of diversion. The second is that a notice of noncompliance may be issued to a

licensee for a first time violation of one or both of the violations listed in paragraph (2)(c). Failure of a licensee to take action in correcting the violation within 15 days after notice may result in the institution of regular disciplinary proceedings.

(2)The following violations are those for which the Board authorizes the Department to issue a notice of noncompliance.

(a) Advertising offenses specified herein.

1. Section 459.015(1)(d), F.S., which provides for physician discipline when the physician is found guilty of false, deceptive, or misleading advertising. The only type of false, deceptive, or misleading advertising which would be resolved by a notice of noncompliance would be advertising which is false, deceptive, or misleading because it fails to list the name of the physician conspicuously in the advertisement contrary to subsection 64B15-14.001(2), F.A.C. This would also be a violation of Section 459.015(1)(pp), F.S., which provides for physician discipline when a physician is found guilty of, among other things, violating a rule of the board.

2. Section 459.015(1)(g), F.S., which provides for physician discipline when the physician is found guilty of failing to perform a statutory or legal obligation placed upon a licensed physician. The specific statutory obligation related to advertising, which, if not performed might merit the issuance of a notice of noncompliance, would be a failure to perform the statutory obligation set forth in Section 456.062, F.S., provides that a specific disclosure statement must appear in any advertisement for a free, discounted fee, or reduced fee service, examination or treatment by a health care practitioner licensed pursuant to Chapter 459, F.S.

(b) Failure to perform one of the following statutory or legal obligations:

1. Failing to maintain records relating to the receipt and disposition of controlled substances, and the required biennial inventory, as provided for in Section 893.07, F.S. This violation may be resolved by a notice of noncompliance only if the whereabouts of the drugs can be accounted for by other means and there is no evidence of diversion.

2. Failing to, before dispensing any drug, give the patient a written prescription and orally or in writing advise the patient that the prescription may be filled in the practitioner's office or at any pharmacy, in violation of Section 465.0276(2)(c), F.S. This applies to dispensing practitioners only.

3. Dispensing medication without proper labeling, contrary to the provisions of Section 893.05(2), F.S., and Rule 64B16-28.108, F.A.C. This applies to dispensing practitioners only.

4. Failing to comply with the provisions of Sections 381.026 and 381.0261, F.S., to provide patients with

information about their patient rights and how to file a patient complaint.

5. Failing to timely provide medical records upon written request to a patient or a patient's legal representative within 30 days, contrary to the provisions of Section 456.057, F.S., and Rule 64B15-15.003, F.A.C. This violation may be resolved by a notice of noncompliance only if the medical records were provided to the requestor within 60 days of the request.

6. Failing to update the practitioner's profile as required by Sections 456.039(3) and 459.008, F.S., except that a notice of noncompliance is not authorized for failing to update the practitioner profile for items in Sections 456.039(1)(a)7., and 456.039(1)(a)8., F.S.

7. Failing to submit notice to the Board when a physician enters into a formal supervisory relationship or standing orders with an emergency medical technician or paramedic licensed pursuant to Section 401.27, F.S., or when the physician enters into an established protocol with an advanced registered nurse practitioner, as set forth in Section 464.012, F.S.

(c) Violating any of the following provisions of Chapter 459, F.S., as prohibited by Section 459.015(1)(pp), F.S.:

1. Section 459.013, F.S., which provides for criminal penalties for the practice of medicine without an active license. A notice of noncompliance would be issued for this violation only if the subject of the investigation met the following criteria: the subject must be the holder of a license to practice medicine at all time material to the matter; that license is otherwise in good standing; and that license must be renewed and placed in an active status within 90 days of becoming delinquent. If the license was delinquent for more than 90 days and the individual continued to practice, then the matter would proceed under the other provisions of Section 456.073, F.S.

2. Failing to notify the Board of a change of practice location, contrary to Sections 459.008(3) and 456.035(1), F.S. Rulemaking Authority 120.695, 456.073(3), 459.005, F.S. Law Implemented 120.695, 456.073(3), F.S. History – New

64B15-19.007 Citations.

(1) through (2) No change.

(3) The following violations with accompanying fines may be disposed of by citation.

(a) through (r) No change.

(s) Willfully failing to comply with Section 627.64194 or Section 641.513, F.S., with such frequency as to indicate a general business practice, as required by Section 459.015(1)(vv), F.S.. The fine shall be \$250 for a first time violation and the fine shall be \$1,000 for a second time violation.

(4) through (5) No change.

Rulemaking Authority 456.077 FS. Law Implemented 456.077 FS. History—New 10-28-91, Amended 8-24-92, 11-17-92, Formerly 21R-19.007, 61F9-19.007, 59W-19.007, Amended 11-27-97, 11-12-00, 1-29-03, 7-13-03, 5-12-05, 4-15-10, 10-8-12, 8-13-15, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Osteopathic Medicine
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Osteopathic Medicine
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 26, 2016
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 9, 2016

Section III Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
6A-2.0020 Charter School Capital Outlay.
 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. 42 No. 166, August 25, 2016 issue of the Florida Administrative Register.

6A-2.0020 Eligibility for Charter School Capital Outlay.

The following provisions are established for the determination of eligibility of charter schools pursuant to Section 1013.62, F.S. Except as expressly provided herein, proof of eligibility requirements must be provided to the Department by July 1 of the fiscal year for which the charter school seeks funding. The continuation of funding is dependent upon maintaining eligibility requirements during the fiscal year.

- (1) through (3) No change.
- (4) Satisfactory student achievement under Section 1013.62(1)(a)3., F.S., shall be determined by the school’s most recent grade designation or school improvement rating from the state accountability system as defined in Sections 1008.34 and 1008.341, F.S. Satisfactory student achievement for a school that does not receive a school grade or a school improvement rating, including a school that has not been in operation for at least one school year, shall be based on the student performance metrics in the charter school’s charter agreement. Allocations shall not be distributed until such time as school grade designations are known.

(a) A charter school that receives a grade designation of “F” or two (2) consecutive grades of “D” shall not be eligible for capital outlay funding.

(b) Beginning in the 2017-18 school year, ~~a~~ charter school that receives a school improvement rating of “Unsatisfactory” shall not be eligible for capital outlay funding.

(5) Eligibility for the additional school weight for free or reduced price lunch and the additional school weight for students with disabilities under Section 1013.62(1)(c)1., F.S., shall be determined by the student’s status as reported in the fiscal year’s October FTE student enrollment survey for the fiscal year in which funding is sought. The number of students eligible for free or reduced lunch for a school that provides free breakfast and lunch to all students under the Community Eligibility Provision of the Healthy, Hunger-Free Kids Act of 2010 shall be calculated by applying the multiplier authorized in Section 11(a)(1)(F)(vii) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1759a) to the number of students reported to the Department as eligible for free meals based upon the Direct Certification determination. For schools that do not participate under the Community Eligibility Provision of the Healthy, Hunger-Free Kids Act of 2010, the number of students eligible for free or reduced price lunch shall be the number of students reported to the Department as eligible ~~via the household meal application used by the district.~~

(6) through (7) No change.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:
59G-4.318 Occupational Therapy Services
 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. 42 No. 36, February 23, 2016 issue of the Florida Administrative Register.

The following additional changes have been made to the notice of change, published in the Vol. 42, No. 167, August 26, 2016, issue of the Florida Administrative Register regarding the Florida Medicaid Occupational Therapy Services Coverage Policy:

- Section 4.1, General Criteria, first sentence now reads:
Florida Medicaid covers services that meet all of the following:
- Section 4.2, Specific Criteria, first sentence now reads:
Florida Medicaid covers the following in accordance with the applicable fee schedule(s), or as specified in this policy:
- Section 5.1, General Non-Covered Criteria, first sentence now reads:
Services related to this policy are not covered when any of the following apply:

Section 5.2, Specific Non-Covered Criteria, first sentence now reads:
 Florida Medicaid does not cover the following as part of this service benefit:

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:
 59G-4.320 Therapy Services
 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. 42 No. 36, February 23, 2016 issue of the Florida Administrative Register.

The following additional changes have been made to the notice of change, published in the Vol. 42, No. 167, August 26, 2016, issue of the Florida Administrative Register regarding the Florida Medicaid Physical Therapy Services Coverage Policy:

Section 4.1, General Criteria, first sentence now reads:
 Florida Medicaid covers services that meet all of the following:

Section 4.2, Specific Criteria, first sentence now reads:
 Florida Medicaid covers the following in accordance with the applicable fee schedule(s), or as specified in this policy:

Section 5.1, General Non-Covered Criteria, first sentence now reads:

Services related to this policy are not covered when any of the following apply:

Section 5.2, Specific Non-Covered Criteria, first sentence now reads:

Florida Medicaid does not cover the following as part of this service benefit:

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:
 59G-4.322 Respiratory Therapy Services
 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. 42 No. 36, February 23, 2016 issue of the Florida Administrative Register.

The following additional changes have been made to the notice of change, published in the Vol. 42, No. 167, August 26, 2016, issue of the Florida Administrative Register regarding the Florida Medicaid Respiratory Therapy Services Coverage Policy:

Section 4.1, General Criteria, first sentence now reads:
 Florida Medicaid covers services that meet all of the following:

Section 4.2, Specific Criteria, first sentence now reads:
 Florida Medicaid covers the following in accordance with the applicable fee schedule(s), or as specified in this policy:

Section 5.1, General Non-Covered Criteria, first sentence now reads:

Services related to this policy are not covered when any of the following apply:

Section 5.2, Specific Non-Covered Criteria, first sentence now reads:

Florida Medicaid does not cover the following as part of this service benefit:

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:
 59G-4.324 Speech-Language Pathology Services
 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. 42 No. 36, February 23, 2016 issue of the Florida Administrative Register.

The following additional changes have been made to the notice of change, published in the Vol. 42, No. 167, August 26, 2016, issue of the Florida Administrative Register regarding the Florida Medicaid Speech-Language Pathology Services Coverage Policy:

Section 4.1, General Criteria, first sentence now reads:
 Florida Medicaid covers services that meet all of the following:

Section 4.2, Specific Criteria, first sentence now reads:
 Florida Medicaid covers the following in accordance with the applicable fee schedule(s), or as specified in this policy:

Section 5.1, General Non-Covered Criteria, first sentence now reads:

Services related to this policy are not covered when any of the following apply:

Section 5.2, Specific Non-Covered Criteria, first sentence now reads:

Florida Medicaid does not cover the following:

**Section IV
 Emergency Rules**

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:
 62ER16-1 Public Notice of Pollution

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: In a “Specific Finding of Immediate Danger to the Public Health, Safety, or Welfare,” which was published on the date of this emergency rule (available at

www.dep.state.fl.us/pollutionnotice) and filed with the Secretary of State’s Office, Secretary Stevenson found that there is a need to immediately require specific notification to the public of any incident or discovery of pollution that may cause a threat to the air, surface waters, or groundwater of the state. These circumstances present an immediate hazard to public health, safety, or welfare which requires emergency action.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: Prompt notification to the public is necessary regarding any incident or discovery of pollution that may cause a threat to the air, surface waters, or groundwater of the state such that public health could be at risk. The Secretary will commence rulemaking procedures for the emergency rule immediately.

SUMMARY: The provisions of the action provide a requirement that owners and operators of any installation provide notifications to the Department, local government officials, and the public whenever there is an incident or discovery of pollution at an installation within 24 hours. In addition, the owner and operator would be required to provide a subsequent notice within 48 hours that describes any potentially affected areas beyond the property boundary of the installation, and the potential risk to public health, safety, or welfare. The owners and operators are required to notify the Department, local government officials, and the property owner within 24 hours of becoming aware that pollution from an installation has affected areas beyond the property boundaries of the installation.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Robert A. Williams, Chief Deputy General Counsel, Florida Department of Environmental Protection, 3900 Commonwealth Blvd., MS-35 Tallahassee, FL 32399

THE FULL TEXT OF THE EMERGENCY RULE IS:

62ER16-01Public Notice of Pollution

Any owner or operator of any installation who has knowledge of any pollution at such installation shall provide notice of the pollution as follows:

(1)Within 24 hours of the occurrence of any incident at an installation resulting in pollution, or the discovery of pollution, the owner or operator shall notify the Department and the following persons, in writing, of such pollution:

(a)The mayor, the chair of the county commission, or the comparable senior elected official representing the affected area.

(b)The city manager, the county administrator, or the comparable senior official representing the affected area.

(c)The general public by providing notice to local broadcast television affiliates and a newspaper of general circulation in the area of the contamination.

(2)Within 48 hours of the occurrence of any incident at an installation resulting in pollution, or the discovery of pollution, the owner or operator shall notify the Department and persons identified in (1)(a) through (1)(c), in writing, of any potentially affected areas beyond the property boundaries of the installation, and the potential risk to the public health, safety, or welfare.

(3)Within 24 hours of becoming aware of pollution from an installation that has affected areas beyond the property boundaries of the installation, the owner or operator shall notify, in writing, the property owner of any affected area, the Department, and the persons identified in (1)(a) through (1)(b).

(4)Such notification to the Department shall be accomplished by submitting an email to pollution.notice@dep.state.fl.us.

(5)Failure to provide this notification shall be considered a violation and subject to penalties for purposes of Section 403.161, Florida Statutes. Rulemaking Authority 377.22(2), 403.061(7), 403.061(8), 403.062, 403.855(1), 403.861(9) FS. Law Implemented 377.21, 377.371, 403.061(16), 403.061(17), 403.061(18), 403.062, 403.855(3), 403.861(9) FS. History-New 9-26-16.

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: 09/26/2016

Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on September 26, 2016, The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for Paragraph 61C-4.010(7) Florida Administrative Code and Paragraph 61C-4.010(6), Florida Administrative Code from Commercial Kitchen Fort Myers LLC located in Fort Myers. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers. They are requesting to share the bathrooms located within a nearby

establishment under a different ownership for use by customers only.

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 before 5:00 p.m. A copy of the Petition for Variance or Waiver may be obtained by contacting: Daisy.Aleman@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

RULE NO.: RULE TITLE:

65C-14.055 Job Functions and Staff Qualifications

NOTICE IS HEREBY GIVEN that on September 8, 2016, the Department of Children and Families, received a petition for waiver of subsection 65C-14.055(4), Florida Administrative Code, from Chrysalis Health and Rochelle Holmes. Subsection 65C-14-055(4), F.A.C., requires staff responsible for the supervision, evaluation and monitoring of direct care staff shall have a bachelor's degree in social work or related area of study from a college or university and at least 3 years' experience in working with children or 2 years of college and 4 years of experience in working with children.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Families, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

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

DATE AND TIME: October 13, 2016, 4:00 p.m.

PLACE: R.A. Gray Building, 500 S. Bronough Street, Room #428, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: In accordance with Section 120.525, Florida Statutes, a response opening is hereby noticed for the following Request for Proposal Number: DOS RFP 09/16-04 – Talimali Band of Apalachee Indians – Recognition Project. The Department reserves the right to issue amendments, addenda, and changes to the timeline and specifically to the meeting notice listed above. The Department will post notice of any changes or additional meetings within the Vendor Bid System (VBS) in accordance with Section 287.042(3), Florida Statutes, and need not re-advertise notice in the Florida Administrative

Register. Access the VBS at: http://vbs.dms.state.fl.us/vbs/main_menu

A copy of the agenda may be obtained by contacting: Vonda Murray, (850)245-6590, Vonda.Murray@dos.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Vonda Murray, (850)245-6590, Vonda.Murray@dos.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: For more information, you may contact: Vonda Murray, (850)245-6590, Vonda.Murray@dos.myflorida.com.

DEPARTMENT OF EDUCATION

State Board of Education

The Florida Rehabilitation Council for the Blind and the Division of Blind Services announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, October 4, 2016, 10:30 a.m.

PLACE: Telephone conference number: 1(888)670-3525, participant code: 1242528392#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Rehabilitation Council for the Blind Public Forum committee meeting

A copy of the agenda may be obtained by contacting: Selena.Sickler@dbs.fldoe.org, (850)245-0329.

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: The Division of Blind Services, 325 West Gaines Street, Room 1114, Tallahassee, Florida 32399, (850)245-0329. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: The Division of Blind Services, 325 West Gaines Street, Room 1114, Tallahassee, Florida 32399, (850)245-0329.

DEPARTMENT OF REVENUE

RULE NO.: RULE TITLE:

12-24.011 Public Use Forms

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

DATE AND TIME: October 4, 2016, during a regular meeting of the Governor and Cabinet, 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level - 03, The Capitol, Tallahassee, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Approval to publish a Notice of Proposed Rulemaking for the following rules:

Rule 12-24.011 Public Use Forms

Rule 12A-1.0115 Sales of Food Products Served, Prepared, or Sold in or by Restaurants, Lunch Counters, Cafeterias, Hotels, Taverns, or Other Like Places of Business and by Transportation Companies

Rule 12A-1.087 Exemption for Power Farm Equipment; Electricity Used for Certain Agricultural Purposes; Suggested Exemption Certificate for Items Used for Agricultural Purposes

Rule 12A-1.097 Public Use Forms

Rule 12A-13.002 Collection and Remittance of Fee

Rule 12A-17.003 Registration

Rule 12A-17.005 Public Use Forms

Rule 12A-19.100 Public Use Forms

Rule 12B-5.150 Public Use Forms

Rule 12B-5.300 Aviation Fuel Licensees

Rule 12B-6.005 Payment of Tax; Reports; Public Use Forms

Rule 12B-8.003 Tax Statement; Overpayments

Rule 12C-1.103 Adjusted Federal Income Defined

Rule 12C-1.0222 Returns; Extensions of Time; Payments of Tentative Tax

Rule 12C-1.034 Special Rules Relating to Estimated Tax

Rule 12C-1.051 Forms

A copy of the agenda may be obtained by contacting: Kimberly Berg at (850)717-7082 or by going to the Department's website at <http://dor.myflorida.com/dor/rules>.

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: Becky Nall at (850)717-6799. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

Commission staff regarding the quality of service the utility provides, the proposed rate increase, and to ask questions and comment on the utility's proposed rates included in the notice as well as other issues. One or more of the Commissioners of the Florida Public Service Commission may attend and participate in this meeting. For questions, contact: Commission staff, Charles Johnson, Division of Economics, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850 or (850)413-6676.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate at this proceeding should contact the Office of Commission Clerk no later than five days prior to the conference at: 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD), Florida Relay Service.

EMERGENCY CANCELLATION OF MEETING: If settlement of the case or a named storm or other disaster requires cancellation of the proceedings, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation will also be provided on the Commission's website (<http://www.psc.state.fl.us/>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at (850)413-6199.

PUBLIC SERVICE COMMISSION

The Florida Public Service Commission announces a public customer meeting in the following docket to which all persons are invited.

DATE AND TIME: Monday, October 17, 2016, 6:00 p.m.

PLACE: 252 Yacht Club Drive, St. Augustine, Florida 32084

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Docket No. 160145-WU - Application for limited revenue proceeding in St. Johns County, by Camachee Island Company, Inc. d/b/a Camachee Cove Yacht Harbor Utility (utility).

The purpose of the meeting is to give customers and other interested persons an opportunity to offer comments to

PUBLIC SERVICE COMMISSION

The Florida Public Service Commission announces a prehearing conference and a hearing in the following dockets to which all persons are invited.

DOCKET NOS. AND TITLES:

Docket No. 160001-EI - Fuel and purchased power cost recovery clause with generating performance incentive factor

Docket No. 160002-EG - Energy conservation cost recovery clause

Docket No. 160003-GU - Purchased gas adjustment (PGA) true-up

Docket No. 160004-GU - Natural gas conservation cost recovery

Docket No. 160007-EI - Environmental cost recovery clause

PREHEARING CONFERENCE DATE AND TIME:

Tuesday, October 11, 2016, 11:00 a.m. (ET), upon completion of the Agenda Conference, whichever is later

PLACE: Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED AT THE PREHEARING:

The purpose of this prehearing conference is to: (1) simplify the issues; (2) identify the positions of the parties on the issues; (3) consider the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) identify exhibits; (5) establish an order of witnesses; and (6) consider such other matters as may aid in the disposition of the action.

HEARING DATE AND TIME: Wednesday, November 2, 2016, 9:30 a.m. (ET). November 3-4, 2016, have also been reserved for continuation of the hearing, if needed. The starting time of the next day's session will be announced at the conclusion of the prior day. The hearing may be adjourned early if all testimony is concluded.

PLACE: Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED AT THE HEARING:

The purpose of this hearing shall be to receive testimony and exhibits relative to issues and subjects, including but not limited to, the following:

1. Determination of the Projected Levelized Fuel Adjustment Factors for all investor-owned electric utilities for the period January 2017 through December 2017;
2. Determination of the Estimated Fuel Adjustment True-Up Amounts for all investor-owned electric utilities for the period January 2016 through December 2016;
3. Determination of the Final Fuel Adjustment True-Up Amounts for all investor-owned electric utilities for the period January 2015 through December 2015, which are to be based on actual data for that period;

4. Determination of Generating Performance Incentive Factor Targets and Ranges for the period January 2017 through December 2017;

5. Determination of Generating Performance Incentive Factor Rewards and Penalties for the period January 2015 through December 2015;

6. Determination of the Projected Capacity Cost Recovery Factors for the period January 2017 through December 2017, including nuclear costs;

7. Determination of the Estimated Capacity Cost Recovery True-Up Amounts for the period January 2016 through December 2016, including nuclear costs;

8. Determination of the Final Capacity Cost Recovery True-Up Amounts for the period January 2015 through December 2015, which are to be based on actual data for that period, including nuclear costs;

9. Determination of the Projected Conservation Cost Recovery Factors for certain investor-owned electric and gas utilities for the period January 2017 through December 2017;

10. Determination of Conservation Actual/Estimated Amounts for certain investor-owned electric and gas utilities for the period January 2016 through December 2016;

11. Determination of the Final Conservation True-Up Amounts for the period January 2015 through December 2015 for certain investor-owned electric and gas utilities, which are to be based on actual data for that period;

12. Determination of the Purchased Gas Adjustment Cost Recovery Factors for the period January 2017 through December 2017;

13. Determination of Actual/Estimated Purchased Gas True-Up Amounts for the period January 2016 through December 2016;

14. Determination of the Final Purchased Gas True-Up Amounts for the period January 2015 through December 2015;

15. Determination of the Projected Environmental Cost Recovery Factors for the period January 2017 through December 2017;

16. Determination of the Estimated Actual Environmental Cost Recovery True-Up Amounts for the period January 2016 through December 2016; and

17. Determination of the Final Environmental Cost Recovery True-Up Amounts for the period January 2015 through December 2015, which are to be based on actual data for that period.

All witnesses shall be subject to cross-examination at the conclusion of their testimony. The proceedings will be governed by the provisions of Chapter 120, F.S., and Chapter 28-106, F.A.C., and 25-22, F.A.C.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate at this

proceeding should contact: the Office of Commission Clerk no later than five days prior to the hearing at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD), Florida Relay Service.

EMERGENCY CANCELLATION OF PROCEEDINGS

If settlement of the case or a named storm or other disaster requires cancellation of the proceedings, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation will also be provided on the Commission’s website (<http://www.psc.state.fl.us/>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at (850)413-6199.

REGIONAL PLANNING COUNCILS

Treasure Coast Regional Planning Council

The Treasure Coast Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: October 21, 2016, 9:30 a.m.

PLACE: Indian River State College, Wolf High Technology Center, 2400 SE Salerno Road, Stuart, FL 34997

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the Treasure Coast Regional Planning Council.

A copy of the agenda may be obtained by contacting: Liz Gulick, (772)221-4060. lgulick@tcrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Liz Gulick at (772)221-4060 or lgulick@tcrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Liz Gulick at (772)221-4060 or lgulick@tcrpc.org.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

The Harris Chain of Lakes Restoration Council announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, October 14, 2016, 9:00 a.m.

NOTE: This notice was previously published September 21, 2016 in Vol. 42/184. The meeting date has changed from October 7, 2016 to October 14, 2016.

PLACE: Lake County Administration Building, Second Floor, County Commission Meeting Room, 315 West Main Street, Tavares, FL 32778

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion, review and evaluation of various issues and topics having specific reference to the Harris Chain of Lakes in Lake County.

A copy of the agenda may be obtained by contacting: The St. Johns River Water Management District, Attn: Susan Davis, 4049 Reid Street, Palatka, FL32177, sdavis@sjrwmd.com, (407)659-4838 or by visiting the Council’s website at harrischainoflakescouncil.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: The District Clerk at (386) 329-4500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

REGIONAL UTILITY AUTHORITIES

Peace River/Manasota Regional Water Supply Authority

The Peace River Manasota Regional Water Supply Authority announces a public meeting to which all persons are invited.

DATE AND TIME: October 11, 2016, 2:00 p.m.

PLACE: PRF Water Quality Training Center, 8998 SW County Road 769, Arcadia, Florida 34269.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Selection Committee will meet to evaluate and rank Requests for Proposals submitted for As-needed Land Management Services.

A copy of the agenda may be obtained by contacting: www.regionalwater.org or by contacting the Peace River Manasota Regional Water Supply Authority, 9415 Town Center Parkway, Lakewood Ranch, Florida 34202, telephone: (941)316-1776 or [emai: peacriver@regionalwater.org](mailto:peacriver@regionalwater.org)

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: (941)316-1776. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

REGIONAL UTILITY AUTHORITIES

Peace River/Manasota Regional Water Supply Authority

The Peace River Manasota Regional Water Supply Authority announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, October 11, 2016, 9:00 a.m.

PLACE: PRF Water Quality Training Center, 8998 SW County Road 769, Arcadia, Florida 34269.

GENERAL SUBJECT MATTER TO BE CONSIDERED:
 Selection Committee will meet to evaluate and rank Requests for Proposals submitted for As-needed IC&E Services.

A copy of the agenda may be obtained by contacting: www.regionalwater.org or by contacting the Peace River Manasota Regional Water Supply Authority, 9415 Town Center Parkway, Lakewood Ranch, Florida 34202, telephone: (941)316-1776 or email: peacriver@regionalwater.org

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: (941)316-1776. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF MANAGEMENT SERVICES

E911 Board

RULE NO.: RULE TITLE:

60FF1-5.011 Text to 911

The E911 Board announces a workshop to which all persons are invited.

DATE AND TIME: October 12, 2016, 2:00 p.m. and continue through end of business October 13th as necessary

PLACE: Embassy Suites Orlando North, 225 Shore Crest Drive, Altamonte Springs, FL 32701

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider "Text to 911."

A copy of the agenda may be obtained by contacting: Heath Beach, Chief, Department of Management Services, E911 Board, 4030 Esplanade Way, Suite 135, Tallahassee, Florida 32399-0950, (850)921-2334.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

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

DATE AND TIME: October 13, 2016, 8:30 a.m.

PLACE: Hilton University of Florida Conference Center, 714 SW 34th Street, Gainesville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The Florida Building Commission will review and decide on Accessibility Waiver Applications, review and decide on requests for Declaratory Statements; and take up and consider other matters that appear on the Commission's agenda. Specifically, the Commission will address:

Accessibility Waiver Applications:

1. McHardy Renovation Waiver #134 Deferred- 432 MLK Blvd., Stuart, FL 34994
2. 22 Seminole Waver #43 - 22 SE Seminole Street, Stuart, FL 34994

3. 241 MIAMI LLC Waiver # 175 - 241 77th Street, Miami Beach, FL 33139

4. Courtside Grille Waiver # 177 - 110 Fountain Pkwy. N, St. Petersburg, FL 33716

5. Vero Millwork, Inc. Waiver # 172 - 4900 42nd Place, Vero Beach, FL 32967

Petitions for Declaratory Statement:

1. DS 2016 – 056 by Kathleen Ann Wilks.
2. DS 2016-058 by Matt Spiak of Sprint Corporation
3. Declaratory Statement: DS2016-063 by Rune Leno of Innovative Construction Inspections, Inc.
4. Declaratory Statement: DS2016-064 by Rune Leno of Innovative Construction Inspections, Inc.

Consideration of proposed Modification (EN 6727 and 6933) to the 2015 International Codes for inclusion in the Florida Building Code, 6th Edition (2017)

Conduct Supplemental Rule Hearing: Rule 61G20-1.001, Florida Building Code Adopted (Inclusion of code language complying with Ch. 2016-129, s. 34, Laws of Fla. into the Florida Building Code, Energy Conservation, 5th Edition (2014))

A copy of the agenda may be obtained by contacting: Mo Madani as set forth below or on the Commission website.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Department of Business and Professional Regulation, 2601 Blair Stone Road., Tallahassee, Florida 32399-0772, (850)487-1824 or fax: (850)414-8436. 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: Mr. Mo Madani, Building Codes and Standards Office, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399-0772 or call (850)487-1825, refer to

http://www.floridabuilding.org/fbc/meetings/1_meetings.htm.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection, Division of Water Resource Management, announces a workshop to which all persons are invited.

DATE AND TIME: October 12, 2016, 1:00 p.m. (ET)

PLACE: This is the fourth rule development workshop. It will be broadcast via webinar and parties can register to attend via their personal computers with audio by telephone (regular long distance telephone charges will apply) or by speakers connected to their computer (no telephone charges will apply). Webinar registration is via <https://attendee.gotowebinar.com/register/5033357900904464899>. Alternatively, persons may view the webinar at the following location where staff will be present to accept comments: Department of Environmental Protection, Bob Martinez Building, Room 609, 2600 Blair Stone Road, Tallahassee, FL 32399.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Provide an update on the testing and evaluations leading to revised worksheets regarding amendments to rule Chapter 62-345, F.A.C., Uniform Mitigation Assessment Method.

A copy of the agenda may be obtained by contacting: John Humphreys, Florida Department of Environmental Protection, Submerged Lands and Environmental Resources Coordination Program, 2600 Blair Stone Rd., MS 2500, Tallahassee, FL 32399-2400, (850)245-8487, John.Humphreys@dep.state.fl.us. The draft agenda and further information and updates on this rule also may be obtained from the Department's website at: http://www.dep.state.fl.us/water/rules_dr.htm#erp. (OGC No. 13-0913).

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: John Humphreys as above. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HEALTH

Board of Nursing

The Board of Nursing announces a telephone conference call to which all persons are invited.

DATE AND TIME: October 18, 2016, 10:00 a.m.

PLACE: Telephone conference number (toll-free): 1(888)670-3525; participant code: 2681213003

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider cases where Probable Cause has previously been found.

A copy of the agenda may be obtained by contacting: <http://floridasnursing.gov/meeting-infomation/>.

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 of Nursing. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF CHILDREN AND FAMILIES

The Department of Children and Families announces a public meeting to which all persons are invited.

DATE AND TIME: October 11, 2016, 9:00 a.m.

PLACE: 1002 E. Palm Avenue, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Ongoing Hillsborough Alliance business.

A copy of the agenda may be obtained by contacting: Gabriela Reece, (813)337-5805.

FISH AND WILDLIFE CONSERVATION COMMISSION

Vessel Registration and Boating Safety

The Fish and Wildlife Conservation Commission (FWC), Division of Law Enforcement, Boating Advisory Council, announces a public meeting to which all persons are invited.

DATE AND TIME: October 27, 2016, 8:30 a.m.

PLACE: Embassy Suites PGA Boulevard – Palm Beach Gardens, 4350 PGA Boulevard, Palm Beach Gardens, 33410

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the Boating Advisory Council to review and discuss boating-related topics and to take action, if needed. Such action may include discussion about non-motorized vessels, anchoring and mooring, and boating regulations.

A copy of the agenda may be obtained by contacting: the FWC, Division of Law Enforcement, Boating and Waterways Section, 620 South Meridian Street, Tallahassee, Florida 32399-1600 or by calling Precious Boatwright or Kim Brewton at (850)488-5600.

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 five days before the workshop/meeting by contacting: ADA Coordinator, (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).

For more information, you may contact: Precious Boatwright at (850)488-5600.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Workforce Services

The Reemployment Assistance Appeals Commission announces a public meeting to which all persons are invited.

DATE AND TIME: October 5, 2016, 9:30 a.m.

PLACE: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151

GENERAL SUBJECT MATTER TO BE CONSIDERED: Deliberation for cases pending before the Reemployment Assistance Appeals Commission that are ready for final review and the Chairman’s report. No public testimony will be taken.

A copy of the agenda may be obtained by contacting: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685.

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 24 hours before the workshop/meeting by contacting: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685.

FLORIDA COMMISSION ON ACCESS TO CIVIL JUSTICE

The Access to and Delivery of Legal Services Subcommittee of the Florida Commission on Access to Civil Justice announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, October 5, 2016, 2:00 p.m. – 3:00 p.m., ET

PLACE: Teleconference number: 1(888)376-5050, participant code: 3422772243#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The agenda focuses on the Subcommittee providing a summary update of the Clay County Gateway Triage pilot program.

A copy of the agenda may be obtained by contacting: Francisco-Javier Digon-Greer at 1(800)342-8060, ext. 5793 or email: flaccessjustice@flabar.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by

contacting: Francisco-Javier Digon-Greer at 1(800)342-8060, ext. 5793 or flaccessjustice@flabar.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Francisco-Javier Digon-Greer at 1(800)342-8060, ext. 5793 or email: flaccessjustice@flabar.org.

AMERICAN CONSULTING PROFESSIONALS - DEBORAH TURNER

The Florida Department of Transportation, District Seven announces a hearing to which all persons are invited.

DATES AND TIMES: Tuesday, October 4, 2016; Open House: 5:30 p.m. – 7:30 p.m.; Formal Presentation: 6:30 p.m., Pinellas County – Hilton St. Petersburg Carillon Park

October 6, 2016; Open House: 5:30 p.m. – 7:30 p.m.; Formal Presentation: 6:30 p.m., Hillsborough County – Tampa Marriott Westshore Thursday

PLACE: Session 1: Hilton St. Petersburg Carillon Park, 950 Lake Carillon Drive, St. Petersburg, FL 33716

Session 2: Tampa Marriott Westshore, 1001 N. Westshore Boulevard, Tampa, FL 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: Howard Frankland Bridge PD&E Study (northbound bridge replacement) and Regional Transit Evaluation Public Hearing; WPI Segment No.: 422799 1. The FDOT is conducting a two-session public hearing regarding the replacement of the northbound Howard Frankland Bridge (I-275/SR 93) in Pinellas and Hillsborough Counties. This span of the bridge opened to traffic in 1959 and is nearing the end of its serviceable life. The proposed improvements involve the replacement of the existing northbound I-275 Howard Frankland Bridge over Old Tampa Bay and evaluating options for accommodating a future premium transit envelope within the bridge corridor. A simultaneous Regional Transit Corridor Evaluation is underway to evaluate premium transit corridor alternatives within the bridge corridor to link the Gateway area in Pinellas County to the Westshore area in Hillsborough County. The purpose of this public hearing is to present information and receive public input regarding the bridge replacement; however, information regarding both studies will be available at the public hearing.

Interested parties may submit written comments at the hearing or at a later date to: Menna Yassin, PE, Senior Project Manager, FDOT District Seven, 11201 N. McKinley Drive, MS 7-500, Tampa, FL 33612-6456. Written comments will be accepted throughout the PD&E study, but to be included in the public hearing record, comments should be postmarked no later than October 17, 2016.

Comuníquese con nosotros

Nos importa mucho la opinión del público sobre el proyecto. Si tiene preguntas o comentarios, o simplemente desea más información, por favor comuníquese con nosotros. Nuestra representante en español es:

Sandra Gonzalez, PE

Departamento de Transporte de la Florida – Distrito 7

sandra.gonzalez@dot.state.fl.us

(813)975-6096

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

A copy of the agenda may be obtained by contacting: Menna Yassin, PE, Senior Project Manager, at (813)975-6173 or by email at menna.yassin@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Christopher Speese, Public Involvement Coordinator, at (813)975-6405 or by email at Christopher.speese@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Menna Yassin, PE, Senior Project Manager, (813)975-6173, menna.yassin@dot.state.fl.us or visit the project website at www.hfbs.fdotd7studies.com/.

HNTB

This notice has nothing to do with any rule or rulemaking process.

The Florida Department of Transportation (FDOT), District Five announces a public hearing to which all persons are invited.

DATE AND TIME: Thursday, October 6, 2016, 5:30 p.m. – 7:30 p.m.; Formal Presentation, 6:00 p.m.

PLACE: Deltona City Hall, Commission Chambers, 2345 Providence Boulevard, Deltona, FL 32725

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Financial Project I.D.: 432100-1-22-01

Design Project ID Number: 408464-2-32-01

Federal Aid Project No: 0041-227-I

Project Description: “I-4 Beyond the Ultimate”, from East of US 17/92 to East of SR 472 in Volusia County

The Florida Department of Transportation (FDOT) is conducting a public hearing for the “I-4 Beyond the Ultimate” PD&E Study. We will present the recommended design alternative for adding express lanes on the segment of Interstate 4 (I-4) from East of US 17/92 to East of State Road (SR) 472 in Volusia County. This hearing is being conducted to give interested persons an opportunity to express their

views concerning the location, conceptual design, and social, economic, and environmental effects of the proposed improvements.

The hearing will be Thursday, October 6, 2016, from 5:30 p.m. to 7:30 p.m. at Deltona City Hall, Commission Chambers, located at 2345 Providence Boulevard, Deltona, FL 32725. It will begin as an open house at 5:30 p.m. with a formal presentation at 6:00 p.m., followed by a public comment period. At the conclusion of the presentation, attendees who complete a speaker’s card will be given the opportunity to make an oral statement that will become part of the public hearing record.

Persons wishing to submit written statements, in place of or in addition to oral statements, may do so at the hearing or by sending them to: Beata Stys-Palasz, P.E., at 719 South Woodland Boulevard, DeLand, Florida 32720; by phone, (386)943-5418 or by email to beata.stys-palasz@dot.state.fl.us. All statements postmarked no later than October 17, 2016 will become a part of the public hearing record.

The draft environmental and engineering reports developed by the Department will be available for public review starting on September 15, 2016 through October 16, 2016 at the Deltona Regional Library, located at 2150 Eustace Avenue, Deltona, FL 32725. The documents are also available for download on the study website, www.i4express.com, and will be available at the public hearing.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing is asked to advise the agency at least seven (7) days before the hearing by contacting Ms. Beata Stys-Palasz, P.E. at (386)943-5418.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons wishing to express their concerns relative to FDOT compliance with Title VI may do so by contacting: Jennifer Smith, FDOT District Five Title VI Coordinator by phone at (386)943-5367, or via email at jennifer.smith2@dot.state.fl.us. Persons who require translation services (free of charge) should contact Ms. Beata Stys-Palasz, PE, at (386)943-5418 at least seven (7) days before the hearing.

A copy of the agenda may be obtained by contacting: Ms. Beata Stys-Palasz, P.E., (386)943-5418, beata.stys-palasz@dot.state.fl.us.

If you are hearing or speech impaired, please contact the agency using the Florida Relay Services, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Ms. Beata Stys-Palasz, P.E., FDOT Project Manager, at (386)943-5418 or beata.stys-palasz@dot.state.fl.us.

Section VII
Notice of Petitions and Dispositions
Regarding Declaratory Statements

DEPARTMENT OF CORRECTIONS

RULE NOS.:RULE TITLES:

33-601.713 Inmate Visiting - Definitions

33-601.714 Inmate Visiting - General

33-601.721 Visiting Operations

NOTICE IS HEREBY GIVEN that the Florida Department of Corrections has received the petition for declaratory statement from Frank Mazzei. The petition seeks the agency's opinion as to the applicability of § 944.8031(3), Florida Statutes, and Rules 33-601.713, 33-601.714, and subsection 33-601.721(9), Florida Administrative Code, as it applies to the petitioner.

The petition alleges that it seeks to resolve a controversy or answer questions or doubts regarding the application of § 944.8031(3), Florida Statutes, and Rules 33-601.713, 33-601.714, and subsection 33-601.721(9), Florida Administrative Code. Persons whose substantial interests may be affected by a declaratory statement issued in this matter may file a motion to intervene or a petition for administrative hearing within twenty-one (21) days after the publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Valerie Robinson, 501 South Calhoun Street, Tallahassee, Florida 32399, valerie.robinson@fdc.myflorida.com, (850)717-3605.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Condominiums, Timeshares and Mobile Homes

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Elizabeth Ann Lobes, Unit Owner, In Re: Bent Tree Villas East Condominium Association, Inc., Docket No. 2016038975, on August 15, 2016. The following is a summary of the agency's declination of the petition:

The Division declined to issue a Declaratory Statement because it cannot invalidate an Association's rule; and it may not issue a statement without competent, substantial evidence, including a complete current set of governing documents. The order was filed with the Agency Clerk on September 23, 2016. A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Danielle Walker, Administrative Assistant II, at Department of Business and Professional Regulation, Division of Florida Condominiums,

Timeshares, and Mobile Homes, 2601 Blair Stone Road, Tallahassee, Florida 32399-1030, (850)717-1539, Danielle.Walker@myfloridalicense.com.

Section VIII
Notice 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 has been filed with the Division of Administrative Hearings on the following rules:

NONE

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

NONE

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

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF ENVIRONMENTAL PROTECTION
INVITATION TO BID NO. 2017016C -Operation and
Maintenance of Wastewater Treatment Plants at Myakka
River State Park

NOTICE OF INVITATION TO BD: on behalf of the Florida Department of Environmental Protection the Procurement Office is soliciting formal, competitive, sealed bids from contractors for bid number 2017016C, Operation and Maintenance of Wastewater Treatment Plants at Myakka River State Park. The Department will post notice of any changes or additional meeting(s) on the Vendor Bid System (VBS) in accordance with Section 287.042(3), Florida

Statutes, and will not re-advertise any notice in the Florida Administrative Register (FAR). Access the VBS at: http://www.myflorida.com/apps/vbs/vbs_www.main_menu.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
 DEP Solicitation No. 2017008C, Environmental Forensics
 Site Investigation
 and Other Technical Support Services

NOTICE OF Request for Proposal: On behalf of the Florida Department of Environmental Protection's the Procurement Office is soliciting formal, competitive, sealed bids from contractors for bid number 2017008C, Environmental Forensics Site Investigation and Other Technical Support Services.

The Department will post notice of any changes or additional meeting(s) on the Vendor Bid System (VBS) in accordance with section 287.042(3), Florida Statutes, and will not re-advertise any notice in the Florida Administrative Register (FAR). Access the VBS at: http://www.myflorida.com/apps/vbs/vbs_www.main_menu

DEPARTMENT OF JUVENILE JUSTICE
 "ITN 10358 Public Meetings"

ITN 10358 -The Department is seeking a thirty-nine (39) bed Residential Program for high risk boys ages thirteen (13) to eighteen (18) years old, to include innovations in delinquency programming and treatment services. Basic Care and Custody of a residential program shall be provided in accordance with Florida Statutes, Florida Administrative Rules and Department policy meeting the minimum requirements as described in Attachment A-1. The proposed services shall also include funding for twenty-four (24) filled slots for males in need of Mental Health Overlay Services (MHOS) and fifteen (15) filled slots for males in need of Substance Abuse Treatment Overlay Services (SAOS) as described in the Attachment A-2 and Attachment A-3, respectively. The program shall be located in a Department-owned building located at 286 Gene Hurley Road, DeFuniak Springs, Florida 32433 in DJJ's North West Region. All public meetings for the ITN are advertised on the Vendor Bid System at:

http://www.myflorida.com/apps/vbs/vbs_www.ad_r2.view_ad?advertisement_key_num=129204

**Section XII
 Miscellaneous**

DEPARTMENT OF LEGAL AFFAIRS
 NOTICE OF PUBLICATION OF AGENCY REGULATORY
 PLAN

Pursuant to Section 120.74(2)(a)3., Florida Statutes, notice is hereby given that the Department of Legal Affairs' Annual

Regulatory Plan is available, effective October 1, 2016, at the following web address: [http://myfloridalegal.com/webfiles.nsf/WF/MNOS-AE3PE6/\\$file/OAG_2016_2017_Annual_Regulatory_Plan.pdf](http://myfloridalegal.com/webfiles.nsf/WF/MNOS-AE3PE6/$file/OAG_2016_2017_Annual_Regulatory_Plan.pdf)

DEPARTMENT OF HEALTH
 Board of Massage Therapy
 Emergency Action

On September 23, 2016, the State Surgeon General issued an Order of Emergency Restriction Order with regard to the license of Juan A. Baro Grey, L.M.T., License # MA 64931. This Emergency Restriction 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 ECONOMIC OPPORTUNITY
 Division of Community Development
 Final Order No. DEO-16-180

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-16-180 on September 23, 2016, in response to an application submitted by Killlearn Lakes Homeowners Association, Inc.-Mallard Bluff, for covenant revitalization under Chapter 720, Part III, Florida Statutes.

The Department's Final Order granted the application for covenant revitalization after determining that the application met the statutory requirements for covenant revitalization.

Copies of the final order may be obtained by writing to the Agency Clerk, Department of Economic Opportunity, 107 E. Madison Street, MSC 110, Tallahassee, Florida 32399-4128 or Agency.Clerk@DEO.MyFlorida.com.

DEPARTMENT OF ECONOMIC OPPORTUNITY
 Division of Community Development
 Final Order No. DEO-16-177

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-16-177 on September 23, 2016, in response to an application submitted by Pirate Cove Lane Homeowners Association, Inc., for covenant revitalization under Chapter 720, Part III, Florida Statutes.

The Department's Final Order granted the application for covenant revitalization after determining that the application met the statutory requirements for covenant revitalization.

Copies of the final order may be obtained by writing to the Agency Clerk, Department of Economic Opportunity, 107 E.

Madison Street, MSC 110, Tallahassee, Florida 32399-4128 or Agency.Clerk@DEO.MyFlorida.com.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

Final Order No. DEO-16-179

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-16-179 on September 23, 2016, in response to an application submitted by Sawgrass at Tiger Point Homeowners Association, Inc., for covenant revitalization under Chapter 720, Part III, Florida Statutes.

The Department's Final Order granted the application for covenant revitalization after determining that the application met the statutory requirements for covenant revitalization.

Copies of the final order may be obtained by writing to the Agency Clerk, Department of Economic Opportunity, 107 E. Madison Street, MSC 110, Tallahassee, Florida 32399-4128 or Agency.Clerk@DEO.MyFlorida.com.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

Final Order No. DEO-16-178

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-16-178 on September 23, 2016, in response to an application submitted by Wildwood Acres, Inc. for covenant revitalization under Chapter 720, Part III, Florida Statutes.

The Department's Final Order rescinded Final Order DEO-16-146 and granted the application for covenant revitalization after determining that the application met the statutory requirements for covenant revitalization.

Copies of the final order may be obtained by writing to the Agency Clerk, Department of Economic Opportunity, 107 E. Madison Street, MSC 110, Tallahassee, Florida 32399-4128 or Agency.Clerk@DEO.MyFlorida.com.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

Final Order No. DEO-16-173

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-16-173 on September 23, 2016, in response to an application submitted by Lake Irma Estates Homeowners Association, Inc., for covenant revitalization under Chapter 720, Part III, Florida Statutes.

The Department's Final Order granted the application for covenant revitalization after determining that the application met the statutory requirements for covenant revitalization.

Copies of the final order may be obtained by writing to the Agency Clerk, Department of Economic Opportunity, 107 E.

Madison Street, MSC 110, Tallahassee, Florida 32399-4128 or Agency.Clerk@DEO.MyFlorida.com.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

Final Order No. DEO-16-175

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-16-175 on September 26, 2016, in response to an application submitted by Deer Run Homeowners Association, #1, Inc., for covenant revitalization under Chapter 720, Part III, Florida Statutes.

The Department's Final Order granted the application for covenant revitalization after determining that the application met the statutory requirements for covenant revitalization.

Copies of the final order may be obtained by writing to the Agency Clerk, Department of Economic Opportunity, 107 E. Madison Street, MSC 110, Tallahassee, Florida 32399-4128 or Agency.Clerk@DEO.MyFlorida.com.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

Final Order No. DEO-16-181

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-16-181 on September 26, 2016, in response to an application submitted by Deer Run Property Owners Association, #1, Inc., for covenant revitalization under Chapter 720, Part III, Florida Statutes.

The Department's Final Order granted the application for covenant revitalization after determining that the application met the statutory requirements for covenant revitalization.

Copies of the final order may be obtained by writing to the Agency Clerk, Department of Economic Opportunity, 107 E. Madison Street, MSC 110, Tallahassee, Florida 32399-4128 or Agency.Clerk@DEO.MyFlorida.com.

Section XIII

Index to Rules Filed During Preceding Week

INDEX TO RULES FILED BETWEEN SEPTEMBER 19, 2016 AND SEPTEMBER 23, 2016

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
COMMISSION ON ETHICS				
34-8.002	9/20/2016	1/1/2017	42/157	
34-8.008	9/20/2016	1/1/2017	42/157	
34-8.009	9/20/2016	1/1/2017	42/157	
34-8.202	9/20/2016	1/1/2017	42/157	

34-8.208 9/20/2016 1/1/2017 42/157
 34-8.209 9/20/2016 1/1/2017 42/157

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
 REGULATION**

Drugs, Devices and Cosmetics

61N-1.001 9/20/2016 10/10/2016 42/154

DEPARTMENT OF HEALTH

Board of Nursing

64B9-3.008 9/19/2016 10/9/2016 42/132
 64B9-4.004 9/19/2016 10/9/2016 42/160

Board of Physical Therapy Practice

64B17-1.004 9/22/2016 10/12/2016 42/67 42/151
 42/160

**FISH AND WILDLIFE CONSERVATION
 COMMISSION**

Marine Fisheries

68B-14.0035 9/23/2016 1/1/2017 42/160
 68B-14.00355 9/23/2016 1/1/2017 42/160
 68B-14.0036 9/23/2016 1/1/2017 42/160
 68B-14.0045 9/23/2016 1/1/2017 42/160
 68B-22.005 9/23/2016 11/1/2016 42/148

**LIST OF RULES AWAITING LEGISLATIVE
 APPROVAL PURSUANT TO SECTION 120.541(3),
 FLORIDA STATUTES**

DEPARTMENT OF MANAGEMENT SERVICES

E911 Board

60FF1-5.009 7/21/2016 **/**/**** 42/105

DEPARTMENT OF HEALTH

Board of Medicine

64B8-9.009 6/15/2016 **/**/**** 42/89
 64B8-10.003 12/9/2015 **/**/**** 39/95 41/49

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.