

**Section I**  
**Notice of Development of Proposed Rules  
and Negotiated Rulemaking**

**DEPARTMENT OF HEALTH**

**Board of Medicine**

**RULE NO.:** RULE TITLE:  
64B8-9.009 Standard of Care for Office Surgery  
**PURPOSE AND EFFECT:** The Board proposes the development of rule amendments to address high-risk procedures in office surgery settings.

**SUBJECT AREA TO BE ADDRESSED:** Review of the rule for possible amendments related to the performance of high-risk procedures in office surgery settings.

**RULEMAKING AUTHORITY:** 458.309(1), 458.331(1)(v) FS.  
**LAW IMPLEMENTED:** 458.331(1)(v), 458.351 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Claudia Kemp, J.D., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

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

**DEPARTMENT OF HEALTH**

**Board of Medicine**

**RULE NO.:** RULE TITLE:  
64B8-13.005 Continuing Education for Biennial Renewal  
**PURPOSE AND EFFECT:** The proposed rule amendments set forth the additional entities approved by the Board to provide the prescribing controlled substances continuing education course for the purpose of biennial licensure renewal.

**SUBJECT AREA TO BE ADDRESSED:** Approval of entities for controlled substance prescribing course.

**RULEMAKING AUTHORITY:** 456.013(6), (7), 456.031(2), 456.033, 458.309, 458.319 FS.

**LAW IMPLEMENTED:** 456.013(6), (7), 456.031(1)(a), 456.033, 458.319 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Claudia Kemp, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

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

**Section II**  
**Proposed Rules**

**DEPARTMENT OF HEALTH**

**Board of Speech-Language Pathology and Audiology**

**RULE NO.:** RULE TITLE:  
64B20-6.002 Standards for Approval of Continuing Education Activities and Providers

**PURPOSE AND EFFECT:** The purpose of the amendment is to update standards for approval of continuing education activities.

**SUMMARY:** Update rule language.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

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

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

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

**RULEMAKING AUTHORITY:** 456.013, 468.1135(4), 468.1195(3) FS.

**LAW IMPLEMENTED:** 468.1195 FS.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kama Monroe, Executive Director,

Board of Speech-Language Pathology and Audiology, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, Kama.Monroe@flhealth.gov.

**THE FULL TEXT OF THE PROPOSED RULE IS:**

64B20-6.002 Standards for Approval of Continuing Education Activities and Providers.

(1) Any institution, organization, agency or individual may apply to the Board for approval to provide a continuing education activity by making application at least sixty (60) days prior to the course offering on form CEA-3, effective 3-28-95, entitled Institution, Organization or Agency or Individual Application for Prior Approval of a Continuing Education Activity, which is incorporated by reference herein, and payment of a fee as specified in Rule 64B20-3.017, F.A.C. Form CEA-3 may be obtained from the Board of Speech-Language Pathology and Audiology, Department of Health, 4052 Bald Cypress Way, Bin #C-06, Tallahassee, Florida 32399-3256. If the Board grants approval of a continuing education activity, then the Board office shall issue the applicant an approved program number that shall be valid for the biennium which coincides with the biennial licensure cycle. This number shall appear on all continuing education course announcements and certificates of course completion. Upon receipt of a complete application and payment of the application fee, the Board shall approve a continuing education activity which meets the following criteria:

(a) through (g) No change.

(h) For the purposes of these rules one continuing education hour is defined as a 60-minute clock hour. The minimum course credit acceptable for consideration is 0.5 continuing education hour or 30 minute clock hour.

(2) through (8) No change.

Rulemaking Authority 456.013, 468.1135(4), 468.1195(3) FS. Law Implemented 468.1195 FS. History—New 3-14-91, Formerly 21LL-6.002, Amended 9-20-93, Formerly 61F14-6.002, Amended 3-28-95, 10-1-95, Formerly 59BB-6.002, Amended 1-6-00, 9-21-05, 4-4-06, 5-1-07, \_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:**  
Board of Speech-Language Pathology and Audiology

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** Board of Speech-Language Pathology and Audiology

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** February 01, 2019

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR:** May 22, 2018

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**RULE NO.:** 68-1.003  
**RULE TITLE:** Florida Fish and Wildlife Conservation Commission Grants Program

**PURPOSE AND EFFECT:** The proposed amendment to subsection 68-1.003(12), F.A.C., would incorporate updated versions of the Boating Infrastructure Grant Program, Program Guidelines and the grant application form. Revisions appear throughout the newly proposed guidelines and application form to provide clarifying language and assist in explaining the Boating Infrastructure Grant Program application and award process. No substantive changes are being made to the grant program or the application process.

**SUMMARY:** This rule will incorporate proposed revisions to the Boating Infrastructure Grant Program, Program Guidelines and the grant application form that will explain more clearly the grant application and award process. No substantive changes are being made to the grant program or the application process.  
**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

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

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

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

**RULEMAKING AUTHORITY:** 327.04, 327.47, 379.106, FS.

**LAW IMPLEMENTED:** 327.04, 327.47, 379.106, FS.

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Chanda Zirkelbach, Boating Access Coordinator, Division of Law Enforcement, Florida Fish and Wildlife Conservation Commission, Bryant Building Headquarters, 620 S. Meridian St., Tallahassee, FL 32399, (850)488-5600.

THE FULL TEXT OF THE PROPOSED RULE IS:

68-1.003 Florida Fish and Wildlife Conservation Commission Grants Program.

(1) through (11) No change.

(12) Boating Infrastructure Grant Program grants shall meet all additional program requirements set forth in the Boating Infrastructure Grant Program Guidelines (dated 2/2019 July 2016) and 50 CFR Part 86, Boating Infrastructure Grant (BIG) Program (effective June 5, 2015), which are hereby incorporated by reference. The following form is hereby adopted and incorporated by reference: FWC/BIGP-APP, Boating Infrastructure Grant Program Grant Application, 2/2019 07/08. The Boating Infrastructure Grant Program Guidelines (2/2019) and Boating Infrastructure Grant Program Grant Application, 2/2019 07/08 form are available from the Commission at 620 S. Meridian St., 1M, Tallahassee, Florida 32399-1600 or

https://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX

https://www.flrules.org/Gateway/reference.asp?No=Ref-07205. 50 CFR Part 86, Boating Infrastructure Grant (BIG) Program (effective June 5, 2015) is available from the Commission at 620 S. Meridian Street, 1M, Tallahassee, Florida 32399-1600 or https://www.flrules.org/Gateway/reference.asp?No=Ref-07422.

(13) No change.

Rulemaking Authority 206.606, 327.04, 327.47, 376.15(d), 379.106 FS. Law Implemented 206.606, 327.47, 328.72, 376.15(d), (e), 379.106 FS. History—New 4-4-04, Amended 3-15-05, Formerly 68A-2.015, Amended 5-22-07, 7-6-08, 1-18-09, 3-21-10, 6-30-10, 5-20-12, 2-9-15, 9-11-16, 9-13-16, 4-23-17, 5-24-18,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Chanda Zirkelbach, Boating Access Coordinator, Division of Law Enforcement, Florida Fish and Wildlife Conservation Commission, Bryant Building Headquarters, 620 S. Meridian St., Tallahassee, FL 32399, (850) 488-5600

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 20, 2019

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 17, 2018

Section III
Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

Table with 2 columns: RULE NOS. and RULE TITLES. Rows include 65C-44.001 Definitions, 65C-44.002 Types of Guardianship Assistance, 65C-44.003 Determination of Guardianship Assistance Payments, 65C-44.004 Guardianship Assistance Agreement, 65C-44.005 Non-recurring Guardianship Expenses, 65C-44.006 Extension of Guardianship Assistance Agreement, 65C-44.007 Redetermination of Guardianship Assistance Payment and Extended Guardianship Assistance Payment.

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 45 No. 34, February 19, 2019 issue of the Florida Administrative Register. The rule titles at the top of the notice of proposed rule were incorrect. They should have appeared as they do at the top of this notice of correction.

Section IV
Emergency Rules

NONE

Section V
Petitions and Dispositions Regarding Rule Variance or Waiver

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

Table with 2 columns: RULE NO. and RULE TITLE. Row includes 40B-4.3030 Conditions for Issuance of Works of the District Permits

NOTICE IS HEREBY GIVEN that on February 6, 2019, the Suwannee River Water Management District, received a petition for a variance from Robert Belair, 3211 Hidden Lake Dr., Winter Garden, FL. Pursuant to Section 120.542, F.S.,

Petitioner is seeking a variance from subsection 40B-4.3030(13), F.A.C., which provides that no construction, additions or reconstructions shall occur in the front 75 feet area immediately adjacent to and including to normally recognized bank of a water. The applicant is requesting to construct a 256 ft2 addition to their existing home. The project is located in Section 32, Township 12S, Range 13E, in Levy County and has been assigned permit number WOD-075-233361-2, Belair Boathouse Rebuild.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Tilda Musgrove, Business Resource Specialist, Suwannee River Water Management District, 9225 CR 49, Live Oak, FL 32060, (386)362-1001 or 1(800)226-1066 in Florida only.

**DEPARTMENT OF HEALTH**

Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

RULE NO.: RULE TITLE:

64B4-3.003 Examination for Licensure

64B4-3.0051 Documentation of Substantially Equivalent Licensing Examination

NOTICE IS HEREBY GIVEN that on February 19, 2019, the Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, received a petition for variance or waiver filed by Patricia Casamo seeking a variance or waiver of Rule 64B4-3.003, F.A.C., which provides that the theory and practice examination for clinical social workers shall be the Clinical Level objective multiple choice examination developed by the Association of Social Work Boards (ASWB). Petitioner is also seeking a variance or waiver of Rule 64B4-3.0051, F.A.C., which provides that in order for the Board to determine whether an applicant by endorsement has passed a substantially equivalent licensing examination in another state, the endorsement applicant shall provide the Board with documentation which demonstrates that the examination taken in another state is substantially equal in essential material and elements to the licensure examinations required in Rule 64B4-3.003, F.A.C.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jennifer Wenhold, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258. Comments on this petition should be filed with the Board within 14 days of publication of this notice.

**Section VI**

**Notice of Meetings, Workshops and Public Hearings**

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

Division of Agricultural Environmental Services

The Pest Control Enforcement Advisory Council (PCEAC) announces a public meeting to which all persons are invited.

DATE AND TIME: March 6, 2019, 10:00 a.m.

PLACE: Gulf Coast Research & Education Center, 14625 County Road 672, Wimauma, FL 33598, phone number (directions only: 1(813)419-6670) or GoToMeeting: <https://global.gotomeeting.com/join/999031605>;

Teleconference information: 1(888)585-9008, participant code/conference room: 928-163-420

GENERAL SUBJECT MATTER TO BE CONSIDERED: To address the business of the Council.

A copy of the agenda may be obtained by contacting: Ms. Sarah Oglesby, Bureau Chief, (850)617-7997, [sarah.oglesby@freshfromflorida.com](mailto:sarah.oglesby@freshfromflorida.com).

For more information, you may contact: Ms. Sarah Oglesby, Bureau Chief, (850)617-7997, [sarah.oglesby@freshfromflorida.com](mailto:sarah.oglesby@freshfromflorida.com).

**REGIONAL PLANNING COUNCILS**

Treasure Coast Regional Planning Council

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

DATE AND TIME: March 15, 2019, 9:30 a.m.

PLACE: Indian River State College Chastain Campus, Wolf High Technology Center, 2400 SE Salerno Road, Stuart, Florida 34994

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Treasure Coast Regional Planning Council will hold its monthly Board meeting.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Liz Gulick at (772)221-4060 or [lgulick@tcrpc.org](mailto:lgulick@tcrpc.org).

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

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

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Florida Real Estate Commission

RULE NOS.:RULE TITLES:

61J2-10.025 Advertising

61J2-10.026 Team or Group Advertising

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

DATE AND TIME: Wednesday, March 13, 2019, 1:30 p.m. or as soon thereafter as can be heard.

PLACE: Florida Real Estate Commission Office, 400 W. Robinson Street, #N901, Orlando, FL 32801.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the proposed text for the rules.

A copy of the agenda may be obtained by contacting: Lori Crawford, Executive Director, Florida Real Estate Commission, 400 W. Robinson Street, #N801, Orlando, FL 32801, [Lori.Crawford@myfloridalicense.com](mailto:Lori.Crawford@myfloridalicense.com).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Lori Crawford, Executive Director, Florida Real Estate Commission, 400 W. Robinson Street, #N801, Orlando, FL 32801, [Lori.Crawford@myfloridalicense.com](mailto:Lori.Crawford@myfloridalicense.com). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**DEPARTMENT OF CHILDREN AND FAMILIES**

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

DATE AND TIME: April 11, 2019 10:00 a.m. – 11:30 a.m., CT

PLACE: Gulf Coast Children's Advocacy Center, 210 E 11th St, Panama City, Florida 32401

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department of Children and Families, Circuit 14 Community Alliance provides a forum for providers and the Community to identify needs and gaps in services in order to improve the lives of children and families in the Big Bend area which covers Franklin, Gadsden, Jefferson, Leon, Liberty and Wakulla

Counties. For those that cannot attend in person, the following conference call number is being provided for their convenience: 1(888)585-9008, Participant Code: 423165566. Agenda: Department of Children and Families Update, Big Bend Community Based Care Update, Mental Health Governing Council Update, Assisted Living Facilities Update.

A copy of the agenda may be obtained by contacting: Jeanna Olson, Circuit 2 & 14 Community Development Administrator, at (850)921-8269 or at [jeanna.olson@myflfamilies.com](mailto:jeanna.olson@myflfamilies.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: Jeanna Olson, Circuit 2 & 14 Community Development Administrator, at (850)921-8269 or at [jeanna.olson@myflfamilies.com](mailto:jeanna.olson@myflfamilies.com). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Jeanna Olson, Circuit 2 & 14 Community Development Administrator, at (850)921-8269 or at [jeanna.olson@myflfamilies.com](mailto:jeanna.olson@myflfamilies.com).

**FLORIDA ATLANTIC RESEARCH AND DEVELOPMENT AUTHORITY**

The Florida Atlantic Research and Development Authority announces a public meeting to which all persons are invited.

DATE AND TIME: February 27, 2019, 8:00 a.m.

PLACE: 777 Glades Road, Adm. 305, Boca Raton, FL 33431

GENERAL SUBJECT MATTER TO BE CONSIDERED: Authority Meeting.

A copy of the agenda may be obtained by contacting: [jwales@research-park.org](mailto:jwales@research-park.org).

**THE VALERIN GROUP, INC.**

The Florida Department of Transportation (FDOT) District Four announces a workshop to which all persons are invited.

DATE AND TIME: Thursday, February 28, 2019, 5:30 p.m. – 7:30 p.m.

PLACE: Broward County Water and Wastewater Services Building 2, 2555 West Copans Road, Pompano Beach, FL 33069

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Public Information Workshop regarding plans to improve the interchange at I-95 and Copans Road in Broward County, which includes combining the two northbound entrance ramps into a single entrance ramp physically separated from the mainline, and combining the two southbound entrance ramps into a single entrance ramp physically separated from the mainline.

The Public Information Workshop is scheduled for 5:30 p.m. – 7:30 p.m., Thursday, February 28, 2019, at the Broward County Water and Wastewater Services Building 2 located at 2555

West Copans Road, Pompano Beach, FL 33069. The workshop will have an open house format and staff will be available to answer questions and provide assistance at any time during the workshop.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status. Persons who require special accommodations under the Americans with Disabilities Act (ADA) or persons who require translation services (free of charge) should contact Haiyan Ou, P.E., Project Manager, by phone at (954)777-4641, toll free at 1(866)336-8435, Ext. 4641 or via email at Haiyan.Ou@dot.state.fl.us at least seven (7) days prior to the Project Workshop.

A copy of the agenda may be obtained by contacting: There is no agenda

For more information, you may contact: Haiyan Ou, P.E., Project Manager, by phone at (954)777-4641, toll free at 1(866)336-8435, Ext. 4641 or via email at Haiyan.Ou@dot.state.fl.us.

**AECOM**

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

DATE AND TIME: February 26, 2019, 5:00 p.m. – 7:00 p.m.

PLACE: Longboat Key Town Hall, 501 Bay Isles Road, Longboat Key, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting will concern the Longboat Key Pass Draw Bridge Repair Project in Manatee County, Florida, Financial Project ID 436415-1-52-01. The meeting will be an open house format; no formal presentation will be made. Those attending the meeting will be able to view the displays, ask questions, and discuss the work one-on-one with the members of the team. Project information displays will be available for public review during the public meeting and on the project website at <http://www.swfroads.com/> though the link “Future Projects” then “Manatee” and finally “Longboat Key Pass Draw Bridge Repair Project.”

A copy of the agenda may be obtained by contacting: Douglas Schallmoser E.I., 1(813)612-3384, douglas.schallmoser@dot.state.fl.us, Florida Department of Transportation, P.O. Box 1249, Bartow, FL 33831.

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: Cynthia Sykes, District One Title VI Coordinator, 1(863)519-2287, cynthia.sykes@dot.state.fl.us, Florida

Department of Transportation, P.O. Box 1249, Bartow, FL 33831. 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: Douglas Schallmoser E.I., 1(813)612-3384, douglas.schallmoser@dot.state.fl.us, Florida Department of Transportation, P.O. Box 1249, Bartow, FL 33831.

**Section VII  
Notice of Petitions and Dispositions  
Regarding Declaratory Statements**

**DEPARTMENT OF MANAGEMENT SERVICES**

Commission on Human Relations

NOTICE IS HEREBY GIVEN that the Florida Commission on Human Relations has declined to rule on the petition for declaratory statement filed by Mr. Elias Makere on November 27, 2018. The following is a summary of the agency's declination of the petition: A Final Order Denying Petition for Declaratory Statement was issued on February 19, 2019. The Florida Commission on Human Relations denied the petition because the Commission is unable to issue a declaratory statement on an issue that is being simultaneously litigated in an administrative proceeding and because the petition requests an explanation of conduct and administrative action that has already occurred.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Florida Commission on Human Relations, c/o Tammy Barton, Clerk of the Commission, 4075 Esplanade Way, Suite 110, Tallahassee, FL 32399; (850)907-6808; tammy.barton@fchr.myflorida.com.

**DEPARTMENT OF FINANCIAL SERVICES**

Finance

NOTICE IS HEREBY GIVEN that the Florida Office of Financial Regulation has received the petition for declaratory statement from First Up Lending LLC. The petition seeks the agency's opinion as to the applicability of Chapter 494, Florida Statutes, as it applies to the petitioner.

On 2/20/2019, the Florida Office of Financial Regulation (Consumer Finance) received a Petition for Declaratory Statement from First Up Lending LLC. The petition seeks a declaratory statement from the Office whether its proposed business model (to originate, fund and service loans to commercial enterprises in the amount of \$500,000 to \$3,000,000) falls under the Loan Originator and Mortgage Broker Statute, Chapter 494, Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9889, Agency.Clerk@flofr.com

Please refer all comments to: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9889, Agency.Clerk@flofr.com.

**Section VIII**

**Notice of Petitions and Dispositions  
Regarding the Validity of Rules**

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

NONE

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

NONE

**Section IX**

**Notice of Petitions and Dispositions  
Regarding Non-rule Policy Challenges**

NONE

**Section X**

**Announcements and Objection Reports of  
the Joint Administrative Procedures  
Committee**

NONE

**Section XI**

**Notices Regarding Bids, Proposals and  
Purchasing**

NONE

**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., Thursday, February 14, 2019 and 3:00 p.m., Wednesday, February 20, 2019.

<b>Rule No.</b>	<b>File Date</b>	<b>Effective Date</b>
61D-6.0052	2/18/2019	3/10/2019
61G4-15.004	2/18/2019	3/10/2019
63M-2.090	2/15/2019	3/7/2019
64B8-3.002	2/19/2019	3/11/2019
64B8-8.0012	2/18/2019	3/10/2019

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

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION  
Siting Coordination Office**

**NOTICE OF INTENT TO ISSUE PROPOSED**

**MODIFICATION OF POWER PLANT CERTIFICATION**

The Florida Department of Environmental Protection (Department) hereby provides notice of an intent to modify the Power Plant Conditions of Certification issued pursuant to the Florida Electrical Power Plant Siting Act, Chapter 403.501 et seq., Florida Statutes, concerning: Hillsborough County Resource Recovery Facility, Power Plant Siting Application No. PA83-19, OGC Case No. 19-0215. On October 17, 2018, the Department received a petition to modify the Conditions of Certification for Hillsborough County Resource Recovery Facility from Hillsborough County pursuant to paragraph 403.516(1)(c), Florida Statutes, for approval to transport ash residue to a permitted facility for screening and storage. A copy of the proposed modification may be obtained by contacting the Siting Coordination Office, Department of Environmental

Protection, 2600 Blair Stone Rd., M.S. 5500, Tallahassee, Florida 32399-2400, (850)717-9000. Pursuant to subparagraph 403.516(1)(c)2., Florida Statutes, parties to the certification proceeding have 45 days from issuance of notice to such party's last address of record in which to object to the requested modification. Failure of any of the parties to file a response will constitute a waiver of objection to the requested modification. Any person who is not already a party to the certification proceeding and whose substantial interest is affected by the requested modification has 30 days from the date of publication of this public notice to object in writing. The written objection must be filed (received) with the Department's Agency Clerk in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, M.S. 35, Tallahassee, Florida, 32399-3000, (850)245-2242, fax: (850)245-2298, agency\_clerk@dep.state.fl.us. If no objections are received, then a Final Order approving the modification shall be issued by the Department.

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**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.

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