

SUBJECT AREA TO BE ADDRESSED: Subject areas addressed in the rule development notice include marine fishery regulations that apply to multiple species or fisheries and other subjects encompassed by the above-cited rules.

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

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

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NOS.: **RULE TITLES:**
 68B-32.004 Restrictions on Possession of Tarpon;
 Commercial Harvest Prohibited

68B-32.009 Tarpon Tag Specifications

PURPOSE AND EFFECT: The purpose and effect of this rule development notice is to address rule amendments for tarpon to update regulations and provide clarification related to allowable uses of an FWC-issued tarpon tag.

SUBJECT AREA TO BE ADDRESSED: Subject area addressed in the rule development notice include the tarpon tag specifications and restrictions on the possession of tarpon.

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

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

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

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THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

68B-32.004 Restrictions on Possession of Tarpon; Commercial Harvest Prohibited.

(1) through (2) No change.

(3) Except for tarpon harvested or possessed with the intent to submit that tarpon for state record or world record in accordance with ~~pursuant to~~ subsection 68B-32.009(1), F.A.C., tarpon greater than 40 inches fork length may not be removed from the water.

(4) Possession for Commercial Purposes Prohibited – A commercial harvester may not harvest or possess a tarpon within or without Florida Waters.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 1-1-98, Formerly 46-32.004, Amended 3-28-04, 3-1-05, 9-1-13, Amended.

68B-32.009 Tarpon Tag Specifications.

(1) Tags Required for Possession –

(a) A person may not harvest or possess a tarpon unless the person intends to submit that tarpon for an International Game Fish Association world record or ~~International Game Fish Association~~ Commission Florida state record.

(b) through (d) No change.

(2) through (6) No change.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 9-1-13, Amended.

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

| RULE NOS.: | RULE TITLES: |
|------------|---|
| 68B-44.002 | Definitions |
| 68B-44.003 | Bag Limit Applicable to State Waters, Gear Restriction |
| 68B-44.004 | Landing in Whole Condition; Transit Through State Waters |
| 68B-44.005 | Commercial Harvest of Sharks: Federal Permit Required |
| 68B-44.006 | Commercial Season; Season Closure; Prohibition of Sale |
| 68B-44.007 | Size Limit Applicable to State Waters |
| 68B-44.008 | Prohibited Species; Prohibition of Harvest, Landing, and Sale |
| 68B-44.009 | License Requirements |

PURPOSE AND EFFECT: The purpose and effect of this rule development notice is to address possible rule amendments for sharks and rays in the 2019 calendar year as a result of stock assessments, federal regulatory actions or other management or enforcement requirements; to address rule changes related to the shore-based shark fishery; or to address amendments resulting from the agency’s comprehensive review of Division 68B.

SUBJECT AREA TO BE ADDRESSED: Subject areas addressed in the rule development notice include size limits, bag limits, gear restrictions, prohibited species, licensing requirements, and other subjects encompassed by the above-cited rules.

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

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

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ms. Jessica McCawley, Director, Division of Marine Fisheries Management, Florida Fish and Wildlife Conservation

Commission, 2590 Executive Center Circle E, Suite 201, Tallahassee, Florida 32301 (850)487-0554.

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

**Section II
Proposed Rules**

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Aquaculture

| RULE NOS.: | RULE TITLES: |
|------------|--|
| 5L-1.001 | General Requirements and Intent |
| 5L-1.002 | Definitions |
| 5L-1.005 | Shellfish Processing Certification |
| 5L-1.007 | Container Identification, Terminal Sale Date; Prohibitions |
| 5L-1.008 | Shellfish Handling |
| 5L-1.009 | Shellfish Relaying |
| 5L-1.010 | Buildings and Facilities |
| 5L-1.013 | Facility Operation |
| 5L-1.015 | Depuration and Wet Storage Facility Operations |
| 5L-1.017 | Water Treatment Standards |

PURPOSE AND EFFECT: The proposed rule amendments will incorporate and adopt the revised National Shellfish Sanitation Program (NSSP) model ordinance; remove the definition of terminal sale date; require “sell by date” be added to labelling requirements; update Shellfish Processing Certification Application (FDACS-15007), update the time/temperature matrix for the months of April, May and October; and clarify the UV light efficiency log.

SUMMARY: The areas that will be addressed include definitions, labelling, time and temperature requirements, responsible party for removing harvester tags and UV light log. **SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department’s economic analysis of the adverse impact or potential regulatory costs of the proposed rule did not exceed any of the criteria established in Section 120.541(2)(a), Florida Statutes. As part of this analysis, the Department relied

upon the impacts to tagging requirements. By deleting the terminal sale date the department found this would result in product not being destroyed after the 14 day terminal sale date. Also, restricting harvesting times in the months of April, May and October has been found not to impact industry as the other cooling options allow harvesters to harvest for longer hours. Additionally, no interested party submitted additional information regarding the economic impact.

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: 597.020 F.S.

LAW IMPLEMENTED: 597.020 F.S.

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: Jill Fleiger, Division of Aquaculture, 600 S. Calhoun Street, Suite 217, Tallahassee, Florida 32399, phone (850)617-7600.

THE FULL TEXT OF THE PROPOSED RULE IS:

5L-1.001 General Requirements and Intent.

(1) through (5) No change.

(6) Adoption of Federal Regulations and Standards – To the extent not inconsistent with the rules herein, the following are hereby incorporated and adopted. The documents are available online as indicated.

(a) The following parts of Title 21, Code of Federal Regulations:

1. Part 7 – Enforcement Policy, revised as of April 1, 2018 2015, <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>

<http://www.flrules.org/Gateway/reference.asp?No=Ref-06987>;

2. Part 101 – Food Labeling, revised as of April 1, 2017 2015, <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>

<http://www.flrules.org/Gateway/reference.asp?No=Ref-06988>;

3. Part 109 – Unavoidable Contaminants in Food for Human Consumption and Food-Packaging Material, revised as of April 1, 2017 2015, <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>

<http://www.flrules.org/Gateway/reference.asp?No=Ref-06989>;

4. Part 110 – Current Good Manufacturing Practice in Manufacturing, Packing, or Holding Human Food, revised as of April 1, 2017 2015, <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>

XXXXX

<http://www.flrules.org/Gateway/reference.asp?No=Ref-06990>;

5. Part 117 – Current Good Manufacturing Practice in Manufacturing, Hazard Analysis, and Risk-Based Preventive Controls for Human Food, revised as of April 1, 2017, <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>

XXXXX

65. Part 123 – Fish and Fishery Products, revised as of April 1, 2017 2015,

<http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>

<http://www.flrules.org/Gateway/reference.asp?No=Ref-06991>;

76. Part 161 – Fish and Shellfish, revised as of April 1, 2017 2015,

<http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>

<http://www.flrules.org/Gateway/reference.asp?No=Ref-06992>;

87. Part 509 – Unavoidable Contaminants in Animal Food and Food-Packaging Material, revised as of April 1, 2018 2015, <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>

<http://www.flrules.org/Gateway/reference.asp?No=Ref-06993>.

(b) Title 40, Part 141, Section 141.2, Code of Federal Regulations, revised as of July 1, 2018 2015, <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>

<http://www.flrules.org/Gateway/reference.asp?No=Ref-06994>.

(c) The Purpose, the Definitions, and Chapters 1 through 13, and 15 through 16 of the “Model Ordinance” of the National Shellfish Sanitation Program (NSSP), Guide for the Control of Molluscan Shellfish, 2017 2015-Revision, herein adopted and incorporated by reference are available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>

<http://www.flrules.org/Gateway/reference.asp?No=Ref-07008>.

Except for:

1. Definition number (16)(d) Reshipper; and,
2. Definition number (101) Reshipper.

Rulemaking Authority 597.020 FS. Law Implemented 597.020 FS. History—New 1-4-87, Amended 8-10-88, 7-9-89, 11-5-92, Formerly 16R-7.001, Amended 7-3-95, 2-6-97, 6-23-99, Formerly 62R-7.001, Amended 8-9-00, 5-29-02, 4-26-10, 3-23-17, _____.

5L-1.002 Definitions.

(1) through (26) No change.

(27) HACCP – Hazard Analysis and Critical Control Points – A system of inspection, control, and monitoring measures initiated by a shellfish processor ~~certified dealer~~ to identify and control microbiological, chemical, or physical food safety hazards which are likely to occur in shellfish products produced by the facility.

(28) through (43) No change.

(44) Remote Buying – a shellfish processor or designated representative taking possession of shellfish at any location different than their certified shellfish processing facility ~~facility~~ location.

(45) through (61) No change.

~~(62) Terminal sale date – the last day freshly packed shellfish shall be offered for sale; that being no more than 14 calendar days subsequent to the date the product was shucked, or for oyster shellstock no more than 14 calendar days subsequent to the date shellstock was harvested.~~

~~(62)(63)~~ Time of Harvest – is defined as the time when shellfish are first removed from the water and placed on or in a manmade conveyance or other means of transport.

~~(63)(64)~~ Time of Refrigeration – is defined as the time when shellfish are first placed within an ambient environment of 45°F degrees or less.

~~(64)(65)~~ Unclassified area – an area for which no recent sanitary survey exists. Harvest of shellfish is not permitted.

~~(65)(66)~~ Unwholesome – shellfish which are not in sound condition, unclean, or otherwise not suitable for human consumption.

~~(66)(67)~~ UV – Ultraviolet.

~~(67)(68)~~ Violation and deficiency – are used interchangeably within these rules. The meaning of both is that a facility is not in compliance with the rules governing their operation as outlined in Rule Chapter 5L-1, F.A.C., “The Comprehensive Shellfish Control Code.”

~~(68)(69)~~ Warning letter – a warning letter includes a notice of non-compliance.

~~(69)(70)~~ Wet storage – the temporary storage of shellfish harvested from an approved sources or in the open status conditionally approved harvest area and placed in tanks containing water that meets approved or open status conditionally approved shellfish harvesting area water quality standards.

~~(70)(71)~~ Wholesale – any sale to any person or business other than the final consumer.

Rulemaking Authority 597.020 FS. Law Implemented 597.020 FS. History–New 1-4-87, Amended 5-21-87, 8-10-88, 7-9-89, 11-5-92, 5-20-93, Formerly 16R-7.003, Amended 7-3-95, 5-8-96, 2-6-97, 6-23-99, Formerly 62R-7.003, Amended 8-9-00, 5-29-02, 3-23-17,

5L-1.005 Shellfish Processing Certification.

(1) The following forms are hereby adopted and incorporated by reference and may be obtained by contacting the Division of Aquaculture, Holland Building, 600 South Calhoun Street, Suite 217, Tallahassee, FL 32399 and available online as indicated:

(a) Shellfish Processing Certification Application (FDACS-15007, Revision 10/18 ~~09/16~~),

<http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>

<http://www.flrules.org/Gateway/reference.asp?No=Ref-06997>.

(b) Shellfish Processing Facility Inspection Form (FDACS-15009, Revision 09/16), <http://www.flrules.org/Gateway/reference.asp?No=Ref-06998>.

(c) Shellfish Processing Facility Inspection Form Addendum (FDACS-15012, Revision 10/16), <http://www.flrules.org/Gateway/reference.asp?No=Ref-06999>.

(2) Upon request, the Department shall provide an application form entitled Shellfish Processing Certification Application (FDACS-15007, Revision 10/18 ~~09/16~~). This completed application form is required for certification or recertification of the shellfish processing facility.

(3) Possession of a current saltwater wholesale dealer license issued pursuant to Section 379.362, F.S., or an aquaculture certificate of registration issued pursuant to Section 597.004, F.S., shall be required to obtain a shellfish processing certification. A copy of the license or certificate or registration shall be submitted with the Shellfish Processing Certification Application (FDACS-15007, Revision 10/18 ~~09/16~~).

(4) If the applicant’s water supply is not from a public water system, the applicant shall submit satisfactory bacteriological water analysis results for certification pursuant to this chapter. Satisfactory bacterial water analysis results shall not equal or exceed two cfu (colony forming units) per 100 mls for total coliform bacteria on any consecutive samples, and shall not equal or exceed two cfu per 100 mls for fecal coliform or E. coli bacteria on any samples. Analysis shall be from the source water and an outlet location within the facility, and ice if any is used. The water shall be sampled and approved prior to use of the water supply, every six months while the water supply is in use, and immediately after the water supply has been repaired and disinfected. If the source is a public water system, only a sample from an outlet in the facility and ice, if used, is required prior to certification. The water sample shall be taken and acceptable results provided to the Department within 90 days prior to certification. A copy of the current acceptable water analysis shall be submitted with the Shellfish Processing Certification Application (FDACS-15007, Revision 10/18 ~~09/16~~).

(5) A shellfish processing certification number will be assigned by the Department after a completed Shellfish Processing Certification Application (FDACS-15007, Revision 10/18 ~~09/16~~) is received.

(6) No change.

(7) Renewal certification – A shellfish processor shall complete and submit a Shellfish Processing Certification Application (FDACS-15007, Revision 10/18 ~~09/16~~) for certification renewal annually; applications must be received no later than April 30 to prevent lapse in certification. The

certification year starts on July 1 and ends on June 30. The certification shall not be renewed for any facility until the shellfish processing facility has: no "Critical" deficiencies; more than two (2) "Key" item deficiencies; and no more than three (3) "Other" item deficiencies. Upon completion of the recertification inspection where the applicant has met the requirements for certification, he/she will be given a corrective action plan by the Department if there are any "Key" or "Other" deficiencies cited. The shellfish processor must comply with the corrective action plan outlined on the Shellfish Processing Facility Inspection Form Addendum (FDACS-15012, Revision 10/16), that is given to the shellfish processor, facility supervisor or the designated representative at the end of the inspection.

(8) The shellfish processor, facility supervisor, or designated representative must ensure that all employees who receive, handle, and process shellfish obtain training according to subparagraph 5L-1.001(6)(a)5., F.A.C., within 30 days of their initial hiring. Proof of training for all employees shall be maintained at the certified processing facility and provided to the Department upon request. annually complete Department approved shellfish processor training provided by the Department at the processing facility, in workshops or online. A certificate is issued by the Department upon completion of training.

(9) through (10) No change.

(11) In the event that a licensed certified shellfish processing facility changes its name, changes owners, changes location, changes address, or changes classifications, a new Shellfish Processing Certification Application (FDACS-15007, Revision 10/18 09/16) must be completed and submitted to the Department. The firm will be required to go through the complete certification process.

(12) No change.

(13) Each applicant shall have conducted a Hazard Analysis to determine the critical control points for any food safety hazards that are reasonably likely to occur for shellfish products produced at the location listed on the Shellfish Processing Certification Application (FDACS-15007, Revision 10/18 09/16). Each certified shellfish facility shall have someone with HACCP training, knowledge or experience to develop a HACCP plan, reassess and modify the HACCP plan and perform the records review. Each certified shellfish facility shall have a written HACCP plan on premises. The HACCP plan shall incorporate critical control points that will eliminate, prevent, or reduce to an acceptable level the hazards identified in the hazard analysis. Critical control points shall have established critical limits for parameters to ensure when exceeded, ~~the dealer takes~~ corrective actions are taken. The HACCP plan shall include the procedures, and frequency that will be used to monitor each of the critical control points to

ensure compliance with the critical limits. The HACCP plan shall provide for a recordkeeping system that documents the monitoring of the critical control points. The records shall contain the actual values and observations obtained during monitoring. The plan shall be signed and dated by the owner, facility supervisor, or designated representative at the time of its implementation, and after any modification. Each facility shall develop or adopt sanitation monitoring records to meet the requirements in subsection 5L-1.013(17), F.A.C.

(14) through (20) No change.

Rulemaking Authority 597.020 FS. Law Implemented 597.020 FS. History—New 1-4-87, Amended 8-10-88, Formerly 16R-7.007, Amended 7-3-95, 5-8-96, 2-6-97, 6-23-99, Formerly 62R-7.007, Amended 8-9-00, 5-29-02, 3-23-17, _____.

~~5L-1.007 Container Identification, Terminal Sale Date; Prohibitions.~~

(1) Shucked shellfish container – The packer's or repacker's shellfish processing certification number preceded by the state abbreviation must be embossed, imprinted, lithographed, or otherwise permanently and legibly recorded on the external body of containers or on the lid if the lid becomes an integral part of the container during the sealing process (Example: FL-872-SP). Containers shall permanently indicate type of product, quantity, and name and address of packer, repacker, or distributor. ~~Containers of fresh shellfish, with a capacity of less than 64 ounces, shall clearly and permanently bear the terminal sale date, by the numerical month, day, and last digit of the year. Containers of fresh shellfish with a capacity of 64 ounces or more, shall bear the actual shucking date by numerical month, day, and last digit of the year, in that order (Example: 01015). Bulk storage containers shall be identified with state of origin, harvest date, and shuck date. Containers of frozen or previously frozen shellfish shall clearly and permanently bear the date of shucking by numerical month, day, and last digit of the year, in that order (Example: 02097). Previously frozen shucked shellfish shall also be labeled "previously frozen" and have the freeze date and the thaw date following the same format. The terminal sale date for previously frozen shucked shellfish will be calculated by adding the day of shucking plus amount of time under refrigeration if not frozen, and adding the days that the product has been held thawed. Repacked shellfish containers shall also bear an appropriate code identifying the original packer. For restricted use shellstock, the shucked shellfish container may be identified with the language "FOR POST HARVEST PROCESSING ONLY."~~

(a) Each container of fresh, fresh frozen, or previously frozen shellfish, with a capacity of less than 64 ounces, shall clearly and permanently display the words "Sell By" followed by the date when the product would be expected to reach the end of its shelf life. The date shall consist of the numerical

month, and day. For fresh frozen or previously frozen shellfish, the last digit of the year shall be added to the date.

(b) Each container of fresh, fresh frozen, or previously frozen shellfish with a capacity of 64 ounces or more, shall clearly and permanently display "Date Shucked" followed by the shuck date. The date shall consist of the numerical month, day, and year.

(c) Bulk storage containers shall be identified with state of origin, harvest date, and shuck date.

(d) Previously frozen shucked shellfish shall also be labeled "previously frozen" and display the freeze date and the thaw date by numerical month, day, and year.

(e) Repacked shellfish containers shall also bear an appropriate code identifying the original packer. For restricted use shellstock, the shucked shellfish container may be identified with the language "FOR POST HARVEST PROCESSING ONLY."

(2) Shellstock containers. Each commercial harvester or each shellfish processor shall affix a durable, waterproof tag of minimal size – 2 5/8 by 5 1/4 inches – to each container of shellstock; for commercial harvesters this shall be done prior to leaving the harvest location, regardless of capacity of container; for certified shellfish processors ~~dealers~~ this shall be done after final packing. The harvester's tag must be removed from each container and replaced with a processor's tag prior to being shipped. The removed harvester's tag must be kept in processor's file for 90 days. In the case where a certified shellfish processor ~~dealer~~ is also the harvester, that processor's ~~dealer's~~ tag may also be used as the harvester's tag. In these cases, the processor must ensure all harvester's tag information is included on the tag.

(3) The commercial harvester's tags shall be white in color except as required in paragraph 5L-1.007(3)(i), F.A.C. Before leaving the harvest location, commercial harvester's tags shall be attached and contain legible waterproof indelible information required by paragraphs 5L-1.007(3)(a)-(i), F.A.C., arranged in the specific order as follows:

(a) No change.

(b) The date of harvest harvesting;

(c) through (d) No change.

(e) The identification of the harvest area using the four digit area number or name of the harvest area listed in subsection 5L-1.003(11), F.A.C., as well as the most precise identification within that area as practicable. Aquaculture product ~~harvested during Florida Fish and Wildlife Commission (FWC) summer resource closures~~ must also include the aquaculture submerged ~~land~~ lease number;

(f) No change.

(g) The following statement ~~will appear~~ in bold capitalized type "THIS TAG IS REQUIRED TO BE ATTACHED UNTIL

CONTAINER IS EMPTY AND THEREAFTER KEPT ON FILE FOR 90 DAYS."

(h) The identification of the cooling option if used, including onboard cooling option (subsection 5L-1.008(9), F.A.C.), or rapid cooling option (subsection 5L-1.008(10), F.A.C.) for oysters harvested during the months of ~~April~~ May through October.

(i) No change.

(4) Bulk tagging by harvesters is allowed only for ~~those~~ aquaculturists operating with an Aquaculture Certificate of Registration. A bulk tag, shall contain ~~containing~~ the information required in paragraphs 5L-1.007(3)(a)-(h), ~~where applicable,~~ along with ~~the name of the certified shellfish facility which the product is consigned to,~~ shall be completed at each harvest location.

(a) The name of the certified shellfish facility in which the product is consigned;

(b) The statement "All shellfish containers in this lot have the same date and area of harvest"; and,

(c) The number of units in the lot container.

~~(5) Bulk tagging, by a certified shellfish facility, while washing, packing, during depuration, wet storing, staging and intrastate transport of shellfish is permissible up to final packaging only when the lot container (i.e., pallet), contains shellfish which are harvested on the same day, from the same harvest area, and is tagged as follows:~~

~~(a) The statement "All Shellfish containers in this lot have the same date and area of harvest;"~~

~~(b) Harvest date;~~

~~(c) Harvest area;~~

~~(d) Original Dealer/Shipper identification; and,~~

~~(e) Number of units in this lot container.~~

~~(f) The identification of the cooling option if used, detailed in subsections 5L 1.008(9) and 5L 1.008(10), F.A.C., for oysters harvested during the months of May through October.~~

~~(g) If shellstock exceeds the requirements in subsections 5L-1.008(7), (9), or (10), F.A.C., the shellstock bulk tag shall be identified as restricted use shellstock with the preprinted language "FOR SHUCKING ONLY BY A CERTIFIED FACILITY" or "FOR POST HARVEST PROCESSING ONLY" in bold, 14 point font and the tag shall be green in color.~~

~~(5)(6) The certified facility's tag shall contain legible, waterproof, indelible information arranged in the specific order as follows:~~

~~(a) through (b) No change.~~

~~(c) The date of harvest harvesting;~~

~~(d) The identification of the harvest area, and for Florida harvest areas four digit code or name of the harvest area found in paragraph (3)(e) above;~~

~~(e) The common name of shellfish and quantity of shellfish; and,~~

(f) All oyster shellstock tags must clearly and permanently display the words "Sell By" followed by a date when the product would be expected to reach the end of its shelf life. The sell by date shall consist of the numerical month, day, and year; and,

(g)(f) The following statements ~~statement will appear~~ in bold capitalized type "THIS TAG IS REQUIRED TO BE ATTACHED UNTIL CONTAINER IS EMPTY AND THEREAFTER KEPT ON FILE IN CHRONOLOGICAL ORDER FOR 90 DAYS ~~This tag is required to be attached until container is empty and thereafter kept on file order for 90 days.~~" and "RETAILER: DATE WHEN THE LAST SHELLFISH FROM THIS CONTAINER SOLD OR SERVED _____."

(g) All oyster shellstock must display the terminal sale date as a numeric date depicting month, day, and last digit of the year, not to exceed 14 days after the harvest date, or the statement "Sell Within 14 days of the Harvest Date."

(h) If shellstock exceeds the requirements in subsections 5L-1.008(5), (7), or (8), F.A.C., the shellstock processor ~~dealer~~ tag shall be identified as restricted use shellstock with the preprinted language "FOR SHUCKING ONLY BY A CERTIFIED FACILITY" or "FOR POST HARVEST PROCESSING ONLY" in bold, 14 point font and the tag shall be green in color.

(i) For depuration shellstock, paragraphs ~~(5) (6)(a), (d), (e), and (f) and (g),~~ above, are required as well as the date of depuration processing, and the depuration cycle or lot number.

(j) For shellstock wet stored, paragraphs (5)(a) through (h), above, as well as the following statement: "This product was wet stored on or at (Lease # or Facility certification number) from (date) to (date)."

(6) Bulk tagging by a certified shellfish facility while washing, packing, during depuration, wet storing, staging and intrastate transport of shellfish, is permissible up to final packaging only when the lot container (i.e., pallet), contains shellfish which are harvested on the same day, from the same harvest area. A bulk processor tag shall contain the information required in paragraphs 5L-1.007(5)(a)-(f); along with:

(a) The statement "All shellfish containers in this lot have the same date and area of harvest";

(b) The number of units in the lot container; and,

(c) The following statement in bold capitalized type "THIS TAG IS REQUIRED TO BE ATTACHED UNTIL CONTAINER IS EMPTY AND THEREAFTER KEPT ON FILE FOR 90 DAYS."

~~(7) Containers of treated shellfish from depuration facilities shall be tagged in accordance with item (6) in addition to the lot number and date shellfish were released from the treatment facility.~~

(7)(8) Shellfish identification, out-of-state – No shellfish from sources outside of Florida shall be brought into the state

for purpose of resale or public distribution unless the product bears evidence of certification from the state or nation of origin and certification is based on requirements similar to those outlined in this chapter.

(8)(9) In addition to the identification and labeling requirements of subsections (1) and (2), containers of fresh, frozen, previously frozen or repacked shellfish or containers of shellstock must indicate the state of origin of the shellfish, e.g., LA, MS, TX. For shellstock this requirement can be by paragraphs ~~(5) (6)(a) and (b),~~ above.

(9) ~~(10)~~ Shellstock and shucked shellfish containers shall be labeled with the following statements ~~statement~~:

(a) "Consumer information there is a risk associated with consuming raw shellfish. If you have chronic illness of the liver, stomach or blood or have immune disorders, you are at greater risk of serious illness from raw shellfish and should eat shellfish fully cooked. If unsure of your risk, consult a physician."; and,

(b) "Keep Refrigerated".

(10)(11) It shall be unlawful for any person, firm, corporation, wholesale or ~~retailer retail dealer~~ to sell or offer for sale ~~any fresh shellfish after the terminal sale date has expired,~~ or sell or offer for sale any fresh, frozen, or previously frozen shellfish not in compliance with any and all requirements of Rule Chapter 5L-1, F.A.C.

(11)(12) Whoever knowingly or willfully alters or damages in any manner, or loans or transfers to another person any certification number or shellfish tags, or any person who uses the certification number or shellfish tags, other than the person to whom they were issued, shall be in violation of this section and shall be subject to certification suspension or revocation in addition to any other penalty for violation of Rule Chapter 5L-1, F.A.C.

Rulemaking Authority 597.020 FS. Law Implemented 597.020 FS. History—New 1-4-87, Amended 5-21-87, 8-10-88, 7-9-89, 8-30-89, 5-6-93, 9-14-93, 8-21-94, Formerly 16R-7.010, Amended 9-1-95, 5-8-96, 2-6-97, 10-12-97, 2-12-98, 2-25-98, 7-1-98, 11-13-98, 12-28-98, 3-18-99, 7-1-99, Formerly 62R-7.010, Amended 6-19-00, 8-9-00, 10-14-01, 5-29-02, 8-17-04, 9-28-04, 7-28-08, 7-29-08, 4-26-10, 8-31-11, 3-23-17, _____.

5L-1.008 Shellfish Handling.

(1) through (6) No change.

(7) Throughout the year, ~~it is harvester's responsibility that~~ shellfish shall be harvested between sunrise and sunset as established by the U.S. Weather Service. All shellfish shall be delivered, same day of harvest, by the harvester directly to a ~~shellfish dealer at their~~ certified shellfish processing facility.

(a) Clams:

1. through 3. No change

4. Tempering, as an alternative process, shall consist of those methods which have demonstrated through verification studies that the process renders hard clams which are as safe as

hard clams meeting subparagraphs 5L-1.008(7)(a)1.-3., F.A.C. Prior to initiating tempering a certified shellfish ~~facility dealer~~ shall have written approval from the Department. The certified shellfish ~~facility dealer~~ must provide the following:

- a. through d. No change.
- (b) Oysters:
 - 1. No change.
 - 2. Vibrio Control months ~~include include~~ April, May, June, July, August, September and October.
 - 3. During the months of November, December, January, February, and March, all oysters harvested shall be delivered to a certified shellfish processing facility and placed under mechanical refrigeration by ~~5:00 10:00~~ p.m. of the same day as harvest.

4. During the month of April, all oysters harvested shall be delivered to a certified shellfish processing facility and placed under mechanical refrigeration by ~~11:00 a.m. 4:00 p.m.~~ of the same day of harvest: unless the harvester is identified in the certified shellfish processing facility’s HACCP plan for the onboard cooling option detailed in subsection 5L-1.008(9), F.A.C., or the certified shellfish processing facility is authorized for the rapid cooling option detailed in subsection 5L-1.008(10), F.A.C.

~~5. During the month of May, all oysters harvested shall be delivered to a certified shellfish processing facility and placed under mechanical refrigeration by 11:00 a.m. of the same day of harvest, unless the harvester is identified in the certified shellfish processing facility’s HACCP plan for the onboard cooling option detailed in subsection 5L-1.008(9), F.A.C., or the certified shellfish processing facility is authorized for the rapid cooling option detailed in subsection 5L-1.008(10), F.A.C.~~

~~5.6. During the months of May, June, July, August, and September, all oysters harvested shall be tagged as “FOR SHUCKING ONLY BY A CERTIFIED FACILITY DEALER” or “FOR POST HARVEST PROCESSING ONLY” and delivered to a certified shellfish processing facility and placed under mechanical refrigeration by 4:00 p.m. of the same day of harvest unless the harvester is identified in the certified shellfish processing facility’s HACCP plan for the onboard cooling option detailed in subsection 5L-1.008(9), F.A.C., or the certified shellfish processing facility is authorized for the rapid cooling option detailed in subsection 5L-1.008(10), F.A.C.~~

~~6.7. During the month of October, all oysters harvested shall be delivered to a certified shellfish processing facility and placed under mechanical refrigeration by 11:00 a.m. 1:00 p.m. unless the harvester is identified in the certified shellfish processing facility’s HACCP plan for the onboard cooling option detailed in subsection 5L-1.008(9), F.A.C., or the~~

certified shellfish processing facility is authorized for the rapid cooling option detailed in subsection 5L-1.008(10), F.A.C.

- (8) through (9) No change
- (10) Rapid Cooling Option – Rapid cooling equipment includes systems using ice, mechanical refrigeration, or vacuum cooling. If a shellfish processor elects to rapidly cool oysters, ~~the maximum cool down time to 55°F or less must not exceed two hours.~~

(a) During the month of ~~April~~ May shellfish processors must place all harvested oysters under mechanical refrigeration no later than ~~1:00 2:00~~ p.m. and cooled down to 55°F or less no later than 3:00 p. m. of the harvest day.

(b) During the months of May, June, July, August, and September shellfish processors must place all harvested oysters under mechanical refrigeration no later than 11:00 a.m. and cooled down to 55°F or less no later than 1:00 p. m. of the harvest day.

(c) During the month of October shellfish processors must place all harvested oysters under mechanical refrigeration no later than ~~1:00 3:00~~ p.m. and cooled down to 55°F or less no later than 3:00 p. m. of the harvest day.

(d) No changes.

(e) Harvested oysters failing to meet the time and temperature requirements of this subsection shall be retagged by the processor as “FOR SHUCKING ONLY BY A CERTIFIED FACILITY” or “FOR POST HARVEST PROCESSING ONLY.” Processors failing to meet the rapid cool criteria more than two times during the vibrio control months of April through October shall lose the rapid cool option for the remaining vibrio control months of that year. The processor shall only process oysters for restricted use only (Green Tag) during the remaining vibrio control months.

(f) No changes.

(11) Handling Time/Temperature table summary:

| Oysters (Times are when oysters must be placed in cooler at a certified shellfish processing facility) | | | | Clams |
|---|----------------------------------|---|---------------------------------|--|
| Traditional Cooling (<55°F in 8 hours) | Rapid Cooling (<55°F in 2 hours) | Onboard Cooling with Ice Slurry (<55°F at time of delivery) | Restricted Use Only (Green Tag) | Delivery to processor from time of harvest |

| | | | | | |
|-------------------|--|---|------------------------------------|------------------------------------|--|
| | | | | | ves t (sa me da y of har ves t) |
| Nov ember | <u>5:00</u> 4:00 p.m. | Non- Vibrio Control Month | Non- Vibrio Control Month | Non- Vibrio Control Month | 10: 00 p. m. |
| Dec ember | <u>5:00</u> 4:00 p.m. | Non- Vibrio Control Month | Non- Vibrio Control Month | Non- Vibrio Control Month | 10: 00 p. m. |
| Jan uary | <u>5:00</u> 4:00 p.m. | Non- Vibrio Control Month | Non- Vibrio Control Month | Non- Vibrio Control Month | 10: 00 p. m. |
| Feb ruary | <u>5:00</u> 4:00 p.m. | Non- Vibrio Control Month | Non- Vibrio Control Month | Non- Vibrio Control Month | 10: 00 p. m. |
| Mar ch | <u>5:00</u> 4:00 p.m. | Non- Vibrio Control Month | Non- Vibrio Control Month | Non- Vibrio Control Month | 10: 00 p. m. |
| Apr il | <u>11:00</u> <u>a.m.</u> 4:00 p.m. | <u>1:00</u> 4:00 p.m. | 3:00 p.m. | 4:00 p.m. | 12 Ho urs |
| Ma y | <u>Not</u> <u>permitted</u> 11:00 a.m. | <u>11:00</u> <u>a.m.</u> 2:00 p.m. | 3:00 p.m. | 4:00 p.m. | 12 Ho urs |
| Jun e | Not permitted | 11:00 a.m. | 3:00 p.m. | 4:00 p.m. | 10 Ho urs |
| Jul y | Not permitted | 11:00 a.m. | 3:00 p.m. | 4:00 p.m. | 10 Ho urs |
| Au gust | Not permitted | 11:00 a.m. | 3:00 p.m. | 4:00 p.m. | 10 Ho urs |
| Sep tem ber | Not permitted | 11:00 a.m. | 3:00 p.m. | 4:00 p.m. | 10 Ho urs |

| | | | | | |
|-------------|--|-------------------------------------|-----------|-----------|-----------------|
| Oct ober | <u>11:00</u> <u>a.m.</u> 4:00 p.m. | <u>1:00</u> 3:00 p.m. | 3:00 p.m. | 4:00 p.m. | 12 Ho urs |
|-------------|--|-------------------------------------|-----------|-----------|-----------------|

(12) No change.

Rulemaking Authority 597.020 FS. Law Implemented 597.020 FS. History—New 1-4-87, Amended 5-21-87, 8-10-88, 7-9-89, Formerly 16R-7.011, Amended 7-3-95, 2-6-97, 3-18-99, 6-23-99, Formerly 62R-7.011, Amended 8-9-00, 5-29-02, 7-29-08, 4-26-10, 8-31-11, 5-26-15, 3-23-17, _____.

5L-1.009 Shellfish Relaying.

(1) through (3) No change.

(4) The Department, after reviewing the application and finding the plan in compliance with all applicable rules and regulations shall issue a Special Activity License to Relay Aquacultured Shellfish within the general conditions set forth below:

(a) through (d) No change.

(e) Laboratory analysis shall consist of a minimum of two samples per individual lease parcel (each sample to consist of a minimum of 20 individual shellfish). The Department will collect and analyze samples for aquacultured shellfish relaying. For aquacultured shellfish being relayed due to marine biotoxins, the laboratory analyses shall use an approved NSSP laboratory method for the specific toxin. The toxin level must be less than the levels defined in Section II, Chapter IV, @.04(C) of the 2015 NSSP Model Ordinance, as incorporated in Rule 5L-1.001, F.A.C. Relaying for marine biotoxins is only allowed within the following four specific geographic regions of the state: (1) Escambia County through Jefferson County; (2) Taylor County through Levy County; (3) Citrus County through Monroe County; (4) Dade County through Nassau County. Relaying due to marine biotoxins between these specific geographic regions is prohibited unless specifically authorized by the Department. The licensee must coordinate with the certified laboratory and other persons or agencies that these criteria are met and communicate this information to the Department. Upon verification that the criteria have been met the Department will issue the written permission in the form of a letter.

(f) through (g) No change.

(5) No change.

Rulemaking Authority 597.020 FS. Law Implemented 597.010(15), (18), 597.020 FS. History—New 1-4-87, Amended 5-21-87, 8-10-88, 7-9-89, 12-23-91, 4-21-93, 5-20-93, 6-9-94, Formerly 16R-7.012, Amended 1-1-98, Formerly 62R-7.012, Amended 8-9-00, 5-29-02, 3-23-17, _____.

5L-1.010 Buildings and Facilities.

(1) through (5) No change.

(6) Each facility shall provide its employees with readily accessible toilet facilities. Compliance with this requirement shall be accomplished by:

(a) through (e) No change.

(f) Providing a covered waste receptacle.

(7) through (9) No change.

Rulemaking Authority 597.020 FS. Law Implemented 597.020 FS. History—New 1-4-87, Amended 5-21-87, 8-10-88, Formerly 16R-7.013, Amended 7-3-95, 2-6-97, Formerly 62R-7.013, Amended 8-9-00, 5-29-02, 3-23-17,_____.

5L-1.013 Facility Operation.

(1) through (3) No change.

(4) Shellfish shall be segregated by the shellfish processor in accordance with its intended use as determined in subparagraph 5L-1.008(7)(a)4., and paragraphs 5L-1.013(3)(a) and (b), and identified as per subsection 5L-1.007(5) or (6), F.A.C. The harvester tag must be removed from each container and replaced with a processor’s tag prior to being shipped.

(5) through (9) No change.

(10) Records – Complete, legible, and accurate dated records of purchase and sale of all shellfish shall be kept by all shellfish facilities operating in the state. Records shall remain on file for not less than two one years year for fresh and frozen product, and two years for frozen product. Records shall be made available for the inspection and copying by the Department personnel during facility inspections. Records shall indicate:

(a) No change.

(b) Harvest area, and for Florida shellfish the four digit code or name of harvest area found in 5L-1.003(11), F.A.C. Aquaculture product must also include the aquaculture lease number; Areas from which shellstock were harvested.

(c) through (h) No change.

(11) through (19) No change.

Rulemaking Authority 597.020 FS. Law Implemented 597.020 FS. History—New 1-4-87, Amended 5-21-87, 8-10-88, Formerly 16R-7.016, Amended 7-3-95, 5-8-96, 2-6-97, 6-23-99, Formerly 62R-7.016, Amended 8-9-00, 5-29-02, 7-29-08, 4-26-10, 3-23-17,_____.

5L-1.015 Depuration and Wet Storage Facility Operations.

(1) through (11) No change.

(12) Ultraviolet (UV) Unit:

(a) No change.

(b) Cautions and maintenance.

1. UV tubes shall either be checked for intensity on a monthly basis or the hours the tubes are used. The bulbs and shall be replaced when they reach a point of 60% efficiency or upon the manufacturer’s maintenance, which ever occurs first. A log of intensity or hours shall be kept and an orderly

numbering procedure for UV units and bulbs established. A record of UV tube replacement shall be maintained.

2. through 5. No change.

Rulemaking Authority 597.020 FS. Law Implemented 597.020 FS. History—New 1-4-87, Amended 8-10-88, Formerly 16R-7.021, Amended 7-3-95, Formerly 62R-7.021, Amended 8-9-00, 3-23-17,_____.

5L-1.017 Water Treatment Standards.

(1) Depuration Water Treatment Standards.

(a) through (c) No change.

(d) Bacteriological – All water to be used in shellfish treatment tanks shall be subjected to UV light treatment. The water discharged from the UV unit shall have no detectable levels of the coliform group as measured by the recognized multi-tube MPN test per 100 ml for potable water and acceptable for use with marine water and follow the protocol of the Decision Tree (Section IV. Guidance Documents Chapter III .05), as stated in Section II Chapter VII .04 C (1)(f), of the ~~2015~~ NSSP Model Ordinance as incorporated in Rule 5L-1.001, F.A.C.

(e) through (1) No change.

(2) Wet Storage Treatment Standards.

(a) through (b) No change.

(c) Bacteriological Standards – Source water shall be from a shellfish harvest area classified as Approved or Conditionally Approved and in the open status and any well water used as source water shall meet the requirements of Chapter XI .02 of the ~~2015~~ NSSP Model Ordinance as incorporated in Rule 5L-1.001, F.A.C with the exception of salt content for salt water wells. Any source water meeting above standards and used in continuous flow through systems do not require the use of additional UV sterilization. Well water from salt water wells must be sampled semi-annually at a minimum. Water used in shellfish treatment tanks for recirculating wet storage systems shall be subjected to disinfection as provided by Department approved disinfection treatment. Systems using one or more UV light units must be rated for both the volume and flow used by the recirculating system. The water discharged from the disinfection treatment system shall have no detectable levels of the coliform group as measured by the recognized multi-tube MPN test per 100 ml for potable water and acceptable for use with marine water and follow the protocol of the Decision Tree (Section IV. Guidance Documents Chapter III .05).

(d) through (e) No change.

(f) Other disinfection treatment such as the addition of salt shall not leave residues unless they are Generally Recognized as Safe (GRAS) and do not interfere with the shellstock’s survival, quality or activity during wet storage, as stated in Section II, Chapter VII .04 C (1)(e) of the ~~2015~~ NSSP Model Ordinance as incorporated in Rule 5L-1.001, F.A.C.

Rulemaking Authority 597.020 FS. Law Implemented 597.020 FS. History—New 1-4-87, Amended 8-10-88, Formerly 16R-7.024, Amended 7-3-95, 5-8-96, 2-6-97, Formerly 62R-7.024, Amended 8-9-00, 3-23-17, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Kal Knickerbocker
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner of Agriculture Adam H. Putnam,
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 12, 2018
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: 9/28/2018

Section III
Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Beaches and Coastal Systems

| | |
|------------|--|
| RULE NOS.: | RULE TITLES: |
| 62B-41.005 | Policy and Eligibility Criteria for Coastal Construction Permits |
| 62B-41.008 | Information Regarding Permit Application Requirements and Procedures |

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 44 No. 241, December 13, 2018 issue of the Florida Administrative Register.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST AND LEGISLATIVE

RATIFICATION: The agency has determined that this rule will not have an impact on small business or likely increase directly or indirectly regulatory cost in excess of \$200,000 in the aggregate within one year after 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: These amendments remove the requirement that applicants for a Joint Coastal Permit be consistent with an inlet management plan and instead must provide information to the Department, that currently exists in rule, demonstrating that the proposed activity will not have a significant adverse impact on adjacent beaches or the inlet system. These demonstrations are similar in nature and require similar information, therefore there will not be an increase in regulatory costs. Any person who wishes to provide information regarding the statement of estimated regulatory

costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.
OTHER RULES INCORPORATING THESE RULES: Chapter 62B-41 is referenced by the following rules: Rules 62B-49.001, 62B-49.005, 62B-49.006, 62B-49.011, 62B-49.012, F.A.C.

The person to contact regarding this proposed rule is Greg Garis, Program Administrator, Beaches, Inlets and Ports Program, 2600 Blair Stone Road, MS 3544, Tallahassee, Florida 32399, (850)245-8280, or email Gregory.Garis@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency by using the Florida Relay Service, 1 (800)955-8771 (TDD) or 1 (800)955-8770 (Voice).

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Beaches and Coastal Systems

| | |
|------------|---|
| RULE NO.: | RULE TITLE: |
| 62B-49.005 | Application Requirements and Processing Procedures. |

NOTICE OF CORRECTION

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. 44 No. 241, December 13, 2018 issue of the Florida Administrative Register.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST AND LEGISLATIVE

RATIFICATION: The agency has determined that this rule will not have an impact on small business or likely increase directly or indirectly regulatory cost in excess of \$200,000 in the aggregate within one year after 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: These amendments remove the requirement that applicants for a Joint Coastal Permit be consistent with an inlet management plan and instead must provide information to the Department, that currently exists in rule, demonstrating that the proposed activity will not have a significant adverse impact on adjacent beaches or the inlet system. These demonstrations are similar in nature and require similar information, therefore there will not be an increase in regulatory costs. Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.
OTHER RULES INCORPORATING THESE RULES: Chapter 62B-49, F.A.C., is referenced by the following rules: Rules 62B-41.005, 62B-41.008, F.A.C.

The person to contact regarding this proposed rule is Greg Garis, Program Administrator, Beaches, Inlets and Ports Program, 2600 Blair Stone Road, MS 3544, Tallahassee, Florida 32399, (850)245-8280, or email Gregory.Garis@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency by using the Florida Relay Service, 1 (800)955-8771 (TDD) or 1 (800)955-8770 (Voice).

**Section IV
Emergency Rules**

NONE

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

DEPARTMENT OF LAW ENFORCEMENT
Criminal Justice Standards and Training Commission
RULE NO.: RULE TITLE:
11B-35.0011 Basic Abilities Test Requirements for Applicant Admission into a Law Enforcement and Correctional Basic Recruit Training Program
NOTICE IS HEREBY GIVEN that on December 03, 2018, the Florida Department of Law Enforcement, received a petition for a permanent waiver of paragraph 11B-35.0011(1)(h), F.A.C., from William Padgett. Petitioner wishes to waive that portion of the Rule that states, in pertinent part: A passing score on a Commission-approved Basic Abilities Test is valid four years from the date of the test.
A copy of the Petition for Variance or Waiver may be obtained by contacting: Dana Kelly, Agency Clerk, Florida Department of Law Enforcement, P.O. Box 1489, Tallahassee, FL 32302 or by Telephone at (850)410-7676.

AGENCY FOR HEALTH CARE ADMINISTRATION
Health Facility and Agency Licensing
RULE NO.: RULE TITLE:
59A-4.1265 Emergency Environmental Control for Nursing Homes
NOTICE IS HEREBY GIVEN that on December 10, 2018, the Agency for Health Care Administration, received a petition for subsection 59A-4.1265(5) from Morton Plant Hospital Association, Inc. d/b/a Morton Plant Rehabilitation Center, seeking additional time beyond January 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2018018063. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION
Health Facility and Agency Licensing
RULE NO.: RULE TITLE:
59A-4.1265 Emergency Environmental Control for Nursing Homes
NOTICE IS HEREBY GIVEN that on December 11, 2018, the Agency for Health Care Administration, received a petition for subsection 59A-4.1265(5) from Lifespace Communities, Inc. d/b/a Abbey Delray, seeking additional time beyond January 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2018018076. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION
Health Facility and Agency Licensing
RULE NO.: RULE TITLE:
59A-4.1265 Emergency Environmental Control for Nursing Homes
NOTICE IS HEREBY GIVEN that on December 11, 2018, the Agency for Health Care Administration, received a petition for subsection 59A-4.1265(5) from Lake City MGT, LLC d/b/a Avalon Healthcare Center, seeking additional time beyond January 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2018018078. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION
Health Facility and Agency Licensing
RULE NO.: RULE TITLE:
59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on December 11, 2018, the Agency for Health Care Administration, received a petition for subsection 59A-4.1265(5) from Port St. Lucie MGT, LLC d/b/a Emerald Health Care Center, seeking additional time beyond January 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2018018079. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION
Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on December 11, 2018, the Agency for Health Care Administration, received a petition for subsection 59A-4.1265(5) from Orlando MGT, LLC d/b/a Terra Vista Rehab and Health Center, seeking additional time beyond January 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2018018081. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION
Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on December 11, 2018, the Agency for Health Care Administration, received a petition for subsection 59A-4.1265(5) from Orange Park MGT LLC d/b/a Oak View Rehabilitation Center, seeking additional time beyond January 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2018018091. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained

by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION
Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on December 11, 2018, the Agency for Health Care Administration, received a petition for subsection 59A-4.1265(5) from The Moorings, Inc. d/b/a The Chateau at Moorings Park, seeking additional time beyond January 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2018018114. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION
Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on December 12, 2018, the Agency for Health Care Administration, received a petition for subsection 59A-4.1265(5) from Brandywine Convalescent Center, Inc. d/b/a Brandywyne Health Care Center, seeking additional time beyond January 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2018018145. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION
Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on December 12, 2018, the Agency for Health Care Administration, received a petition for subsection 59A-4.1265(5) from ACV Health Services, LLC d/b/a Good Samaritan Center, seeking additional time beyond January 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2018018147. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION
Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on December 12, 2018, the Agency for Health Care Administration, received a petition for subsection 59A-4.1265(5) from 4927 Voorhees Road, LLC d/b/a Orchard Ridge, seeking additional time beyond January 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION
Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on December 12, 2018, the Agency for Health Care Administration, received a petition for subsection 59A-4.1265(5) from Finnish American Rest Home, Inc. d/b/a Finnish – American Village, seeking additional time beyond January 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2018018148. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained

by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

Section VI Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF TRANSPORTATION

The Florida Department of Transportation (FDOT) announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, December 20, 2018, 5:30 p.m. – 7:30 p.m.

PLACE: Astro Skate of Orlando 866 S. Goldenrod Rd., Orlando, FL 32822

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Financial Project ID (FPID) No.: 437634-1

Project Description: The project improves safety along State Road (S.R.) 551 (Goldenrod Road) from S.R. 408 to S.R. 50 (East Colonial Drive). It also involves milling and resurfacing, construction of a raised median, turn lane improvements, widening for bike lanes, and traffic signal improvements. The project is funded for construction in summer 2021.

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 at Jennifer.Smith2@dot.state.fl.us.

A copy of the agenda may be obtained by contacting: Taleb Shams, P.E., the FDOT Project Manager, at (386)954-5231 or via email at Taleb.Shams@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: at MBertoncini@vhb.com. Persons who require translation services (free of charge) should also contact: Mark Bertoncini, P.E., Consultant Project Manager, at (407)839-4006 or via email at MBertoncini@vhb.com 7 days before the meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Taleb Shams, P.E., FDOT Project Manager, by phone at (386)943-5231, or by email at Taleb.Shams@dot.state.fl.us. Additional information is available on the project website at www.CFLRoads.com (search 437634-1).

EXECUTIVE OFFICE OF THE GOVERNOR

Division of Emergency Management

The Division of Emergency Management announces a public meeting to which all persons are invited.

DATE AND TIME: January 11, 2019, 2:30 p.m.

PLACE: William E. Sadowski Office Building, 2555 Shumard Oak Blvd, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: In accordance with the timeframe set forth in section 120.525, Florida Statutes, a Public Opening is hereby noticed within the timeline for the Invitation to bid (ITB-DEM-18-19-016) for FDEM Hurricane Season Preparedness Media Buy

The Division reserves the right to issue amendments, addenda, and changes to the timeline and specifically to the meeting notice listed above. The Division will post notice of any changes or additional meetings within the Vendor Bid System (VBS) in accordance with subsection 287.042(3), Florida Statutes, and will not re-advertise notice in the Florida Administrative Review (FAR). Access the VBS at: http://vbs.dms.state.fl.us/vbs/main_menu.

A copy of the agenda may be obtained by contacting: Jenene HelmsDivision Purchasing Specialist, Bureau of Finance, Florida Division of Emergency Management, 2555 Shumard Oak Blvd, Tallahassee, FL 32399, Phone: (850)815-4609, Email: jenene.helms@em.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: The Procurement Officer. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

REGIONAL PLANNING COUNCILS

Northeast Florida Regional Planning Council

The Northeast Florida Regional Council announces a public meeting to which all persons are invited.

DATE AND TIMES: January 3, 2019, 8:30 a.m. Affordable Housing Committee; 9:30 a.m. Personnel, Budget & Finance Policy Committee; 10:00 a.m. Executive Committee Meeting.

PLACE: 100 Festival Park Avenue, Jacksonville, FL 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting.

A copy of the agenda may be obtained by contacting: (904)279-0880.

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: (904)279-0880. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

REGIONAL PLANNING COUNCILS

East Central Florida Regional Planning Council

The East Central Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, January 16, 2019, 9:30 a.m.

PLACE: 455 N. Garland Avenue, 4th Floor, Orlando, FL 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular bi-monthly meeting of the Executive Committee.

A copy of the agenda may be obtained by contacting: Pegge Parker at (407)245-0300, ext. 300 or pparker@ecfrpc.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 two (2) days before the workshop/meeting by contacting: Pegge Parker at (407)245-0300, ext. 300 or pparker@ecfrpc.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: Pegge Parker at (407)245-0300, ext. 300 or pparker@ecfrpc.org.

REGIONAL PLANNING COUNCILS

East Central Florida Regional Planning Council

The East Central Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, January 16, 2019, 10:30 a.m.

PLACE: 455 N. Garland Avenue, 2nd Floor, Orlando, FL 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular bi-monthly meeting of the East Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: Pegge Parker at (407)245-0300, ext. 300, pparker@ecfrpc.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 two (2) days before the workshop/meeting by contacting: Pegge Parker at (407)245-0300, ext. 300, pparker@ecfrpc.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: Pegge Parker at (407)245-0300, ext. 300, pparker@ecfrpc.org.

DEPARTMENT OF HEALTH
 Board of Nursing Home Administrators
 The Department of Health announces a telephone conference call to which all persons are invited.
 DATE AND TIME: January 11, 2019, 9:00 a.m.
 PLACE: 1(888)585-9008, 136-103-141 participant code
 GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business to include licensure.
 A copy of the agenda may be obtained by contacting: <https://floridasnursinghomeadmin.gov/>.
 Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: 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: Anthony.Spivey@flhealth.gov.

DEPARTMENT OF HEALTH
 Board of Pharmacy
 The Florida Board of Pharmacy announces a public meeting to which all persons are invited.
 DATE AND TIME: January 3, 2019, 9:00 a.m.
 PLACE: Telephone Conference: 1(888)670-3525, Participant Code# 5134896685
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To review those cases on which a determination of existence of probable cause has already been made.
 A copy of the agenda may be obtained by contacting: The Board of Pharmacy at (850)245-4292.
 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: The Board of Pharmacy at (850)245-4292. 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: The Board of Pharmacy at (850)245-4292.

MOFFITT CANCER CENTER & RESEARCH INSTITUTE
 The Florida Cancer Control & Research Advisory Council (CCRAB) announces a telephone conference call to which all persons are invited.
 DATE AND TIME: Monday, December 17, 2018, 2:00 p.m. Eastern
 PLACE: 1(800)206-6032; Passcode 7451520#
 GENERAL SUBJECT MATTER TO BE CONSIDERED: A CCRAB Cancer Plan Revision Committee meeting
 A copy of the agenda may be obtained by contacting: Bobbie.McKee@Moffitt.org.
 For more information, you may contact: Bobbie.McKee@Moffitt.org.

Section VII
Notice of Petitions and Dispositions
Regarding Declaratory Statements

NONE

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

SARASOTA COUNTY PUBLIC HOSPITAL BOARD
REQUEST FOR STATEMENT OF QUALIFICATIONS FOR
DESIGN-BUILD SERVICES

PROJECT ANNOUNCEMENT: The Sarasota County Public Hospital District d/b/a Sarasota Memorial Health Care System and its governing board (collectively, “the Hospital”), located in Sarasota County, Florida, is accepting statements of qualifications for Design-Build Construction Services under the provisions of Section 255.20 & 287.055, Florida Statutes.

PROJECT DESCRIPTION

I. INTRODUCTION

The Hospital is accepting statements of qualifications from qualified Design-Build Construction Teams to provide professional design-build construction services for the construction of a new, approximately 45,000 square foot, single level, elevated parking structure.

The parking structure will be constructed on a Hospital property located at 1741 Main Street, Sarasota, Florida. The proposed parking structure will NOT be physically connected to the existing building at this site, but will be a free-standing structure, designed and built with conformance to all applicable codes and regulations, including hurricane-rated wind loads.

The parking structure shall be constructed of precast concrete components with a cast-in-place concrete topping and waterproof coating on drive surfaces, and shall feature separate entry and exit ramps from the overall ‘U’ shaped configuration. The parking structure shall be constructed directly above the existing on-grade parking at the northernmost portion of the site. In addition to the vehicular parking and driveway, the structure shall feature: Two remote exit stairs within stair enclosures; a two stop elevator; interior and exterior lighting and required electrical power; exterior architectural vehicular screening and landscaping, per the City of Sarasota zoning and building codes. Site plan modification design shall include consideration of the existing trees within the construction area, with any necessary mitigation, for review and approval by the City of Sarasota. Site work shall include all necessary utility

connections; vehicular access control (gates); as well as landscaping irrigation.

II. PRICE

It is the intention of the Hospital to employ the services of a Design-Build Construction Team at Risk to provide overall Project Design and Construction Management on a cost plus a fee basis, with a Guaranteed Maximum Price (GMP).

III. SUBMITTAL STATEMENT INSTRUCTIONS AND GENERAL INFORMATION

The scope of work shall include the coordinated design and construction of the parking structure generally described above. Design services required may include architectural, civil, mechanical, electrical, plumbing, and structural engineering. Construction services may include all construction supervision, labor, and material acquisition and installation.

Submittal statements shall include a project cost estimate and preliminary delivery schedule for the Owner’s budgetary and planning purposes. Please note that selection will be based upon the combination of all submitted qualifications, schedule, and cost considerations, and that selection will not be based upon cost alone.

Submittal statements must be responsive to the requirements and questions of the Request for Qualifications (RFQ). After review of the responses to the RFQ by the Hospital’s Review Committee, the Committee will recommend selection of a single Design-Build Team to the Hospital Board.

Reservations: The Hospital reserves the right to reject any and all proposals, to negotiate changes in the new scope of work or services to be provided, and to otherwise waive any technicalities or informalities.

Method of Selection: Proposals will be reviewed by the Hospital’s selection committee, which will recommend a ranking of qualified firms. Upon acceptance of the recommendation by the Sarasota County Public Hospital Board, negotiations will or may be entertained pursuant to Florida Statute 287.055.

Firms interested in being considered as candidates are required to submit seven (7) bound statements of qualifications that include the following, organized in the following order:

1. A copy of Florida General Contractor construction licensure and corporate registration certificates.
2. Completed AIA Document A305 Contractor’s Qualification Statement, latest edition.
3. Proof of general, automobile and workers’ compensation liability insurance coverage appropriate for this project.
4. A copy of Florida Architectural & Engineering Licensure and corporate registration certificates for A/E team members.
5. Proof of Professional Liability Errors and Omissions insurance coverage in the amount of no less than \$1,000,000 per claim; \$1,000,000 annual aggregate, by and insurer(s) rated A- or better than A.M. Best for A/E team members.

6. A separate statement as to whether the firm is a certified Minority Business Enterprise. If your firm claims MBE, WMBE status, a copy of your firm's current, valid MBE, WMBE certificate is required as part of the submission package.
7. Proposed Design-Build Team comprised of an A/E and Contractor Team
8. Team Member's experience with design-build projects
9. Qualifications of staff to be utilized on this project with names, short resumes, length of time with firm and previous clients served.
10. A list of at least three (3) client references consisting of name, title, address, telephone number and project name(s) for each project specified. Please ensure that your references are updated and are willing to reply. Reference responses are mandatory and non-responding references will not be considered as valid references.
11. Design and permitting experience within the City of Sarasota, FL and all other applicable permitting agencies.
12. Location of the design/build firm's main office.
13. Project cost estimate and preliminary delivery schedule.

All interested firms are further informed as follows:

1. The Hospital reserves the right to reject any or all submissions at any time during this process.
2. The basis for selecting candidates includes, but is not limited to, the firm's experience with local regulatory agency having jurisdiction, consideration of related project experience, qualifications of proposed team, design and construction criteria experience as stated above, ability to respond, and project approach, and project cost and schedule estimates.
3. The Hospital reserves the right to request additional information beyond the data set forth above.
4. Except as specified herein, no person employed by or acting on behalf of a firm submitting a proposal may contact directly or indirectly the any member of the Sarasota County Public Hospital Board or any officers, agents or employees of the Sarasota Memorial Health Care System. Violation of this prohibition may result in the firm's proposal being rejected and the firm being disqualified from the review and selection process.

Submissions shall be titled:

Statement of Qualifications
for

**DESIGN-BUILD CONSTRUCTION SERVICES
FOR THE DESIGN AND CONSTRUCTION OF A NEW
PARKING STRUCTURE FOR SARASOTA MEMORIAL
HEALTHCARE SYSTEM, SARASOTA, FLORIDA.**

Submissions must be received by the Hospital no later than 3:30 p.m. Friday, December 21, 2018. Submit statements to: John Salt, Director of Engineering and Campus Facilities;

Attn: Facilities Management, Sarasota Memorial Hospital; 1700 South Tamiami Trail; Sarasota, FL 34239.

Submissions received after this deadline will remain unopened and available for pick up.

Interested persons should contact John Salt, (941)917-1802 with any project-related questions.

The selection committee will meet in a public meeting at Sarasota Memorial Hospital's Waldemere Auditorium, 1700 S. Tamiami Trail, Sarasota, FL 34239, (ground level entrance), at 1:00 p.m. on Tuesday, January 8, 2019, to hear presentations, discuss and announce the top three ranked firms with whom the Hospital will subsequently engage in contract negotiations. If fewer than three (3) Firms respond, the Selection Committee will also evaluate current statements of qualifications and performance data on file with Hospital, in determining which Firm is the most highly qualified to perform the required services and announce the top three ranked Firms. All interested parties are invited to attend.

DUVAL COUNTY SCHOOLS

Districtwide Roof Replacement at Various Schools: Alfred duPont Middle School No. 66, Lake Lucina Elementary School No. 85 and Sallye B. Mathis Elementary School No. 91/DCSB Project No. M-83800

DUVAL COUNTY PUBLIC SCHOOLS ADVERTISEMENT FOR BIDS

Invitation to Bid

General or Building Contractor for Roofing

Publish Date – December 14, 2018

Sealed bids will be received by Duval County Public Schools, Division of Facilities, Room 535, 1701 Prudential Drive, Jacksonville, FL 32207 until the time and date(s) recorded below and immediately thereafter publicly opened and recorded in the Duval County Public Schools, School Board Building, located at 1701 Prudential Drive, Jacksonville, Florida, 5th Floor, Room 538.

BIDS ARE DUE ON OR BEFORE JANUARY 24, 2019 AND WILL BE ACCEPTED UNTIL 2 PM

OFFICIAL PROJECT TITLE: Districtwide Roof Replacement at Various Schools: Alfred duPont Middle School No. 66, Lake Lucina Elementary School No. 85 and Sallye B. Mathis Elementary School No. 91/DCSB Project No. M-83800, MT-ITB-002-19

SCOPE OF WORK: The project consists of recapping existing modified roofs at Alfred duPont Middle School No. 66; recover existing modified roofs with single ply TPO at Lake Lucina Elementary School No. 85 and recapping existing modified roofs at Sallye B. Mathis Elementary School No. 91. The estimated construction cost is not to exceed \$737,700.

All contractors that are interested in bidding are required to attend a mandatory pre-bid conference to be held January 14,

2019 from 9:30 a.m. until 10:30 a.m. at 129 King Street, Room 37, Jacksonville, FL 32204. Failure to attend the pre-bid conference shall result in disqualification of that firm's proposal. Attendees will be required to sign an attendance register. Project funding is subject to availability of funds as authorized by the Owner. The District reserves the right to reject any and all bids. Contract documents for bidding may be obtained at the office of: ARC Document Solutions/4613 Phillips Highway, Suite 202/ Jacksonville, FL 32207/ (904)399-8946. Name of A/E Firm: Ronald Scalisi Architects, P.A.; 1309 St. Johns Bluff Road N.; Suite A-5, Jacksonville, FL 32225/Telephone (904)998-8860, Office of Economic Opportunity (OEO) Participation Goal: 5 % Encouragement All Contractors submitting bids must be prequalified with Duval County Public Schools at the time of the bid opening. No bids will be accepted from Contractors who are not prequalified with Duval County Public Schools. Prequalification forms and information may be obtained at www.duvalschools.org under Departments/Facilities/Forms and Standards/General Documents/Contractor Prequalification Procedures. The Bid Award Recommendation will be posted on the first floor bulletin board at the Duval County School Board Building, 1701 Prudential Drive, Jacksonville, Florida 32207-8182.

DUVAL COUNTY SCHOOLS

Districtwide Roof Replacement at Various Schools: Fishweir Elementary School No. 20, Lake Forest Elementary School No. 74 and Louis Sheffield Elementary School No. 242/DCSB Project No. M-83800

DUVAL COUNTY PUBLIC SCHOOLS ADVERTISEMENT FOR BIDS

Invitation to Bid

General or Building Contractor for Roofing

Publish Date – December 14, 2018

Sealed bids will be received by Duval County Public Schools, Division of Facilities, Room 535, 1701 Prudential Drive, Jacksonville, FL 32207 until the time and date(s) recorded below and immediately thereafter publicly opened and recorded in the Duval County Public Schools, School Board Building, located at 1701 Prudential Drive, Jacksonville, Florida, 5th Floor, Room 538. BIDS ARE DUE ON OR BEFORE JANUARY 22, 2019 AND WILL BE ACCEPTED UNTIL 2 PM. OFFICIAL PROJECT TITLE: Districtwide Roof Replacement at Various Schools: Fishweir Elementary School No. 20, Lake Forest Elementary School No. 74 and Louis Sheffield Elementary School No. 242/DCSB Project No. M-83800, MT-ITB-001-19

SCOPE OF WORK: The project consists of recovering existing modified roofs with single ply TPO for Fishweir Elementary School No. 20; recapping existing modified roofs for Lake

Forest Elementary School No. 74 and recover existing modified roofs with single ply TPO for Louis Sheffield Elementary School No. 242. The estimated construction cost is not to exceed \$393,950. All contractors that are interested in bidding are required to attend a mandatory pre-bid conference to be held January 11, 2019 from 9:30 a.m. until 10:30 a.m. at 129 King Street, Room 37, Jacksonville, FL 32204. Failure to attend the pre-bid conference shall result in disqualification of that firm's proposal. Attendees will be required to sign an attendance register. Project funding is subject to availability of funds as authorized by the Owner. The District reserves the right to reject any and all bids. Contract documents for bidding may be obtained at the office of: ARC Document Solutions/4613 Phillips Highway, Suite 202/ Jacksonville, FL 32207/ (904)399-8946. Name of A/E Firm: Ronald Scalisi Architects, P.A.; 1309 St. Johns Bluff Road N.; Suite A-5, Jacksonville, FL 32225/Telephone (904)998-8860. Office of Economic Opportunity (OEO) Participation Goal: 5% Participation. All Contractors submitting bids must be prequalified with Duval County Public Schools at the time of the bid opening. No bids will be accepted from Contractors who are not prequalified with Duval County Public Schools. Prequalification forms and information may be obtained at www.duvalschools.org under Departments/Facilities/Forms and Standards/General Documents/Contractor Prequalification Procedures. The Bid Award Recommendation will be posted on the first floor bulletin board at the Duval County School Board Building, 1701 Prudential Drive, Jacksonville, Florida 32207-8182.

EARLY LEARNING COALITION OF NORTH FLORIDA

Request for Proposals #ELCNF-19/20-001 For School Readiness and Voluntary Prekindergarten Services

EARLY LEARNING COALITION OF NORTH FLORIDA, INC.

Request for Proposal #ELCNF-19/20-001

School Readiness and Voluntary Prekindergarten Services

The Early Learning Coalition of North Florida, Inc. is requesting proposals for School Readiness and Voluntary Prekindergarten services in Baker, Bradford, Clay, Nassau, Putnam, and St. Johns Counties. The potential contractor will be responsible for coordinating and delivering School Readiness services to children birth through 12 years of age and Voluntary Prekindergarten (VPK) services for four year old children in fiscal year 2019/2020. Services include Child Care Resource and Referral, Inclusion, Quality Support Services, Eligibility and Enrollment, and Fiscal Administration.

The Request for Proposal will be released December 10, 2018 and may be obtained at www.elcnorthflorida.org. The Notice of Intent to Submit a Proposal is due to the Coalition no later than January 4, 2019, 4:00 p.m. (ET). The deadline for all sealed proposals to be submitted to the Coalition is no later than

January 23, 2019, 4:00 p.m. (ET). The date, time, and location of the Public Opening of Proposals is included in the Calendar of Events in the RFP document that will be posted to the Coalition website, as well as all other dates, times, and locations of events as it relates to this RFP. The anticipated dates for the Posting of the Notice of Intended Award are March 21 – March 25, 2019 to the Coalition’s website, www.elcnorthflorida.org. Certified Minority Business Enterprises are encouraged to submit a proposal.

Only written correspondence and/or inquiries directed to the Coalition’s Procurement Manager (who is the sole point of contact with the Coalition for purposes of this RFP) will be accepted. The Procurement Manager’s name and contact information is: Tajaro Dixon, Early Learning Coalition of North Florida, 2450 Old Moultrie Rd, Suite 103, St. Augustine, FL 32086, and/or tdixon@elcnorthflorida.org. The Coalition will not participate in any inquiries by phone. Only e-mail inquiries will be responded to and only during the scheduled Question and Answer time frame. Information obtained from any other source is not official and should not be relied upon. Violation of this “no contact” provision may result in the disqualification of the Proposer from this solicitation.

After the release of this RFP, if any solicitation revisions become necessary or appropriate, as determined by the Coalition, the Coalition will electronically post the addenda to the Coalition’s website, www.elcnorthflorida.org. Proposers are responsible for checking the Coalition website and contacting the Coalition’s Point of Contact for this solicitation before the RFP deadline to ascertain whether any addenda have been issued.

The Early Learning Coalition of North Florida, Inc. reserves the right to reject any and all solicitations or ignore or correct minor irregularities when it is in the best interest of the Coalition.

Funding Sources: The services described in this RFP and the resulting Contract will be funded by the General Revenue from the State of Florida and Federal funds. The State of Florida Voluntary Pre-Kindergarten Program is 100% state funded. The current (2018/2019) Program Assessment and Pay for Performance Programs are 100% federally funded. And per the July 1, 2018 OEL School Readiness Notice of Award for the ELC of North Florida, the School Readiness Program is approximately 77.55% federally funded, 22.34% state funded, and 0.11% funded by non-governmental sources (CCEP).

Sponsored by: the Early Learning Coalition of North Florida, Inc. and the State of Florida, Office of Early Learning.

WHARTON-SMITH, INC.
UCF Roth Athletic Center #165
INVITATION TO BID

BID DATE: January 15, 2019

PROJECT: UCF Roth Athletic Center #165

Wharton-Smith, Inc. is bidding phase 2 of the UCF Roth Athlete Center #165 project and is soliciting prequalified subcontractor bids. Phase 1 of the project consisted of site work, pre-engineered metal building, column pads, below grade elevator footings and stem wall, cold-pool elevated slab, and all underground MEP stub ups. The project consists of, but is not limited to: new slab, new masonry walls at elevator shaft, misc. metals, millwork, caulking, new doors and interior storefront, overhead doors, painting, acoustical ceiling, drywall and metal framing, floor tile, carpet, VCT, toilet accessories, signage, fire extinguishers, entrance floor mats, residential appliances, elevators, fire sprinklers, plumbing, mechanical, electrical, and security.

Non-Mandatory Pre-Bid Meeting is scheduled at 4465 Knights Victory Way, Orlando, FL 32816 on Monday, January 7, 2019, 9:00 a.m.

Deadline for Request for Information is January 7, 2019. Email questions to comest@whartonsmith.com before 4:00 p.m.

Bids will be received at the offices of Wharton-Smith, 750 Monroe Road, Sanford, FL 32711 or maybe emailed to comest@whartonsmith.com or faxed to (407)829-4453 before 2:00 p.m. on January 15, 2019.

Bid documents are available via the web-based site iSqFt by contacting Tonja Williams at (407)321-8410 or comest@whartonsmith.com. Payment & Performance Bonds may be required. A signed Non-Disclosure Agreement (NDA) must be signed and on file to get access to the documents.

Section XII Miscellaneous

DEPARTMENT OF STATE

Index of Administrative Rules Filed with the Secretary of State Pursuant to Section 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 3:00 p.m., Friday, December 7, 2018 and 3:00 p.m., Thursday, December 13, 2018.

| Rule No. | File Date | Effective Date |
|--------------|------------|----------------|
| 20ER18-1 | 12/7/2018 | 12/7/2018 |
| 59A-9.025 | 12/7/2018 | 12/27/2018 |
| 61G15-35.003 | 12/7/2018 | 12/27/2018 |
| 61J2-3.009 | 12/7/2018 | 12/27/2018 |
| 64B-9.001 | 12/12/2018 | 1/1/2019 |
| 64B2-18.002 | 12/10/2018 | 12/30/2018 |
| 64B7-30.002 | 12/13/2018 | 1/2/2019 |

| | | |
|--------------|------------|------------|
| 64B13-3.100 | 12/12/2018 | 1/1/2019 |
| 64B15-14.005 | 12/12/2018 | 1/1/2019 |
| 64B18-14.002 | 12/13/2018 | 1/2/2019 |
| 64B18-14.010 | 12/13/2018 | 1/2/2019 |
| 64B18-23.002 | 12/13/2018 | 1/2/2019 |
| 64B32-4.001 | 12/12/2018 | 1/1/2019 |
| 68-5.001 | 12/7/2018 | 12/27/2018 |
| 68-5.002 | 12/7/2018 | 12/27/2018 |
| 68-5.003 | 12/7/2018 | 12/27/2018 |
| 68-5.004 | 12/7/2018 | 12/27/2018 |
| 68-5.005 | 12/7/2018 | 12/27/2018 |
| 68-5.006 | 12/7/2018 | 12/27/2018 |
| 68-5.007 | 12/7/2018 | 12/27/2018 |
| 68-5.008 | 12/7/2018 | 12/27/2018 |
| 68-5.009 | 12/7/2018 | 12/27/2018 |
| 68A-6.007 | 12/7/2018 | 1/1/2019 |
| 69A-37.039 | 12/12/2018 | 1/1/2019 |
| 69A-37.058 | 12/12/2018 | 1/1/2019 |
| 69K-1.001 | 12/7/2018 | 12/27/2018 |
| 73B-6.001 | 12/10/2018 | 12/30/2018 |
| 74-2.001 | 12/13/2018 | 1/2/2019 |
| 74-2.003 | 12/13/2018 | 1/2/2019 |
| 74-2.004 | 12/13/2018 | 1/2/2019 |
| 74-2.005 | 12/13/2018 | 1/2/2019 |
| 74-2.006 | 12/13/2018 | 1/2/2019 |

LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES

| Rule No. | File Date | Effective Date |
|-------------|-----------|----------------|
| 60FF1-5.009 | 7/21/2016 | **/**/**** |
| 64B8-10.003 | 12/9/2015 | **/**/**** |
| 69L-3.009 | 12/5/2018 | **/**/**** |

STATE BOARD OF ADMINISTRATION

Maximum Statutory Adjusted Capacity for Mandatory FHCF Coverage, Maximum Statutory Coverage for Optional Coverages, and Aggregate Retention for the 2019 Contract Year

NOTICE IS HEREBY GIVEN by the State Board of Administration of Florida, as required by paragraph 215.555(16)(d), F.S., for the Florida Hurricane Catastrophe Fund (FHCF) Reimbursement Contract Year commencing on June 1, 2019, of the maximum statutory adjusted capacity for the mandatory coverage, the maximum statutory coverage for any optional coverage, and the aggregate fund retention used to calculate individual insurers' retention multiples. As provided in subparagraph 215.555(4)(c)1., F.S., the maximum statutory capacity for the mandatory coverage is \$17 billion. No additional optional coverages are available for the Reimbursement Contract Year commencing on June 1, 2019. The aggregate fund retention used to calculate individual insurers' retention multiples is \$7.422 billion.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Office of the Secretary

Florida State Clearinghouse

The state is coordinating reviews of federal activities and federally funded projects as required by subsection 403.061(42), F.S. This includes Outer Continental Shelf activities and other actions subject to federal consistency review under the Florida Coastal Management Program. A list of projects, comments and deadlines, and the address for providing comments, are available at: <https://fldep.dep.state.fl.us/clearinghouse/>. For information, call (850)717-9076. This public notice fulfills the requirements of 15 CFR 930.

Section XIII

Index to Rules Filed During Preceding Week

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