

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

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Health Facility and Agency Licensing**

RULE NO.: RULE TITLE:  
59A-9.035 Abortion Referral or Counseling Agency  
Registration

PURPOSE AND EFFECT: The Agency proposes to update this rule to clarify registration requirements for abortion referral or counseling agencies.

SUBJECT AREA TO BE ADDRESSED: The Agency will address registration requirements for abortion referral or counseling agencies.

RULEMAKING AUTHORITY: 390.025(5), FS.

LAW IMPLEMENTED: 390.025, FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: March 2, 2017, 10:00 a.m. - 11:00 a.m.

PLACE: Agency for Health Care Administration, Conference Room D, 2727 Mahan Drive, Building #3, Tallahassee, FL 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jessica Munn, Hospital & Outpatient Services Unit, 2727 Mahan Drive, Tallahassee, Florida, (850)412-4359.

Please note that a preliminary draft of the reference material is available at [http://ahca.myflorida.com/MCHQ/Health\\_Facility\\_Regulation/Hospital\\_Outpatient/abortion.shtml](http://ahca.myflorida.com/MCHQ/Health_Facility_Regulation/Hospital_Outpatient/abortion.shtml)

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59A-9.035 Abortion Referral or Counseling Agency Registration.

(1) Registration pursuant to this Rule is only required of registrants who are not exempt from registration pursuant to subsection 390.025(4), F.S., and who are paid for the particular purpose of providing advice or assistance to persons in obtaining abortions or in pursuing alternatives to abortion.

~~(2)(4)~~ All applicants requesting registration ~~for the operation~~ of an abortion referral or counseling agency under the provisions of Chapter 390, F.S., shall make application to the Agency on the Health Care Registration Licensing

~~Application~~, Abortion Referral or Counseling Agency, AHCA Form 3130-1020, February 2017 ~~July 2016~~, which is incorporated by reference. The form can be obtained at <https://www.flrules.org/Gateway/reference.asp?No=Ref-07440>, and from the Agency for Health Care Administration, Hospital and Outpatient Services Unit, Mail Stop #31, 2727 Mahan Drive, Tallahassee, Florida 32308 or on the ~~Agency~~ website at: <http://ahca.myflorida.com/HQALicensureforms>.

~~(3)(2)~~ A registration fee as listed on the application shall accompany each application for initial or renewal registration. The fee shall be made payable to the ~~Agency~~ and is not refundable.

~~(4)(3)~~ Each registration shall be valid only for the registrant licensee to whom it is issued and shall not be subject to sale, assignment, or other transfer, voluntary or involuntary, nor shall a registration be valid for any premises other than for which it was originally issued.

~~(5)(4)~~ A current registration shall be posted in a conspicuous place within the premises where it can be viewed by patients.

~~(6)(5)~~ A registration, unless sooner suspended or revoked, shall automatically expire two years from the date of issuance, and shall be renewable biennially upon application for renewal and payment of the fee prescribed by the application, provided that the applicant and abortion referral or counseling agency meet the requirements established under Chapter 390, F.S., and Rule Chapter 59A-9, F.A.C.

Rulemaking Authority 390.025(5) FS. Law Implemented 390.025 FS. History—New 10-24-16, Amended .

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RULE NO.: RULE TITLE:

62-621.250 General Conditions

PURPOSE AND EFFECT: The Department of Environmental Protection (DEP) gives notice that it is developing revisions to Chapter 62-621, F.A.C., Generic Permits, to implement new federal regulations that require the electronic reporting and sharing of Clean Water Act National Pollutant Discharge Elimination System (NPDES) program information (“E-reporting Rule”). The requirements of the Environmental Protection Agency’s (EPA) E-reporting Rule have previously been adopted by reference in Rule 62-620.100, F.A.C.

SUBJECT AREA TO BE ADDRESSED: Subsection 62-621.250(5), F.A.C., General Conditions for Generic Permits, will be revised to require the electronic submittal of information from NPDES regulated entities. Proposed subsection 62-621.250(5), F.A.C. would require the electronic submittal of NPDES information including Discharge Monitoring Reports (DMRs). Permittees covered by the Generic Permit for Discharges from Petroleum Contaminated Sites (subsection 62-621.300(1), F.A.C.), and the Multi-Sector

Generic Permit for Stormwater Discharge Associated with Industrial Activity (subsection 62-621.300(5), F.A.C.), would be required to electronically submit DMR monitoring data via the Department’s online business portal.

RULEMAKING AUTHORITY: 403.061, 403.087, 403.088, 403.0885 FS.

LAW IMPLEMENTED: 403.061, 403.087, 403.088, 403.0885 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: February 27, 2017 at 1:30 PM

PLACE: If requested, this workshop will be broadcast via webinar. Parties can register to attend the webinar via their personal computers with audio by telephone (regular long distance telephone charges will apply) or by speakers connected to their computer (no telephone charges will apply). Webinar registration is via <https://meet.lync.com/floridadep/abel.agosto/3BKFP65K>.

Alternatively, persons may view the webinar at the following location where staff will be present to accept comments: Department of Environmental Protection, Bob Martinez Bldg., Rm. 609, 2600 Blair Stone Rd., Tallahassee, FL 32399-2400.

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: Abel Agosto at (850)245-8603. 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: Abel Agosto, Florida Department of Environmental Protection, Division of Water Resource Management, 2600 Blair Stone Rd., MS 3545, Tallahassee, Florida, 32399-2400. Telephone (850)245-8603. E-mail [Abel.Agosto@dep.state.fl.us](mailto:Abel.Agosto@dep.state.fl.us). Further information and updates on this rule also may be obtained from the Department’s Web Site at: [http://www.dep.state.fl.us/water/rules\\_dr.htm#waste](http://www.dep.state.fl.us/water/rules_dr.htm#waste), (OGC No. 16-1310)

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

**DEPARTMENT OF HEALTH**

**Board of Opticianry**

RULE NO.: RULE TITLE:

64B12-15.008 Courses Without Classroom Instruction

PURPOSE AND EFFECT: The Board proposes an amendment to the Rule to address the approval period of courses without classroom instruction.

SUBJECT AREA TO BE ADDRESSED: Approval period of courses without classroom instruction.

RULEMAKING AUTHORITY: 456.013(7), (8), 484.005, 484.008(3) FS.

LAW IMPLEMENTED: 456.013(7), (8), 484.008(3) 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: Jennifer Wenhold, Executive Director, Board of Opticianry, Department of Health, 4052 Bald Cypress Way Bin C-08, Tallahassee, Florida 32399-3258.

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

**AGENCY FOR STATE TECHNOLOGY**

RULE NOS.: RULE TITLES:

74-1.001 Purpose and Applicability; Definitions

74-1.002 Risk and Complexity Assessment

74-1.003 Initiation

74-1.004 Planning

74-1.005 Execution

74-1.006 Monitoring and Controlling

74-1.007 Closeout

74-1.008 Compliance with the Florida Information Technology Project Management and Oversight Standards

74-1.009 Agency for State Technology (AST) Oversight

PURPOSE AND EFFECT: The purpose and effect of this rule development is to revise and simplify project management standards (and forms AST-F-0505A and AST-F-050B) that state agencies must comply with when implementing information technology projects.

SUBJECT AREA TO BE ADDRESSED: Project management standards for information technology projects.

RULEMAKING AUTHORITY: 282.0051(19), FS.

LAW IMPLEMENTED: 282.0051(3), FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: February 28, 2017, 2:00 p.m.

PLACE: First District Court of Appeal, 2000 Drayton Drive, Room 1183, Tallahassee, Florida 32399.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Lisa Hopkins at (850)412-6064. 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: Lisa Hopkins at (850)412-6064.

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

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## Section II Proposed Rules

### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

#### Board of Cosmetology

RULE NO.: 61G5-20.008  
 RULE TITLE: Employment of Applicants for Licensure as a Cosmetologist Prior to Licensure; Employment of Applicants for Registration as a Specialist Prior to Registration

PURPOSE AND EFFECT: The rule amendment updates and enumerates within the rule itself the responsibilities of salon and specialty license holders who choose to employ cosmetologists or specialists prior to licensure or registration.

SUMMARY: The proposed changes remove reference to repealed Rule 61G5-18.0055, F.A.C., and set forth in the rule text the specific responsibilities, requirements, and procedures for employment of a cosmetologist or specialist prior to licensure or registration.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described

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

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

RULEMAKING AUTHORITY: 477.016, 477.019(4), 477.0201(6), 477.025(2) FS.

LAW IMPLEMENTED: 477.019(4), 477.0201(6) 477.025(2) 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: Robyn Barineau, Executive Director, Board of Cosmetology, 2601 Blair Stone Road, Tallahassee, Florida 32399-0783.

THE FULL TEXT OF THE PROPOSED RULE IS:

61G5-20.008 Employment of Applicants for Licensure as a Cosmetologist Prior to Licensure; Employment of Applicants for Registration as a Specialist Prior to Registration.

(1) Holders of a cosmetology salon license who wish to permit an applicant for licensure as a cosmetologist by examination to perform cosmetology services in their salon pursuant to Rule 61G5-18.0055, F.A.C., shall:

(a) Prior to permitting an applicant to perform cosmetology services in their salon, obtain from the applicant proof that they have passed all parts of the examination for licensure as a cosmetologist within the two years as provided by Rule 61G5-18.004, F.A.C. a copy of the completed application for licensure by examination submitted to the Department by the applicant, and a copy of the notification by the Department to the applicant that he or she has been scheduled to take the licensure examination. The cosmetology salon license holder shall not permit an applicant to practice cosmetology or perform cosmetology services in the salon until after the date of the licensure examination as indicated on the notification from the Department.

~~(b) Upon learning or in any way becoming aware that an applicant who is performing cosmetology services in their salon pursuant to Rule 61G5-18.0055, F.A.C., has either failed to take the first licensure examination as scheduled by the Department, or has failed to achieve a passing grade on the first licensure examination taken by the applicant, immediately cease to permit the applicant to further perform cosmetology services until the applicant provides to the cosmetology salon license holder a copy of the completed application for reexamination submitted to the Department by the applicant for the next available licensure examination immediately following the licensure examination which the applicant failed to take or pass.~~

~~(c) Upon learning or in any way becoming aware that an applicant who is performing cosmetology services in their salon pursuant to Rule 61G5-18.0055, F.A.C., has either failed to take the next available licensure examination immediately following the licensure examination which the applicant failed to pass, immediately cease to permit the applicant to further perform cosmetology services until the applicant provides to the cosmetology salon license holder proof of having been issued a cosmetology license by the Department.~~

~~(d) Ensure that all cosmetology services performed by the applicant in the salon are performed in accordance with the conditions as set forth in Rule 61G5-18.0055, F.A.C.~~

~~(b)(e) Display in a conspicuous place at the cosmetology salon location in which the applicant performs cosmetology services under Rule 61G5-18.0055 a copy of the cosmetology examination passing certificate(s), completed application for licensure by examination submitted to the Department by the applicant, and a copy of the completed application for reexamination submitted to the Department by the applicant if such reexamination is required under Rule 61G5-18.0055, F.A.C.~~

(2) Holders of a cosmetology or specialty salon license who wish to permit an applicant for registration as a specialist to perform specialty services in their salon pursuant to Rule 61G5-29.004, F.A.C., or who wish to permit applicants for registration as a hair braider, ~~or hair wrapper, or body wrapper~~ to perform hair braiding, ~~or hair wrapping, or body wrapping~~ services in their salon pursuant to Rule 61G5-31.006, shall:

(a) prior to permitting an applicant to perform any specialty services or hair braiding, ~~or hair wrapping, or body wrapping~~ services in their salon, obtain from the applicant a copy of the completed application for registration that includes proof of successful completion of the education requirements and payment of the applicable fees submitted to the Department by the applicant;

(b) upon learning or in any way becoming aware that an applicant who is performing specialty services in their salon pursuant to Rule 61G5-29.004, F.A.C., or performing hair

braiding, ~~or hair wrapping, or body wrapping~~ services in their salon pursuant to Rule 61G5-31.006, F.A.C., has been notified that his or her application is incomplete, or has been determined by the Board to be not qualified for registration as a specialist, shall immediately cease to permit the applicant to further perform specialty services;

~~(c) ensure that all specialty services performed by the applicant in the salon are performed in accordance with the conditions as set forth in Rule 61G5-29.004, F.A.C., and all other applicable laws and Rules of the Board;~~

~~(d) ensure that all hair braiding and hair wrapping services performed by the applicant in the salon are performed in accordance with all applicable laws and Rules of the Board;~~

~~(c)(e) display in a conspicuous place at the cosmetology or specialty salon location in which the applicant performs specialty services pursuant to Rule 61G5-29.004, F.A.C., or hair braiding, or hair wrapping, or body wrapping services pursuant to Rule 61G5-31.006, a copy of the completed application for registration as a specialist or application for registration as a hair braider, or hair wrapper, or body wrapper submitted to the Department by the applicant.~~

~~Rulemaking Specific Authority 477.016, 477.019(4), 477.0201(6), 477.025(2) FS. Law Implemented 477.019(4), 477.0201(6) 477.025(2) FS. History—New 10-18-87, Amended 5-2-91, Formerly 21F-20.008, Amended 11-11-96, 12-21-97, 11-25-98, \_\_\_\_\_.~~

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Cosmetology

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 23, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 17, 2016

**DEPARTMENT OF ECONOMIC OPPORTUNITY**

**Division of Community Development**

RULE NO.:	RULE TITLE:
73C-26.022	Energy Assistance Benefits
73C-26.023	Client Eligibility
73C-26.024	Energy Payments
73C-26.025	Hearings

PURPOSE AND EFFECT: The Department seeks to streamline and clarify its rules related to its administration of the Low-Income Energy Assistance Act by moving information from Rule 73C-26.024, F.A.C., pertaining to energy payments into Rule 73C-26.022, F.A.C., concerning energy benefits. The Department seeks to amend Rule 73C-26.024, F.A.C., pertaining to eligibility to include the information contained in Rule 73C-26.025, F.A.C., regarding appeal rights. Rules 73C-26.024 and .025, F.A.C., will be repealed. In addition, the Department seeks to delete

paragraph (5)(f) of Rule 73C-26.023, F.A.C., in order to consider all households according to the same income factors for establishing eligibility.

SUMMARY: The amended and/or revised rules address the procedures governing the applications for participation under the Low-Income Energy Assistance Act.

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 agency has previously performed a review of the statutory requirements and determined that Rules 73C-26.022, .023, .024, .025, F.A.C., have no adverse impact or regulatory costs which exceed any of the criteria established in Section 120.541(2)(a), Florida Statutes. These rules are therefore expected be able to take effect without the need of being ratified by the Legislature.

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: 409.508, FS.

LAW IMPLEMENTED: 409.508, FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: March 8, 2017; 11:00 a.m.

PLACE: Department of Economic Opportunity, Caldwell Building, 107 E. Madison Street, Tallahassee, Florida 32399, Conference Room 110, and by teleconference by calling: 1(888)670-3525; Passcode: 9633615989 then #.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: M. Linville Atkins, Office of General Counsel, Department of Economic Opportunity, 107 East Madison Street, MSC 110, Tallahassee, Florida 32399, (850)245-7150.

THE FULL TEXT OF THE PROPOSED RULE IS:

73C-26.022 Energy Assistance Benefits and Energy Payments.

(1) through (4) No change.

(5) The Subgrantee shall make energy payments directly to the vendor on behalf of the eligible client. Only in cases where the Subgrantee cannot negotiate direct payment to the vendor will payment to the client be made in the form of a two party check payable to the client and vendor.

(6) The household must provide proof that it is responsible for paying the home energy cost. Fuel or energy types include electricity, fuel oil, kerosene, wood, natural gas, liquid propane or liquid propane gas. If the name on the bill/receipt is different from that of any member of the household, the relationship of the applicant to the fuel purchaser must be explained in the LIHEAP client files.

*Rulemaking Authority 409.508 FS. Law Implemented 409.508 FS. History—New 11-30-08, Formerly 9B-65.022, Amended \_\_\_\_\_.*

73C-26.023 Client Eligibility- and Appeals Process

(1) through (4) No change.

(5) The following income factors shall be used to calculate client eligibility:

(a) through (e) No change.

~~(f) Households receiving Supplemental Security Income (SSI) or Food Stamps or who have applied for and are currently eligible for Weatherization Assistance Program (WAP) or Community Services Block Grant (CSBG) funds are considered automatically eligible. This is used only as a method of determining income eligibility. Program benefits and eligibility policies apply regardless of the method of income documentation;~~

~~(f)(g)~~ No change.

~~(g)(h)~~ No change.

~~(h)(i)~~ No change.

(6) through (8) No change.

(9) Notice of whether an applicant is eligible to receive assistance must be sent to the applicant by first class mail or hand delivery.

(a) through (b) No change.

(10) Subgrantees are required to have written applicant appeal procedures which satisfy the requirements of 42 U.S.C. § 8624(b)(13). Appeal provisions must be posted in a prominent place in the office visible to all applicants.

*Rulemaking Authority 409.508 FS. Law Implemented 409.508 FS. History—New 11-30-08, Formerly 9B-65.024, Amended \_\_\_\_\_.*

73C-26.024 Energy Payments

*Rulemaking Authority 409.508 FS. Law Implemented 409.508 FS. History—New 11-30-08, Formerly 9B-65.024, Repealed \_\_\_\_\_.*

73C-26.025 Hearings.

Rulemaking Authority 409.508 FS. Law Implemented 409.508 FS. History—New 11-30-08, Formerly 9B-65.025, Repealed

NAME OF PERSON ORIGINATING PROPOSED RULE:  
M. Linville Atkins, Office of General Counsel  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Cissy Proctor  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 1/13/17  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: 2/3/17

**DEPARTMENT OF ECONOMIC OPPORTUNITY**

**Division of Community Development**

RULE NO.:	RULE TITLE:
73C-40.001	Definitions
73C-40.010	Forms
73C-40.016	Binding Letters of Interpretation
73C-40.0185	Preliminary Development Agreements
73C-40.021	Preapplication Conferences and Conceptual Agency Review Process
73C-40.022	Filing the Application for Development Approval
73C-40.024	Regional Report and Recommendations
73C-40.025	Local Government Development Orders
73C-40.0251	Abandonment of Development Orders
73C-40.0256	Hurricane Preparedness Policy Rule
73C-40.0257	Special Hurricane Preparedness Districts for Developments of Regional Impact
73C-40.028	Master Development Approval Alternative Review Procedure
73C-40.029	Downtown Development of Regional Impact Alternative Review Procedure

PURPOSE AND EFFECT: Chapter 380, F.S., creates the Florida Environmental Land and Water Management Act (“Act”), which provides for the protection of the state’s natural resources and environment and designates the Department as a land planning agency responsible for enforcing and administering the rules and regulations of the Act. Sections 380.032 and .06, F.S, confer rulemaking authority on the Department to adopt rules necessary to administer and implement the various provisions within the Act. The proposed amendments will better organize the information pertaining to development approval, alternative review, and hurricane preparedness. This will also improve ease of use by moving form references into the applicable rule and will delete unnecessary definitions.

SUMMARY: Amend and/or revise existing rules to create a single rule for each of the following subject areas: the processes for obtaining development approval; special district hurricane preparedness; and alternative review procedures. Repeal definitions already set forth in statute and amend

and/or revise Chapter 73C-40, F.A.C., to move individual form references to the applicable rule.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The agency has previously performed a review of the statutory requirements and determined that Rules 73C-40.001, .010, .016, .0185, .021, .022, .024, .025, .0256, .0257, .028, and .029, F.A.C., have no adverse impact or regulatory costs which exceed any of the criteria established in Section 120.541(2)(a), Florida Statutes. These rules are therefore expected be able to take effect without the need of being ratified by the Legislature.

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: 380.032(2), 380.06(19), (21), (23), (23), (26), 380.0651(4), FS.

LAW IMPLEMENTED: 120.569, 380.031, 380.032,(3), 380.06, 380.06(1), (2), (2)(c), (d), (e), (4), (5)(a)1., (7), (8), (9), (12), (13), (14), (15), (17), (18), (19), (20), (21), (22), (23), (23)(b), (26), 380.0651, (4), 380.07(2.), FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW(IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: March 7, 2017; 11:00 a.m.

PLACE: Department of Economic Opportunity, Caldwell Building, 107 E. Madison Street, Tallahassee, Florida 32399, Conference Room 110, and by teleconference by calling: 1(888)670-3525; Passcode: 9633615989 then #.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: M. Linville Atkins, Office of General Counsel, Department of Economic Opportunity, 107 East Madison Street, MSC 110, Tallahassee, Florida 32399, (850)245-7150, Linville.atkins@deo.myflorida.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

73C-40.001 Definitions.

Rulemaking Authority 380.032(2)(a), 380.06(23)(a) FS. Law Implemented 380, 380.031, 380.06(1), (23) FS. History—New 4-12-

81, Amended 5-4-83, Formerly 27F-1.01, 9B-16.01, Amended 11-20-90, 2-21-01, Formerly 9J-2.001-, Repealed \_\_\_\_\_.

#### 73C-40.010 Forms.

*Rulemaking Authority* 380.032(2)(a), 380.06(15)(c)4., (19)(f)1., (23)(a), (c)2., (26) *FS. Law Implemented* 380.031(13), 380.06(4)-(10), (15)(c)4., (18), (19), (23)(c)2., (26) *FS. History—New* 4-12-81, Amended 5-4-83, Formerly 27F-1.31, 9B-16.17, 9J-2.017, Amended 11-20-90, 3-23-94, 2-21-01, 6-1-03, Formerly 9J-2.010-, Repealed \_\_\_\_\_.

#### 73C-40.016 Binding Letters of Interpretation.

(1) If any developer is in doubt whether his proposed development is required to undergo DRI review or whether his development rights have vested pursuant to Section 380.06(20), F.S., or whether a proposed substantial change to a development of regional impact previously vested pursuant to Section 380.06(20), F.S., would divest such rights, the developer may file an application for a Binding Letter of Interpretation with the Division. Prior to submitting a formal application, the developer is encouraged to consult with the Division staff to insure that appropriate information is presented. The developer shall submit an application for a binding letter of interpretation by completing and filing with the Division Form DEO-BCP-BLID-1 (development of regional impact status), DEO-BCP-BLIVR-1 (vested rights), or DEO-BCP-BLIM-1 (substantial modification to a previously vested development), as appropriate and as identified in subsection (18) of this rule. These forms may be obtained upon request to any regional planning agency or to the Division of Community Planning Development, whose address is 107 East Madison Street, MSC 160, Caldwell Building, Tallahassee, Florida 32399-6545. The completed form shall be submitted to the Division of Community Development.

(2) through (17) No change.

(18) The following forms shall be used in implementing this rule and are available without cost from the regional planning council or from the Department at the following web address: <http://www.floridajobs.org/community-planning-and-development/programs/community-planning-table-of-contents/general-information>.

(a) Form Number DEO-BCP-BLID-1, Application for a Binding Letter of Development of Regional Impact Status, effective 11-20-90 (revised 10-1-11), is hereby incorporated by reference;

(b) Form Number DEO-BCP-BLIVR-1, Application for a Binding Letter of Vested Rights, effective 11-20-90 (revised 10-1-11), is hereby incorporated by referenced;

(c) Form Number DEO-BCP-BLIM-1, Application for a Binding Letter of Modification to a Development of Regional Impact with Vested Rights, effective 11-20-90 (revised 10-1-

11), is hereby incorporated by reference.

*Rulemaking Authority* 380.032(2)(a), 380.06(23)(a) *FS. Law Implemented* 120.569, 380.031, 380.032, 380.06(1), (2)(c), (d), (e), (4), (20), 380.0651 *FS. History—New* 4-12-81, Amended 5-4-83, Formerly 27F-1.16, 9B-16.16, Amended 11-20-90, 2-21-01, 6-1-03, \_\_\_\_\_, Formerly 9J-2.0016.

#### 73C-40.0185 Preliminary Development Agreements.

(1) through (5) No change.

(6)(a) If a developer proposes to abandon a PDA pursuant to Section 380.06(8)(a)11., F.S., notice shall be submitted by the developer to the Division, the local government of jurisdiction, and the regional planning agency indicating intent to abandon the PDA and to no longer pursue the development identified in the PDA as a DRI. Such notice shall be on Form DEO-BCP-ABANDON PDA-1, Notice of Intent to Abandon Preliminary Development Agreement, effective 11-20-90 (revised 10-1-11), and shall include, at a minimum, the following documentation:

1. through 7. No change.

8. Form DEO-BCP-ABANDON PDA-1, Notice of Intent to Abandon Preliminary Development Agreement, effective 11-20-90 (revised 10-1-11), is hereby incorporated by reference and may be obtained from the regional planning council or from the Department at the following web address: <http://www.floridajobs.org/community-planning-and-development/programs/community-planning-table-of-contents/general-information>.

(b) through (d) No change.

*Rulemaking Authority* 380.032(2)(a), 380.06(23)(a) *FS. Law Implemented* 380.032(3), 380.06(8), 380.0651(4) *FS. History—New* 1-29-86, Amended 7-2-86, 11-20-90, 2-21-01, 6-1-03, \_\_\_\_\_, Formerly 9J-2.0185.

#### 73C-40.021 Preparation, Filing, and Review of Applications for Development Approval. Preapplication Conferences and Conceptual Agency Review Process.

(1) Preapplication Conferences and Conceptual Agency Review Process.

(a)(1) No change.

(b) through (c) No change.

(d) In order to increase the effectiveness of agency participation and to more closely fulfill the intent of the preapplication conference, the applicant shall provide the participants in the preapplication conference with the information identified in Form DEO-BCP-PREAPP INFO-1 identified in subsection (4) of this rule at least ten (10) working days before the scheduled preapplication conference, or a longer period if so stipulated by the regional planning agency. At a minimum, this information shall include an identification of the project location relative to any existing

urban service areas and regional activity centers, whether a local comprehensive plan amendment will be required, the type and magnitude of land uses, preliminary site and environmental information, preliminary phasing and build out dates of the project, and specific methodology proposals. If this information is not made available within the allotted time prior to the preapplication conference, the conference will be rescheduled.

(e) through (g) No change.

(h)(2) No change.

(i)(3) No change.

(2) Filing the Application for Development Approval.

(a) In accordance with Sections 380.06(6), (7), and (10), F.S., the developer shall simultaneously file completed copies of an application for development approval using Form DEO-BCP-ADA-1 identified in subsection (4) below with the local government having jurisdiction, the appropriate regional planning agency, and the Division. Other copies of the application for development approval shall be distributed as agreed upon at the preapplication conference. Copies of the application, Form DEO-BCP-ADA-1, may be obtained from the Division or the regional planning agency. The application should be filed in accordance with the local government's applicable procedures and as early as possible in its planning or permitting approval processes.

1. If a proposed project includes two or more DRIs, a developer may file a comprehensive DRI application for development approval covering more than one DRI pursuant to Section 380.06(21)(a), F.S.

2. If a proposed development is planned for development over an extended period of time, the developer may file an application for master development approval of the project pursuant to Sections 380.06(21)(b) and (c), F.S., and Rule 73C-40.028, F.A.C.

3. A downtown development authority as defined in Section 380.031, F.S., may submit a downtown DRI application for development approval pursuant to Section 380.06(22), F.S., and Rule 73C-40.028, F.A.C.

4. Any person may submit a petition to a local government requesting that he be approved as a developer of an areawide DRI. If approved by the local government with jurisdiction over the area concerned in the petition, that person, or any general purpose local government, may submit an areawide DRI application for development approval pursuant to Section 380.06(25), F.S., and Chapter 9J-3, F.A.C.

5. A developer may submit an application for development designation as a Florida Quality Development pursuant to Section 380.061, F.S., and Chapter 73C-42, F.A.C.

6. If a developer has elected to proceed in a conceptual agency review process, then he must submit copies of the application for development approval to all state or regional

agencies which are to participate in the review process. The application shall include additional information identified by state or regional permitting agencies as provided for in Sections 380.06(9)(c)1. and 2., F.S.

(b) If requested by the applicant, the regional planning agency may contract with the applicant to provide responses to certain questions in the application for development approval for which the regional planning agency has specific data, knowledge, or staff expertise.

(c) Pursuant to Section 380.06(10), F.S., the regional planning agency shall make a determination as to the sufficiency of the information contained in the application. The regional planning agency may solicit comments from other state, regional, and local agencies and governments regarding sufficiency of application information.

1. Information should be considered sufficient when it has been presented in a manner which allows the reviewing agencies to assess the impacts of the proposed development. A determination of sufficiency does not necessarily indicate that the regional planning agency or other reviewing agencies agree with the information and conclusions presented in the application.

2. Reviewing agencies should submit sufficiency comments to the applicant at the same time the comments are submitted to the regional planning agency so that the applicant can begin to prepare a response to the concerns before receipt of the formal sufficiency determination. The regional planning agency shall provide copies of agency requests for additional information and the applicant's responses to the Division, the local government and all reviewing agencies to expedite review and enhance coordination within the review process.

3. If the regional planning agency determines that the application is insufficient to begin review, the regional planning agency shall provide written notice by regular mail or hand delivery to the appropriate local government and the applicant within 30 days of receipt of the application stating that the application contains insufficient information for the regional planning agency to discharge its responsibilities under Section 380.06(12), F.S., and requesting additional information. Comments and questions not referenced or included within the written notice and rendered to the applicant after the regional planning agency's 30-day review period has expired may not be used as the basis for additional sufficiency questions and may be answered at the applicant's discretion. Within five working days of the receipt of the statement the applicant shall provide written notice to the local government and the regional planning agency that the requested information will be supplied, or will not be supplied, in whole or in part. Within 30 days after receipt of the requested information, the regional planning agency shall review it and may only request any additional information

needed to clarify the information received or to answer new questions raised by, or directly related to, the information received. The regional planning agency may request additional information no more than twice, unless the developer waives this limitation. If the applicant does not provide information requested by the regional planning agency within 120 days of the regional planning agency's request, or within a time agreed upon by the applicant and the regional planning agency, the application shall be considered withdrawn. The applicant may request that the regional planning agency arrange a conference with the appropriate reviewing agencies after the applicant has received the second request for additional information from the regional planning agency and prior to the submission by the applicant of information in response to that request. The purpose of such a conference is to resolve any reviewing agency's informational needs.

4. When the regional planning agency determines that the application is sufficient to begin review or receives notification from the applicant that additional information requested will not be supplied, the regional planning agency shall provide written notice within ten (10) days to the appropriate local government pursuant to Section 380.06(10)(c), F.S., stating that the application contains sufficient information for the regional planning agency to begin review pursuant to the criteria of Section 380.06(12), F.S., or that no additional information will be provided by the applicant, and that a public hearing date may be set. Notice of such determination shall also be provided to all reviewing agencies.

5. The regional planning agency shall keep all affected agencies informed of the progress of the DRI review process and otherwise coordinate reviews of DRIs.

a. To further effectuate these review processes, the regional planning agency may encourage additional conferences, the development of permit processing schedules with other agencies, concurrent processing of applications, the use of the DRI application for development approval as a substitute for permit data requirements or plans, and other appropriate techniques.

b. No later than May 15 of each year beginning in 1984, each regional planning agency shall forward a report of state, regional and local agency participation in the DRI review process within the region for the preceding year to the Division. This report shall include Form DEO-BCP-AGENCIES-1 identified in subsection (4) of this rule and shall contain data about requests for, and the incidence and extent of, agency participation in DRI and optional conceptual reviews.

(3) Regional Report and Recommendations.

(a) Upon receipt of the notice of public hearing issued pursuant to Section 380.06(11), F.S., the appropriate regional

planning agency shall prepare a report and recommendations on the regional impact of the proposed development in accordance with the criteria identified in Section 380.06(12), F.S. In preparing the regional report, the regional planning agency shall identify and make recommendations on regional issues. Regional issues to be used in reviewing DRI applications are included in the applicable local government comprehensive plans, the Development of Regional Impact Uniform Standards Rule, the State Comprehensive Plan, and Sections 380.06(12)(a)1., 2., and 3., F.S. In addition, Strategic Regional Policy Plans adopted by regional planning councils pursuant to Sections 186.507 and .508, F.S., are a long-range policy guide for the development of the region and shall be used as the basis for regional review of DRIs. The regional planning agency may also identify and make recommendations on other local issues. However, local issues shall not be grounds for or be included as issues in a regional planning agency recommendation for appeal of a local government development order.

(b) The regional planning agency may request other agencies to prepare reports and recommendations on issues that are clearly within their jurisdiction. If any other agency reports and recommendations are received, they shall be included in the regional planning agency report pursuant to Section 380.06(12)(b), F.S. The regional planning agency may then attach dissenting views.

(c) The regional planning agency shall afford any substantially affected party the opportunity to present evidence to the regional planning agency head related to the proposed regional report and recommendations.

(d) As part of the regional report and recommendations, the regional planning agency may prepare a short summary of conclusions and recommendations for the purpose of providing easy-to-read public information about the DRI. The regional planning agency may also address the consistency of the development with the State Comprehensive Plan, the State Land Development Plan, and the local government comprehensive plan.

(e) Copies of the completed report and recommendations shall be submitted by the regional planning agency to the local government, the Division, and the developer within 50 days after receipt by the regional planning agency of notice of public hearing.

(f)1. When the proposed DRI lies within the review jurisdiction of two or more regional planning agencies, the state land planning agency shall designate a lead regional planning council. The lead regional planning council shall prepare the regional report.

2. Upon completion of the staff report and recommendations, copies should be transmitted to the respective regional planning agencies for formal action.

3. The regional report and recommendations adopted by formal action of the respective regional planning agencies where possible should be coordinated and consistent. Upon concurrence by each regional planning agency, the report and recommendations should be submitted to the appropriate local governments pursuant to Section 380.06(12), F.S. When the reviewing regional planning agencies are unable to concur in the adoption of a joint report and recommendations, each agency shall prepare and submit to the local government within its jurisdiction and the other regional planning agencies and local governments with jurisdiction involved in the DRI review a separate report and recommendations.

(4) The following forms shall be used to implement the requirements in this rule and are available without cost from the regional planning council or from the Department at the following web address: <http://www.floridajobs.org/community-planning-and-development/programs/community-planning-table-of-contents/general-information>.

(a) Form Number DEO-BCP-ADA-1, Developments of Regional Impact Application for Development Approval, effective 11-20-90 (revised 10-1-11), is hereby incorporated by reference;

(b) Form Number DEO-BCP-AGENCIES-1, Report of Agency Participation in Development of Regional Impact Preapplication Conferences, effective 11-20-90 (revised 10-1-11), is hereby incorporated by reference; and

(b) Form Number DEO-BCP-PREAPP INFO-1, specifying the minimum information to be supplied by the applicant at the preapplication conference, effective 11-20-90 (revised 10-1-11), is hereby incorporated by reference.

*Rulemaking Authority 380.032(2)(a), 380.06(23)(a),(b) FS. Law Implemented 380.06(5)-(7), (9),(10), (12), (21)-(23), (25), 380.061, FS. History—New 7-7-76 and 5-4-83, Amended 5-4-83 Formerly 9B-16.21, Amended 11-20-90, 2-21-01, 6-1-03, \_\_\_\_\_, Formerly 9J-2.021.*

73C-40.022 Filing the Application for Development Approval.

*Rulemaking Authority 380.032(2)(a), 380.06(23)(a) FS. Law Implemented 380.06(5)-(7), (9), (10), (21), (22), (25), 380.061 FS. History—New 7-7-76, Amended 5-4-83, Formerly 27F-1.20, 9B-16.22, Amended 11-20-90, 2-21-01, Formerly 9J-2.022-, Repealed \_\_\_\_\_.*

73C-40.024 Regional Report and Recommendations.

*Rulemaking Authority 380.032(2)(a), 380.06(23)(a), (b) FS. Law Implemented 380.06(12) FS. History—New 7-7-76, Amended 5-4-83, Formerly 27F-1.22, 9B-16.24, Amended 11-20-90, 2-21-01, 6-1-03, Formerly 9J-2.024-, Repealed \_\_\_\_\_.*

73C-40.025 Local Government Development Orders.

(1) through (6) No change.

(7) The development order shall specify the requirements for the biennial report as required in Sections 380.06(15) and (18), F.S. The biennial report shall be submitted to the Division of Community Development, the appropriate regional planning council and local government on Form DEO-BCP-BIENNIAL REPORT-1 identified in subsection (12) below. Every development order shall require the biennial report to include the following:

(a) through (k) No change.

(l) The biennial report for an Areawide or a Downtown DRI shall only be required to include the information required in paragraphs (a), (b), (e), (f), (g), (i), (j) and (k) of this subsection, and any information requirements specified for biennial reports in paragraph 73C-40.028(2)(b) 4.-5., F.A.C.

(8) through (10) No change.

(11)(a) For a substantial deviation determination, a notice of a proposed change to a previously approved DRI shall be submitted, simultaneously, to the local government, the appropriate regional planning agency, and the Division using Form DEO-BCP-PROPCCHANGE-1 identified in subsection (12) below and must include the precise development order language which the developer proposes to add, delete, or modify. If such proposed language is not included as required pursuant to Section 380.06(19)(f)1., F.S., the notice of a proposed change will not be considered to have been officially submitted.

(b) through (f) No change.

(12) The following forms shall be used to implement this rule. Copies are available from the regional planning council or from the Department at the following web address: <http://www.floridajobs.org/community-planning-and-development/programs/community-planning-table-of-contents/general-information>.

(a) Form Number DEO-BCP-BIENNIAL REPORT-1, Biennial Status Report, effective 6-1-03 (revised 10-1-11), is

hereby incorporated by reference; and

(b) Form Number DEO-BCP-PROPCHANGE-1, Notification of a Proposed Change to a Previously Approved Development of Regional Impact, effective 11-20-90 (revised 10-1-11), is hereby incorporated by reference.

*Rulemaking Authority 380.032(2)(a), 380.06(19)(f)1., (23)(a) FS. Law Implemented 380.06(5)(a)1., (13), (14), (15), (17), (18), (19), 380.07(2) FS. History—New 7-7-76, Amended 5-4-83, 7-7-85, Formerly 22F-1.23, 27F-1.23, 9B-16.25, 9J-2.25, Amended 11-20-90, 2-21-01, 6-1-03, \_\_\_\_\_, Formerly 9J-2.025.*

73C-40.0251 Abandonment of Development Orders.

(1) No change.

(2) Procedures and Requirements for Abandonment. The following procedures and requirements shall be followed when seeking the abandonment of an approved DRI:

(a) Pursuant to Section 380.06(26), F.S., the developer shall submit a completed copy of an Application for Abandonment of a Development of Regional Impact to the local government(s) having jurisdiction. Copies of the application shall be simultaneously filed with the appropriate regional planning agency and the Division. The regional planning agency will distribute copies of the completed application to the appropriate commenting agencies normally involved in the DRI review. Copies of the Application for Abandonment of a Development of Regional Impact, FORM DEO-BCP-ABANDON-DRI-1, incorporated herein by reference, effective 3/91, (renumbered 10-01-11), may be obtained from either the appropriate regional planning agency or the Division at the following web address: <http://www.floridajobs.org/community-planning-and-development/programs/community-planning-table-of-contents/general-information> or the appropriate regional planning agency.

(b) through (e) No change.

(3) through (5) No change.

*Rulemaking Authority 380.032(2)(a), 380.06(23)(a), (26) FS. Law Implemented 380.06(2), (26) FS. History—New 3-10-91, Amended 2-21-01, 6-1-03, \_\_\_\_\_, Formerly 9J-2.0251.*

73C-40.0256 Hurricane Preparedness Policy Rule; Special Hurricane Preparedness Districts

(1) Purposes.

(a) This rule establishes how the Department will evaluate the impacts of proposed development on hurricane preparedness in the review of applications for a binding letter of interpretation of development of regional impact (DRI) status, in the review of proposed DRI development agreements, in the review of conditions in DRI development orders, and in the review of applications for development

approval (ADA).

(b) A county or region may be designated a “special hurricane preparedness district” based on unique regional hurricane preparedness considerations. Such a designation may allow a county or region to implement hurricane preparedness mitigation strategies for developments of regional impact which may not be deemed appropriate as identified in subsection (5) below. Additionally, vertical evacuation may be employed by developments of regional impact within a special hurricane preparedness district if such a strategy has been identified as an acceptable mitigation alternative in a petition to the Department for designation. It is the intent of this rule that a special hurricane preparedness district shall not be designated on an individual project or municipal government basis.

(2) Definitions. As used in this rule:through

(a) through (c) No change.

(d) “Hurricane evacuation routes” means the routes designated by county emergency management officials that have been identified with standardized statewide directional signs by the Florida Department of Transportation, or are identified in the regional hurricane evacuation study for the movement of persons to safety in the event of a hurricane. ~~The Pursuant to paragraph 73C 40.0255(4)(d), F.A.C. the~~ Department considers hurricane evacuation routes to be regionally significant roadways.

(e) through (j) No change.

(k) “Local Comprehensive Emergency Management Plan” means those plans developed by a county ~~according to the provisions of Chapter 9G-6, F.A.C.,~~ under the authority provided in Section 252.38, F.S.

(l) through (q) No change.

(3) through (4) No change.

(5) Mitigation of Hurricane Preparedness Impacts. Due to the extreme vulnerability of the State of Florida to the impacts of hurricanes, the Department considers public hurricane shelters and hurricane evacuation routes as important public facilities that are required to insure the health, safety, and welfare of the residents of the state. In order to implement this policy, it is the intent of the Department to set forth in this rule hurricane preparedness conditions which, if included in a DRI development order and which ensure that the development’s anticipated regional hurricane preparedness impacts are mitigated in a timely manner, would be deemed by the Department to comply with the requirements of Section 380.06(15)(e)2., F.S.. Such conditions would therefore not be the basis for the appeal of the development order by the Department on issues related to hurricane preparedness. The Department will review mitigative measures for all ADA proposals and DRI development orders that are determined to have a substantial impact on regional hurricane preparedness

based on the criteria identified in subsection (4) above. Pursuant to Section 380.06(15)(e)2., F.S., a DRI development order issued by a local government must make adequate provisions for the public facilities needed to accommodate the impacts of the proposed development. Any single or combination of mitigative techniques detailed in paragraphs (a) and (b) below must provide for mitigation equivalent to the proposed development's anticipated hurricane preparedness impacts. However, nothing contained herein shall preclude the local government from including hurricane preparedness conditions in a development order that are more stringent than those detailed in paragraphs (a) and (b) below.

(a) No change.

(b) Techniques which shall be used singly or in concert pursuant to the provisions of subsection (5) above to mitigate the anticipated impact of a proposed development on hurricane evacuation are:

1 through 2. No change.

3. Provision of roadway capacity improvements committed to by the developer above and beyond the improvements otherwise required by ~~Rule 73C 40.045, F.A.C.~~, when those regional roadways anticipated to be impacted by the proposed development are also identified hurricane evacuation routes. Such provisions shall be consistent with adopted state, regional, and local infrastructure policies.

4. through 5. No change.

(c) No change.

(6) Vertical Evacuation. Vertical Evacuation is not an acceptable mitigation alternative unless it has been deemed an appropriate mitigation alternative in a designated special hurricane preparedness district pursuant to subsection (8) below. ~~Rule 73C 40.0257, F.A.C.~~ Any development order which requires utilization of vertical evacuation in order to mitigate a development's identified hurricane preparedness impacts may be subject to appeal by the Department.

(7) No change.

(8) Designation of Special Hurricane Preparedness Districts. A county or region must petition the Department in writing in order to be considered for designation as a special hurricane preparedness district. Such a request shall identify why the county or region should be designated and establish what types of hurricane preparedness mitigation measures will be applied to developments of regional impact within the district. The request shall be based on unique regional hurricane preparedness considerations which have been identified as a major regional issue and addressed with appropriate policies in an adopted comprehensive regional policy plan, in an adopted comprehensive plan or adopted hurricane preparedness ordinance, or in the adopted management plans or principles for guiding development for

those areas designated by the Legislature at the recommendation of the Department pursuant to Sections 380.045 and 380.05, F.S., respectively. In addition, the request for designation should be based on, but not limited to, the following types of generalized regional or county considerations:

(a) The overall land elevation and the amount of area anticipated to flood during a hurricane event;

(b) The transportation system and its ability to transport residents to safe areas within a reasonable time;

(c) Less than twenty percent of a county's or region's hurricane shelters are available to the population during a 100-year or category three hurricane event; and

(d) The percentage of the total population anticipated to evacuate.

(9) Upon receiving a petition requesting designation as a special hurricane preparedness district from a county or region, the Department shall have thirty (30) days to notify the petitioner whether sufficient information regarding the need for designation and the acceptability of proposed mitigative measures has been submitted in the petition or if additional information is required. A petition for a special hurricane preparedness district designation is complete when the Department determines that all documentation and information it finds necessary to evaluate the request has been provided. The Department shall determine if the special hurricane preparedness district designation is appropriate within 45 days after receipt of a complete petition. If the request for designation is deemed inappropriate by the Department, a written response shall be sent to the petitioner identifying why designation was found to be inappropriate. If the petition for designation is deemed appropriate by the Department, a written notification shall be sent to the petitioner indicating the Department's intention of amending this rule to incorporate the special designation. The designation shall not become effective until the rule has been amended. The Department's designation shall also identify the hurricane preparedness mitigation alternatives that are deemed appropriate for developments of regional impact within the special hurricane preparedness district based on the unique regional considerations which were identified in the petition. In counties or regions that have been designated as special hurricane preparedness districts, the developer of a development of regional impact shall have the option to mitigate regional hurricane preparedness impacts as detailed in subsections (4) through (6) of this rule. However, if the developer of a development of regional impact chooses to mitigate regional hurricane preparedness impacts by using the alternatives identified in the special hurricane preparedness district designation, the DRI development order must include a provision that requires that all deeds to property located within

the proposed development be accompanied by a disclosure statement. The disclosure statement must be in the form of a covenant stating that the property is located in a hurricane vulnerability zone and that the hurricane evacuation clearance time for the county or region is high and/or hurricane shelter spaces are limited.

(10) Designation of Southwest Florida as a Special Hurricane Preparedness District for Developments of Regional Impact. Based on a written request supported by data and information received from the Southwest Florida Regional Planning Council, the Department designates the area contained within the category three hurricane flood zone as identified in the Hurricane Evacuation Study Update, 1995 Southwest Florida Regional Planning Council within the counties of Sarasota, Charlotte, Lee, and Collier as a special hurricane preparedness district for developments of regional impact. More specifically, the area that is designated as a special hurricane preparedness district for developments of regional impact is that portion of Southwest Florida that lies outside of areas subject to the impacts of a category two storm but within the area anticipated to be impacted by a category three hurricane as identified in the Hurricane Evacuation Study Update, 1995 Southwest Florida Regional Planning Council. The Department's designation is based on the following facts regarding the coastal counties of Southwest Florida:

(a) Large portions of the land area are anticipated to flood during a category three hurricane event;

(b) More than 70 percent of the region's population is vulnerable to a category three hurricane event;

(c) A large percentage of the region's population is aged or infirmed;

(d) Regional evacuation times are extremely high and major interregional evacuation routes are limited and/or prone to flooding during a hurricane event;

(e) Less than 20 percent of the region's public hurricane shelter spaces are available to the population during a category three hurricane event;

(f) Adjacent inland county public shelter space is limited; and

(g) Large portions of the region are vested for development through Chapters 163 and 380, F.S., development orders and vested rights determinations.

(11) Mitigation of Hurricane Preparedness Impacts Within the Designated Special Hurricane Preparedness District of Southwest Florida. Mitigation of regional hurricane preparedness impacts within the designated Special Hurricane Preparedness District of Southwest Florida may be mitigated consistent with subsections (4) through (6) of this rule. If a DRI developer within the designated special hurricane preparedness district chooses not to mitigate a development's

regional hurricane preparedness impacts consistent with subsections (4) through (6) of this rule, the following mitigative criteria must be met:

(a) The DRI development order must incorporate those requirements identified in this rule.

(b) The first finished floor of all residential units shall be elevated above the anticipated category three flood level as identified by the regional hurricane evacuation study or all residential development with finished first floor levels below the anticipated category three flood level shall provide onsite shelter facilities where it is determined that the necessary evacuation roadway or public hurricane shelter capacity is unavailable or inadequate according to the regional hurricane evacuation study.

(c) All residential development shall provide shelter space at a ratio consistent with Rule 73C-40.0256, F.A.C., in common areas or other shelter areas.

(d) Mobile home developments shall have onsite storm evacuation centers with sufficient structural characteristics, warning systems, and evacuation procedures consistent with the requirements identified in subparagraph (5)(b)1. above for the resident population in the event of a hurricane.

(e) All onsite shelters within the category three hurricane evacuation zone shall be elevated to the anticipated category three flood level, be constructed to withstand winds of at least 120 miles per hour, be equipped with emergency power and potable water supplies, be constructed with a minimum of exterior glass, while providing adequate protection by shutters or boards for any glass used, and, have adequate ventilation, sanitary facilities, and first-aid equipment.

*Rulemaking Authority 380.032(2)(a), 380.06(23)(a), (b), (c)1. FS. Law Implemented 380.06(23)(b) FS. History—New 11-30-88, Amended 7-11-90, 2-21-01, \_\_\_\_\_, Formerly 9J-2.0256.*

73C-40.0257 Special Hurricane Preparedness Districts for Developments of Regional Impact.

*Rulemaking Authority 380.032(2)(a), 380.06(23)(a), (b), (c)1. FS. Law Implemented 380.06, 380.06(23)(b) FS. History—New 11-30-88, Amended 7-11-90, 2-21-01, Formerly 9J-2.0257, Repealed*

73C-40.028 Alternative Review Procedures. ~~Master Development Approval Alternative Review Procedure.~~

(1) Master Development Approval Alternative Review Procedure.

- (a)(1) No change.
- (b)(2) No change.
- (c)(3) No change.
- 1.(a) No change.
- 2.(b) No change.
- 3.(e) No change.
- 4.(d) No change.
- 5.(e) No change.
- (d)(4) No change.
- (e)(5) No change.

(2) Downtown Development of Regional Impact Alternative Review Procedure.

(a) A downtown development authority may submit a downtown DRI application for development approval pursuant to Section 380.06(22), F.S and paragraph 73C-40.021, F.A.C.

(b) In addition to the requirements specified in Section 380.06(22), F.S., the following shall apply:

1. Upon request of the downtown development authority, the regional planning agency shall request that representatives of local government with jurisdiction over the land area participate in the preapplication conference arranged pursuant to Section 380.06(7), F.S., and Rule 73C-40.021, F.A.C.:

2. Questions in the application for development approval that are not appropriate for a downtown development area may be eliminated from the application by agreement between the regional planning agency and the downtown development authority pursuant to Section 380.06(7), F.S., and adopted rules of the regional planning agency.

3. In addition to the requirements for a development order specified in Sections 380.06(15) and (22), F.S., and Rule 73C-40.025, F.A.C., the development order shall specify a procedure for monitoring:

a. The amount of land use development occurring in each land use category pursuant to Section 380.06(22)(b), F.S.

b. The remaining capacities in public facilities and services and the condition of natural resources or archaeological or historical resources that are impacted by, or are pertinent to, the approved downtown development

application and development order.

4. In addition to the requirements for the biennial report pursuant to Section 380.06(15)(c), F.S., and subsection 73C-40.025(7), F.A.C., the biennial report for an approved downtown DRI shall include:

a. A comparison of the amount of development approved in each land use category and the amount of land use actually developed as of the end of the year; and

b. A comparison of the remaining capacities in public facilities and services and the conditions of natural resources or archaeological or historical resources with the projected needs and impacts of the yet undeveloped land uses approved in the downtown development application and development order.

5. By written agreement the Division, the local government with jurisdiction, the downtown development authority and the regional planning agency may agree to eliminate or modify the requirements for the biennial report established in subsection 73C-40.025(7), F.A.C., which are not appropriate for a downtown DRI application.

(3) Forms.

The following forms shall be used to implement this rule and are available from the regional planning agency or from the Department at the following web address: <http://www.floridajobs.org/community-planning-and-development/programs/community-planning-table-of-contents/general-information>.

(a) Form Number DEO-BCP-ADA-1, Developments of Regional Impact Application for Development Approval, effective 11-20-90 (revised 10-1-11), is hereby incorporated by reference;

(b) Form Number DEO-BCP-ADA-2, Development of Regional Impact Short Form Application for Development Approval, effective 3-23-94 (revised 10-1-11), is hereby incorporated by reference;

(c) Form Number DEO-BCP-AGENCIES-1, Report of Agency Participation in Development of Regional Impact Preapplication Conferences, effective 11-20-90 (revised 10-1-11), is hereby incorporated by reference;

(d) Form Number DEO-BCP-PREAPP INFO-1, specifying the minimum information to be supplied by the applicant at the preapplication conference, effective 11-20-90 (revised 10-1-11), is hereby incorporated by reference;

(e) Form Number DEO-BCP-BIENNIAL REPORT-1, Biennial Status Report, effective 6-1-03 (revised 10-1-11), is hereby incorporated by reference; and

(f) Form Number DEO-BCP-EFFECTIVE RULES-1, Notification to be Bound By Rules Adopted Pursuant to Chapters 403 and 373, F.S., In Effect When the Development Order Is Issued, effective 11-20-90 (revised 10-1-11), is hereby incorporated by reference.

Rulemaking Authority 380.032(2)(~~a~~), 380.06(21)(c) and (23)(~~a~~) FS. Law Implemented 380.06(21) and (22) FS. History—New 7-7-76 and Amended 5-4-83, Formerly 27F-1.24, 9B-16.28, Amended 11-20-90, 6-1-03, \_\_\_\_\_, Formerly 9J-2.028.

73C-40.029 Downtown Development of Regional Impact Alternative Review Procedure.

Rulemaking Authority 380.032(2), 380.06(23) FS. Law Implemented 380.06(22) FS. History—New 5-4-83, Formerly 9B-16.29, Amended 11-20-90, 6-1-03, Formerly 9J-2.029, Repealed \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
M. Linville Atkins  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Cissy Proctor  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 1/3/2017  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: 1/23/2017

**DEPARTMENT OF ECONOMIC OPPORTUNITY**  
**Division of Community Development**

RULE NO.: RULE TITLE:  
73C-41.019 Action to Require Local Government to Submit Land Development Regulations for Review  
73C-41.020 Action to Review Land Development Regulations  
73C-41.021 Action if Local Government Has Failed to Adopt the Required Land Development Regulations

PURPOSE AND EFFECT: The proposed amendments/revisions will create a single rule on the subject of land development regulations.

SUMMARY: The subject area to be addressed with the rule revisions/amendments is the review of land development regulations.

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 agency has previously performed a review of the statutory requirements and determined that Rules 73C-41.019-

.021, F.A.C., have no adverse impact or regulatory costs which exceed any of the criteria established in Section 120.541(2)(a), Florida Statutes. These rules are therefore expected be able to take effect without the need of being ratified by the Legislature.

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: 163.3202(5), FS.  
LAW IMPLEMENTED: 163.3202, FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: March 9, 2017; 10:00 a.m.  
PLACE: Department of Economic Opportunity, Caldwell Building, 107 E. Madison Street, Tallahassee, Florida 32399, Conference Room 110, and by teleconference by calling: 1(888)670-3525; Passcode: 9633615989 then #.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: M. Linville Atkins, Office of General Counsel, Department of Economic Opportunity, 107 East Madison Street, MSC 110, Tallahassee, Florida 32399, (850)245-7150, Linville.atkins@deo.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

73C-41.019 Actions for Review of Local Government Land Development Regulations ~~Action to Require Local Government to Submit Land Development Regulations for Review.~~

(1) The Department ~~may~~ shall require a local government to submit one or more land development regulations ~~for review~~ if it has reasonable grounds to believe that ~~a~~ the local government has totally completely failed to adopt any one or more of the regulations required by Section 163.3202, F.S.

(2) Reasonable Grounds. The Department shall consider that reasonable grounds exist only if the Department of Economic Opportunity, Division of Community Development, has received a letter stating facts which show that the local government has completely failed to adopt one or more of the regulations required by Section 163.3202(2), F.S., within one year after submission of its revised comprehensive plan for review pursuant to Section 163.3191, F.S. ~~163.3167(2), F.S., or if the Department has received a letter stating facts which show that the local government has totally failed to adopt one or more of the regulations required by Section 163.3202.~~ The letter shall include the name, address, telephone number and signature of the sender and shall provide any relevant background documentation and specific reasons for the assertion that the required regulations have not been adopted.

~~(a)(3)~~ If the Department has reasonable grounds to believe that a local government has totally completely failed to adopt one or more of the ~~land development~~ regulations required by Section 163.3202, F.S., the Department ~~may shall~~ mail a certified letter, return receipt requested, to the chief local elected official requiring the local government to transmit two copies of its adopted ~~whatever land development~~ regulations ~~have been adopted~~, including regulations of other agencies if incorporated into the local government's regulations development approval system, to the Department of Economic Opportunity, Division of Community Development, within 30 calendar days from receipt of the letter from the Department. The ~~land development~~ regulations submitted must include copies of any separate adopting or enabling legislation. All copies of regulations and legislation must be certified as true and correct copies of the originals by the city or county clerk.

~~(b)(4)~~ The local government shall respond to the Department's letter ~~If the local government has not adopted the required land development regulations, it shall respond to the Department's send a letter to the Department of Economic Opportunity, Division of Community Development, within 30 calendar days from receipt of the letter indicating either: that the that the regulations have not been adopted. The letter shall state what actions the local government has already taken to develop and adopt the required regulations and shall include a schedule approved by formal action of the local governing body for adoption of the regulations. The schedule must provide for the adoption of the required regulations within 120 calendar days from receipt of the Department's initial letter requesting copies of the regulations unless the Department agrees to refrain from taking further action for an additional period of time during the 120 day period. If the local government requests that the Department refrain from taking further action, the Department will respond to that request within 14 calendar days of receipt of the request. The Department shall not agree to refrain from taking further action for an additional period of time unless there is substantial evidence that the local government is unable to adopt the regulations within the 120 day period.~~

1. The regulations have been adopted, and submit two copies of the required regulations, including copies of any separate adopting or enabling legislation, to the Department of Economic Opportunity, Division of Community Development. All copies of regulations and legislation must be certified as true and correct copies of the originals by the city or county clerk; or

2. The actions the local government has already taken or will take to develop and adopt the required regulations and shall include a schedule approved by formal action of the local governing body for adoption of the regulations. The schedule must provide for the adoption of the required regulations

within 120 calendar days from receipt of the Department's initial letter requesting copies of the regulations. The local government may request an extension of time from the Department during the 120 day period. If the local government requests an extension of the 120 days, the Department must grant or deny the extension within 14 calendar days of receipt of the request. The Department shall not grant an extension unless substantial evidence exists that the local government is unable to adopt the regulations within the 120 day period. Upon adoption of the regulations pursuant this subsection, the local government shall transmit the adopted regulations in accordance with subsection (2)(b)1.

~~(3)(5)~~ Once the local government transmits the adopted regulations, as provided above, the Department shall have 30 calendar days from receipt of the regulations to determine whether the local government has totally complied with the requirements of section 163.3202, F.S.

(4) Upon receipt of the adopted regulations, the Department shall consult with appropriate local government officials during this period to assure that the local government has opportunities to discuss any of the regulations in question. The review shall be for the sole purpose of determining whether or not the required regulations have been adopted, and shall not address the consistency of the regulations with the plan. The Department shall review regulations of any other agency utilized as an integral part of the development approval process and incorporated into the single land development code.

(5) If the Department determines that the local government has adopted all of the required regulations, the Department will notify the chief local elected official and initiating party in writing within 30 calendar days of the Department's receipt of the regulations from the local government.

(6) If the Department determines that the local government has completely failed to adopt one or more of the regulations required by Section 163.3202, F.S., the Department will notify the chief local elected official and initiating party in writing within 30 calendar days of receipt of the regulations for review from the local government.

(a) The letter to the local government shall be certified, return receipt requested. In its notification letter, the Department will specify which of the required regulations have not been adopted and the justification for the Department's determination.

(b) The local government shall have 90 calendar days from receipt of the Department's notification letter to adopt the required regulations. The local government may request an extension of time from the Department during the 90 day period. If the local government requests an extension of the 90 days, the Department must grant or deny the extension within

14 calendar days of receipt of the request. The Department shall not grant an extension unless substantial evidence exists that the local government is unable to adopt the regulations within the 90 day period.

(c) ~~(5)~~ If the local government does not provide to the Department copies of the ~~land development~~ regulations in question or a letter and approved schedule stating the local government will adopt the regulations within the required time period, 120 days agreed to by the Department, the Department ~~may~~ will institute an action in circuit court to require ~~submission or~~ adoption of these regulations, if they have not been adopted. The Department ~~may~~ will also institute such an action if the local government fails to adopt the regulations in accordance with the schedule it provides to the Department, or within the additional time agreed to by the Department.

*Rulemaking Authority 163.3202(5) FS. Law Implemented 163.3202 FS. History—New 11-6-96, Amended 4-8-99, ~~11-24-02, 5-12-10,~~ \_\_\_\_\_, Formerly 9J-11-019.*

73C-41.020 Action to Review Land Development Regulations.

*Rulemaking Authority 163.3202(5) FS. Law Implemented 163.3202 FS. History—New 11-6-96, Amended 4-8-99, 11-24-02, 6-30-05, Formerly 9J-11.020, Repealed \_\_\_\_\_.*

73C-41.021 Action if Local Government Has Failed to Adopt the Required Land Development Regulations.

*Rulemaking Authority 163.3202(5) FS. Law Implemented 163.3202 FS. History—New 11-6-96, Amended 4-8-99, 5-12-10, Formerly 9J-11.021, Repealed \_\_\_\_\_.*

NAME OF PERSON ORIGINATING PROPOSED RULE:  
M. Linville Atkins  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Cissy Proctor  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 1/26/17  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: 2/2/17

**Section III**  
**Notice of Changes, Corrections and Withdrawals**

NONE

**Section IV**  
**Emergency Rules**

NONE

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

**WATER MANAGEMENT DISTRICTS**

Southwest Florida Water Management District

RULE NO.: RULE TITLE:

40D-22.201: Year-Round Water Conservation Measures

The Southwest Florida Water Management District hereby gives notice:

On February 10, 2017, the Southwest Florida Water Management District has issued an order granting a variance.

Petitioner's Name: The Greens at Summertree Homeowners Association, Inc. – File Tracking No. 17-4236

Date Petition Filed: December 14, 2016

Rule No.: 40D-22.201, F.A.C.

Nature of the rule for which variance or waiver was sought: Lawn and landscape irrigation

Date Petition Published in the Florida Administrative Register: December 16, 2016

General Basis for Agency Decision: Petitioner demonstrated substantial hardship and proposed an alternative means of achieving the purpose of the statute implemented by the rule.

A copy of the Order or additional information may be obtained by contacting Lois Sorensen, 7601 US Highway 301, Tampa, Florida 33637, (813)985-7481, ext.. 2298, water.variances@watermatters.org. R2016074.

**WATER MANAGEMENT DISTRICTS**

Southwest Florida Water Management District

RULE NO.: RULE TITLE:

40D-22.201: Year-Round Water Conservation Measures

The Southwest Florida Water Management District hereby gives notice:

On February 10, 2017, the Southwest Florida Water Management District has issued an order granting a variance.

Petitioner's Name: Palisades at Palmer Ranch Condominium Association, Inc. – File Tracking No. 17-4239

Date Petition Filed: January 17, 2017

Rule No.: 40D-22.201, F.A.C.

Nature of the rule for which variance or waiver was sought: Lawn and landscape irrigation

Date Petition Published in the Florida Administrative Register: January 23, 2017

General Basis for Agency Decision: Petitioner demonstrated substantial hardship and proposed an alternative means of achieving the purpose of the statute implemented by the rule. A copy of the Order or additional information may be obtained by contacting Lois Sorensen, 7601 US Highway 301, Tampa, Florida 33637, (813)985-7481, ext.. 2298, water.variances@watermatters.org. R2017003.

**WATER MANAGEMENT DISTRICTS**

Southwest Florida Water Management District

RULE NO.: RULE TITLE:

40D-22.201: Year-Round Water Conservation Measures

The Southwest Florida Water Management District hereby gives notice:

On February 10, 2017, the Southwest Florida Water Management District has issued an order granting a variance.

Petitioner's Name: Pine Ridge at Oak Creek Townhomes Association, Inc. – File Tracking No. 17-4241

Date Petition Filed: January 23, 2017

Rule No.: 40D-22.201, F.A.C.

Nature of the rule for which variance or waiver was sought: Lawn and landscape irrigation

Date Petition Published in the Florida Administrative Register: January 25, 2017

General Basis for Agency Decision: Petitioner demonstrated substantial hardship and proposed an alternative means of achieving the purpose of the statute implemented by the rule.

A copy of the Order or additional information may be obtained by contacting Lois Sorensen, 7601 US Highway 301, Tampa, Florida 33637, (813)985-7481, ext.. 2298, water.variances@watermatters.org. R2017006.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on February 9, 2017, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for The Salvador Condominium located at 199 Dali Blvd., St Petersburg, FL. Petitioner seeks an emergency variance of the requirements of Sections 3007.4.1 and 3007.4.2, Florida Building Code, as adopted by subsection 61C-5.001(1), Florida Administrative Code, because the 150 square foot requirement would pose a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Michelle Comingore, Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013 (VW2017-011).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Michelle Comingore, Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013, dhr.elevators@myfloridalicense.com.

**Section VI**

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

**DEPARTMENT OF LEGAL AFFAIRS**

The Florida Commission on the Status of Women announces a telephone conference call to which all persons are invited.

DATE AND TIME: February 22, 2017, 10:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Bylaws Committee.

DATE AND TIME: February 23, 2017, 9:30 a.m.

PLACE: Please call (850) 414-3300 for instructions on participation.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Full Commission.

NOTE: In the absence of a quorum, items on this agenda will be discussed as workshop, and notes will be recorded although no formal action will be taken. If you have any questions, please call (850)414-3300.

A copy of the agenda may be obtained by contacting Florida Commission on the Status of Women at the Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, (850)414-3300, fax: (850)921-4131.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting Florida Commission on the Status of Women at the Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, (850)414-3300, fax: (850)921-4131. 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: Florida Commission on the Status of Women at the Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, (850)414-3300, fax: (850)921-4131.

**DEPARTMENT OF LEGAL AFFAIRS**

Florida Elections Commission

The Florida Elections Commission announces a hearing to which all persons are invited.

**DATE AND TIME:** February 27, 2017, 3:00 p.m. until adjourned

**PLACE:** The formal hearing will take place via video teleconference at sites in Tallahassee and in Tampa, Florida. The Tallahassee site will be at the Office of the Attorney General, The Collins Building, 107 West Gaines Street, Suite 224, Tallahassee, Florida 32399. The Tampa site will be at The Office of the Attorney General, Tampa Office, Concourse Center 4, 3507 East Frontage Road, Suite 325 (Video Room # 368), Tampa, Florida 33607-7013. To participate in this telephonic conference call, each party must dial in at 1(888)670-3525 and enter participant code: 8519855825.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This is a formal hearing pertaining to the revocation of a political committee.

A copy of the agenda may be obtained by contacting: the Agency Clerk at (850)922-4539, by emailing [FEC@myfloridalegal.com](mailto:FEC@myfloridalegal.com), by writing to 107 West Gaines Street, Suite 224, Collins Building, Tallahassee, FL 32399-1050 or by viewing the Commission's website: [www.fec.state.fl.us](http://www.fec.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 5 days before the workshop/meeting by contacting: the Agency Clerk at (850)922-4539, by emailing [FEC@myfloridalegal.com](mailto:FEC@myfloridalegal.com) or by writing to 107 West Gaines Street, Suite 224, Collins Building, Tallahassee, FL 32399-1050. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: the Agency Clerk at (850)922-4539, email [FEC@myfloridalegal.com](mailto:FEC@myfloridalegal.com), write to 107 West Gaines Street, Suite 224, Collins Building, Tallahassee, FL 32399-1050 or view the Commission's website: [www.fec.state.fl.us](http://www.fec.state.fl.us).

**DEPARTMENT OF EDUCATION**

Florida School for the Deaf and the Blind

The Florida School for the Deaf and the Blind (FSDB) announces a public meeting to which all persons are invited.

**DATE AND TIME:** Friday, February 24, 2017, 9:00 a.m.

**PLACE:** FSDB Campus, 207 N. San Marco Ave., St. Augustine, FL 32084, Moore Hall Center for Learning and Development conference room. Moore Hall is located on the corner of North San Marco Avenue and Macaris Street.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** All matters to be discussed will pertain to the day-to-day operations of the School.

A copy of the agenda may be obtained by contacting: Cindy Brueckner, Executive Assistant to the President, [bruecknerc@fsdb.k12.fl.us](mailto:bruecknerc@fsdb.k12.fl.us), (904)827-2210.

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: Cindy Brueckner, [bruecknerc@fsdb.k12.fl.us](mailto:bruecknerc@fsdb.k12.fl.us), (904)827-2210. Please note that all meetings of the BOT will have American Sign Language interpreters present at the meetings. If other accommodations are needed please contact: Ms. Brueckner at the phone number or email provided above. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Jeanne G. Prickett, EdD, President of the Florida School for the Deaf and the Blind, 207 N. San Marco Ave., St. Augustine, FL 32084, [prickettj@fsdb.k12.fl.us](mailto:prickettj@fsdb.k12.fl.us) or Cindy Brueckner, Executive Assistant to the President, [bruecknerc@fsdb.k12.fl.us](mailto:bruecknerc@fsdb.k12.fl.us), (904)827-2210.

**DEPARTMENT OF TRANSPORTATION**

The Commercial Motor Vehicle Review Board announces a public meeting to which all persons are invited.

**DATE AND TIME:** March 9, 2017, 8:30 a.m.

**PLACE:** Florida Department of Transportation Auditorium, 605 Suwannee Street, Tallahassee, FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This is a monthly meeting of the Commercial Motor Vehicle Review Board for the purpose of reviewing penalties imposed upon any vehicle or persons under the provisions of Chapter 316, Florida Statutes, relating to weights imposed on the highway by the axles and wheels of motor vehicles, to special fuel and motor fuel tax compliance, or to violations of safety regulations.

A copy of the agenda may be obtained by contacting: Heather Nelson, Executive Assistant, Commercial Motor Vehicle

Review Board, 605 Suwannee Street MS 90, Tallahassee, FL 32399.

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: Heather Nelson. 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 TRANSPORTATION**

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

**DATES AND TIMES:** February 16, 2017, 8:30 a.m. – 5:00 p.m.; February 17, 2017, 8:30 a.m. – 11:30 a.m.

**PLACE:** Florida Turnpike Orlando Headquarters, Auditorium A, Turkey Lake Service Plaza, Milepost 263, Ocoee, Florida 34761

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Review revisions to the Florida Greenbook.

A copy of the agenda may be obtained by contacting: Mary Anne Koos: maryanne.koos@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 5 days before the workshop/meeting by contacting: Mary Anne Koos. 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: Mary Anne Koos, Special Projects Facilitator, maryanne.koos@dot.state.fl.us, (850)414-4321.

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

The Department of Highway Safety and Motor Vehicles, Office of Motorist Modernization announces a public meeting to which all persons are invited.

**DATE AND TIME:** February 20, 2017, 1:00 p.m. – 3:00 p.m., ET

**PLACE:** Neil Kirkman Building, Training Room B-130, 2900 Apalachee Parkway, Tallahassee Florida 32399; GoToMeeting call-in information is also provided below.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Motorist Modernization Advisory Board is meeting to receive an update on Phase 1 of the Motorist Modernization

Program. System functionality and requirements will also be presented to the group for consideration and input.

**AGENDA**

- Roll Call
- Welcome
- Review and Approval of Last Meeting Minutes
- Stakeholder Outreach Update
- Policy and Decisions Review
- ESC Meeting Follow-up
- MM Phase I Program Update
- Status Update and Financial Review
- Change Request Review
- Project Updates

• Q&A

• Adjourn

Please join the meeting from your computer, tablet or smartphone

<https://global.gotomeeting.com/join/630034677>

You can also dial in using your phone

United States: +1(646)749-3129

United States (toll-free): 1(877)309-2073

Access Code: 630-034-677

Audio PIN: Shown after joining the meeting

A copy of the agenda may be obtained by contacting: the agenda is included above.

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: Terrence Samuel, 2900 Apalachee Parkway, Room D315, Tallahassee, FL 32399, (850)617-2100, [terrencesamuel@flhsmv.gov](mailto:terrencesamuel@flhsmv.gov). 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).

**STATE BOARD OF ADMINISTRATION**

Florida Prepaid College Board

The Florida Prepaid College Board announces a public meeting, via telephone conference call, to which all persons are invited.

**DATE AND TIME:** Thursday, February 23, 2017, 1:30 p.m., ET

**PLACE:** Telephone conference, for instructions call (850)488-8514; public access available at Hermitage Centre, Gold Coast Conference Room, 1801 Hermitage Boulevard, Tallahassee, Florida 32308

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Appointment of former investment banker and U.S. Representative Ander Crenshaw as a Board Member to the Florida ABLE, Inc. Board.

A copy of the agenda may be obtained at <http://www.myfloridaprepaid.com/> or by calling (850)488-8514.

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 faxing a written request to the Florida Prepaid College Board at (850)488-3555. 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**

**West Florida Regional Planning Council**

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

DATE AND TIME: Tuesday, February 21, 2017, 3:30 p.m.

PLACE: Okaloosa County Administration Building, 1250 N. Eglin Parkway, Shalimar, FL 32579

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the West Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: Gina Watson at [gina.watson@wfrpc.org](mailto:gina.watson@wfrpc.org) or (850)332-7976, ext. 239.

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: Gina Watson at [gina.watson@wfrpc.org](mailto:gina.watson@wfrpc.org) or (850)332-7976, ext. 239. 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: Gina Watson at [gina.watson@wfrpc.org](mailto:gina.watson@wfrpc.org) or (850)332-7976, ext. 239.

**REGIONAL PLANNING COUNCILS**

**North Central Florida Regional Planning Council**

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

DATE AND TIME: February 23, 2017, 6:00 p.m.

PLACE: Holiday Inn Hotel and Suites, Olustee Room, 213 Southwest Commerce Boulevard, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Executive Committee of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 NW 67th Place, Gainesville, Florida 32653-1603.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. 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.

**REGIONAL PLANNING COUNCILS**

**North Central Florida Regional Planning Council**

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

DATE AND TIME: February 23, 2017, 6:00 p.m.

PLACE: Holiday Inn Hotel and Suites, Suwannee Room, 213 Southwest Commerce Boulevard, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Clearinghouse Committee of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 NW 67th Place, Gainesville, Florida 32653-1603.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. 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.

**REGIONAL PLANNING COUNCILS**

**North Central Florida Regional Planning Council**

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

DATE AND TIME: February 23, 2017, 7:30 p.m.

PLACE: Holiday Inn Hotel and Suites, Suwannee Room, 213 Southwest Commerce Boulevard, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 NW 67th Place, Gainesville, Florida 32653-1603.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. 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.

**REGIONAL PLANNING COUNCILS**

**Central Florida Regional Planning Council**

The Heartland Regional Transportation Planning Organization (HRTPO) announces a public meeting to which all persons are invited.

DATE AND TIME: February 22, 2017, 10:00 a.m.

PLACE: Highlands County Board of County Commissioners Board Room, 600 South Commerce Avenue, Sebring, FL 33875

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Regular meeting of the Heartland Regional Transportation Planning Organization (HRTPO).

A copy of the agenda may be obtained by contacting: Marybeth Soderstrom, (863)534-7130, msoderstrom@cfrpc.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 3 days before the workshop/meeting by contacting: Marybeth Soderstrom, (863)534-7130, msoderstrom@cfrpc.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.

**REGIONAL PLANNING COUNCILS**

**Southwest Florida Regional Planning Council**

The Southwest Florida Regional Planning Council/Glades-Hendry TD announces a public meeting to which all persons are invited.

DATE AND TIME: March 1, 2017, 10:30 a.m.

PLACE: RCMA-Krome Center, 551 W. Cowboy Way, LaBelle, FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The quarterly meeting of the Glades-Hendry Local Coordinating Board for the Transportation Disadvantaged.

A copy of the agenda may be obtained by contacting: Nichole Gwinnett at (239)938-1813, ext. 232 or ngwinnett@swfrpc.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 7 days before the workshop/meeting by contacting: SWFRPC at (239)938-1813. 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 visit the LCB's web page at [http://swfrpc.org/trans\\_dis.html](http://swfrpc.org/trans_dis.html).

**WATER MANAGEMENT DISTRICTS**

**Northwest Florida Water Management District**

The Northwest Florida Water Management District announces a public meeting to which all persons are invited.

DATE AND TIME: February 24, 2017, 2:30 p.m., ET

PLACE: District Headquarters, 81 Water Management Drive, Havana, FL 32333

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** In accordance with the timeframe set forth in Section 120.525, Florida Statutes, a public meeting for opening of sealed bids is hereby noticed within the timeline for the Invitation to Bid (ITB) 17B-009, Altha North 2017 Thinning Timber Sale, Calhoun County, Florida.

A copy of the agenda may be obtained by contacting: Tyler Macmillan, (850)539-5999, Tyler.macmillan@nfwwater.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 72 hours before the workshop/meeting by contacting: Division of Administration, (850)539-5999. 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: Tyler Macmillan, (850)539-5999, Tyler.macmillan@nfwwater.com.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Engineers**

The Florida Board of Professional Engineers Structural Rules Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 13, 2017, 3:30 p.m.

PLACE: Florida Board of Professional Engineers, 2639 North Monroe St., Building B-112, Tallahassee, FL 32303

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General business of the committee. If you would like to participate in the call, please contact Rebecca Sammons at (850)521-0500, ext. 114, at least 10 days prior to the date of the meeting. The call-in number is 1(888)392-4560; contact Ms. Sammons for the participant code.

A copy of the agenda may be obtained by contacting Rebecca Sammons.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting Rebecca Sammons. 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 Rebecca Sammons, rsammons@fbpe.org.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Engineers**

The Florida Engineers Management Corporation Board Operations Committee announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** March 10, 2017, 10:00 a.m.

**PLACE:** Florida Board of Professional Engineers, 2639 North Monroe St., Building B-112, Tallahassee, FL 32303

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** to monitor the operations of the Florida Board of Professional Engineers and the Florida Engineers Management Corporation and other general business of the Committee. If you would like to participate in the call, please contact Rebecca Sammons at (850)521-0500, ext. 114, at least 10 days prior to the date of the meeting. The call-in number is 1(888)392-4560; contact Ms. Sammons for the participant code.

A copy of the agenda may be obtained by contacting Rebecca Sammons.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting Rebecca Sammons. 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 Rebecca Sammons, rsammons@fbpe.org.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Electrical Contractors' Licensing Board**

The Electrical Contractors' Licensing Board announces public meetings to which all persons are invited.

**DATES AND TIMES:** Wednesday, March 22, 2017, 3:00 p.m.; Thursday, March 23, 2017, 8:30 a.m.; Friday, March 24, 2017, 8:30 a.m.

**PLACE:** Mission Inn Resort, 10400 County Road 48, Howey-in-the-Hills, Florida 34737, (800)874-9053

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Wednesday, March 22, 2017, 3:00 p.m.: Rules Committee; Wednesday, March 22, 2017, 4:00 p.m.: Probable Cause Panel (portions may be closed to the public); Thursday, March 23, 2017, 8:30 a.m.: Discipline and General Business; Friday, March 24, 2017, 8:30 a.m.: General Business.

A copy of the agenda may be obtained by contacting: The Electrical Contractors' Licensing Board, 2601 Blair Stone Road, Tallahassee, FL 32399. (850)487-1395.

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 Electrical Contractors' Licensing Board, 2601 Blair Stone Road, Tallahassee, FL 32399. (850)487-1395. 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 Electrical Contractors' Licensing Board, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)487-1395.

**DEPARTMENT OF HEALTH**

**Division of Environmental Health**

The Florida Department of Health (DOH) announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** February 17, 2017, 9:00 a.m. ET

PLACE: Recorded teleconference attendance call-in; phone number: 1(888)670-3525, participant code: 770-804-4610, then#

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** DOH Lifeguard and Swimming Instructor Certification Program Advisory Board will review, discuss, and make recommendations to the Department regarding submitted requests for verification of equivalence to national aquatic training agencies which meet the established standards, objectives and standards of care provided in the American Red Cross or YMCA programs.

A copy of the agenda may be obtained by contacting: August Ursin, (850)245-4444, ext. 2716, august.ursin@flhealth.gov, or write DOH, 4052 Bald Cypress Way, Bin A08, Tallahassee, FL 32399-1710.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Mr. Ursin at addresses above. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Mr. Ursin at addresses above.

**DEPARTMENT OF HEALTH**

Division of Emergency Preparedness and Community Support  
The Bureau of Emergency Medical Oversight/Injury Prevention Section announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** Tuesday, February 21, 2017, 11:00 a.m. – 12:00 Noon

**PLACE:** Bureau of Emergency Medical Oversight/Injury Prevention Section, 4042 Bald Cypress Way, Second Floor, Tallahassee, Florida 32399; conference call: United States, call-in number: 1(888)670-3525, participant code: 608-245-4114

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** A meeting of Florida’s Safe Kids coalitions to discuss statewide efforts for Safe Kids Day and to receive updates on initiatives from Safe Kids Worldwide.

A copy of the agenda may be obtained by contacting: Stephanie Brown, Stephanie.Brown@flhealth.gov, (850)245-4440.

**DEPARTMENT OF CHILDREN AND FAMILIES**

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

**DATE AND TIME:** April 12, 2017, 9:00 a.m., Central Time

**PLACE:** 160 West Government Street, Room 101, Pensacola, Florida 32502

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The purpose of this meeting is to negotiate the potential terms and conditions for the Circuit 1 Community Based Care Lead Agency contract to be executed pursuant Exceptional Purchase as noticed on the Vendor Bid System # ITN-01FS18001.

A copy of the agenda may be obtained by contacting: Randy Fleming, (850)483-6621, Randy.Fleming@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 2 days before the workshop/meeting by contacting: Randy Fleming, (850)483-6621, Randy.Fleming@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).

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: Randy Fleming, (850)483-6621, Randy.Fleming@myflfamilies.com.

**FLORIDA HOUSING FINANCE CORPORATION**

The Florida Housing Finance Corporation announces a workshop to which all persons are invited.

**DATE AND TIME:** Wednesday, March 1, 2017, 3:00 p.m.

**PLACE:** Rick Seltzer Conference Room, Suite 6000, Florida Housing Finance Corporation, 227 North Bronough Street, Tallahassee, Florida, 32301-1329; telephone conference: 1(888)419-5570, participant code 686 342 85

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The workshop will discuss a Request for Applications (RFA) to finance the construction, acquisition/rehabilitation, or renovation of small Permanent Supportive Housing Developments that are either Community Residential Homes or Supported Living Units. The Community Residential Homes may serve no more than six (6) residents and the Supported Living Units may serve no more than 10 residents in six (6) units. Grant funding will be made available to Non-Profit organizations that have a primary mission which includes serving Persons with Developmental Disabilities.

A copy of the agenda may be obtained by contacting Jean Salmonsén at (850)488-4197.

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 Jean Salmonsén at (850)488-4197. 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.

**ABLE TRUST**

The Able Trust announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, March 16, 2017, 12:00 Noon (ET)

PLACE: Governors Club, 202 S. Adams St. Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Able Trust (Florida Endowment Foundation for Vocational Rehabilitation) will hold its quarterly Board meeting. The agenda will include review of financial reports, quarterly grant recommendations and Committee reports; and other business that may come before the organization.

A copy of the agenda may be obtained by contacting: The Able Trust at (850)224-4493 or at info@abletrust.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 4 days before the workshop/meeting by contacting: The Able Trust at (850)224-4493 or at info@abletrust.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: The Able Trust at (850)224-4493 or at info@abletrust.org.

**FLORIDA CORRECTIONS ACCREDITATION COMMISSION, INC.**

The Florida Corrections Accreditation Commission, Inc. announces a workshop to which all persons are invited.

DATE AND TIME: February 20, 2017, 3:00 p.m.

PLACE: World Golf Village Renaissance St. Augustine Resort, 500 S Legacy Trail, St Augustine, FL 32092

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of information related to the Commission's business agenda.

A copy of the agenda may be obtained by contacting: Deborah Moody, (850)410-7200.

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: Deborah Moody, (850)410-7200. 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: Deborah Moody, (850)410-7200.

**THE VALERIN GROUP, INC.**

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

DATE AND TIME: February 21, 2017, 5:00 p.m.

PLACE: Marion County Growth Services Training Room, 2710 E. Silver Springs Blvd., Ocala, FL 34470

GENERAL SUBJECT MATTER TO BE CONSIDERED: A public hearing is being held regarding safety improvements on State Road (S.R.) 464/SE Maricamp Road at SE 53rd Avenue/Rotary Sportsplex, in Marion County.

The project addresses operational and safety concerns in the area by converting the full median opening to a directional median opening at SE 53rd Avenue, closing the median opening at the Ocala Birth Center driveway, and extending the left turn lane into Dunkin' Donuts/Skate Mania driveway. This modification reduces traffic conflict points and separates turning movements along this section of SR 464/Maricamp Road, improving safety.

The public hearing will be Tuesday, February 21, 2017, at the Marion County Growth Services Training Room, 2710 E. Silver Springs Boulevard, Ocala, FL 34470. There will be an open house at 5:00 p.m. during which staff will be available to discuss the project and answer questions, followed by the formal hearing presentation at 6:00 p.m., after which participants may provide their verbal comments to all present.

Participants may provide verbal comments directly to a court reporter before and after the formal presentation. Written comments can be submitted at the hearing, sent by mail to Dave Mixon, Florida Department of Transportation, District Five Traffic Operations, 719 South Woodland Boulevard, M.S. No. 562, DeLand, FL 32720, or emailed to Dave.Mixon@dot.state.fl.us no later than March 3, 2017. All comments written and oral will become part of the project's public record.

The draft project documents and other information will be available for public review from January 31, 2017 through March 3, 2017 at the Marion County Library Headquarters - Ocala, 2720 E. Silver Springs Boulevard, Ocala, FL 34470.

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, (386)943-5367, Jennifer.Smith2@dot.state.fl.us.

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

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: Persons with disabilities who require special accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact: Kelly Hiden, Public Involvement Coordinator, The Valerin Group, at (407)508-0839 or [kelly@valeringroup.com](mailto:kelly@valeringroup.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).

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

DEPARTMENT OF REVENUE

Property Tax Oversight Program

RULE NO.: RULE TITLE:

12D-9.027 Process of Administrative Review

NOTICE IS HEREBY GIVEN that the Department of Revenue has received the petition for declaratory statement from Robert Leroy Wynn, (hereinafter "Petitioner") on February 8, 2017. The petition seeks the agency's opinion as to the applicability of Florida Administrative Code paragraph 12D-9.027(4)(a) regarding administrative review of the validity of denials of tax exemptions in the Value Adjustment Board process, as it applies to the petitioner.

The petition seeks the Department's opinion on whether Fla. Admin. Code paragraph 12D-9.027(4)(a), in a value adjustment board proceeding, provides for review of the validity of the exemption denial as the first step in the process, is intended to be fair and consistent with the law, and provides that all legal requirements are met for recommendations and final decisions.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Sarah Wachman Chisenhall, Agency Clerk, Florida Department of Revenue, Post Office Box 6668, Tallahassee, Florida 32314-6668, [Sarah.Wachman.Chisenhall@floridarevenue.com](mailto:Sarah.Wachman.Chisenhall@floridarevenue.com), (850)617-8347.

Persons other than the original parties to a pending proceeding whose substantial interests will be affected by the disposition of the declaratory statement and who desire to become parties may file a motion to intervene with the Department. Except for good cause shown, a motion to intervene shall be filed with the Agency Clerk at the above address within twenty-one (21) days of publication of this notice. Any motion to

intervene must comply with the requirements set forth in Fla. Admin. Code R. 28-105.0027.

LAND AND WATER ADJUDICATORY COMMISSION  
NOTICE IS HEREBY GIVEN that the Florida Land and Water Adjudicatory Commission has issued an order disposing of the petition for declaratory statement filed by the Blackburn Creek Community Development District on November 2, 2016. The following is a summary of the agency's disposition of the petition:

The Commission considered the Petition on February 7, 2017, and concluded that the Commission does not have jurisdiction to consider a petition to expand the Blackburn Community Development District, where the District was originally formed by the Sarasota County Board of Commission and the District would be expanded from an initial size of 719.19 acres to approximately 1,030 acres.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting Barbara Leighty, Clerk, Florida Land and Water Adjudicatory Commission, Office of the Governor, Office of Policy and Budget, The Capitol, Tallahassee, Florida 32399-0001, (850)717-9513, [barbara.leighty@laspbs.state.fl.us](mailto:barbara.leighty@laspbs.state.fl.us).

## 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:

Americans Against Abusive Probate Guardianship via its founder, Sam J. Sugar, M.D. vs. Department of Elder Affairs; Case No.: 17-0824RP

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

Americans Against Abusive Probate Guardianship via its founder, Sam J. Sugar, M.D. vs. Department of Elder Affairs; Case No.: 17-0824RP; Settled and/or Dismissed prior to entry of RO/FO

## 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

FISH AND WILDLIFE CONSERVATION COMMISSION  
REQUEST FOR STATEMENT OF QUALIFICATIONS FOR  
PROFESSIONAL SERVICES

Preparation of an Environmental Impact Statement for the  
East Lake Tohopekaliga Drawdown and Habitat Enhancement  
Project

RFSOQ NO: FWC 16/17-83

TITLE: REQUEST FOR STATEMENT OF  
QUALIFICATIONS FOR PROFESSIONAL SERVICES -  
Preparation of an Environmental Impact Statement for the  
East Lake Tohopekaliga Drawdown and Habitat Enhancement  
Project

FOR: The Florida Fish and Wildlife Conservation  
Commission (FWC) is soliciting Statements of Qualifications  
from qualified professional services firms with specific  
expertise in the preparing of Environmental Impact Statement  
(EIS) under the National Environmental Policy Act of 1969  
(NEPA); design for mechanical dredging of organic sediments  
and upland disposal facilities for the project listed below, in  
accordance with Section 287.055, Florida Statutes.

SEALED BIDS WILL BE RECEIVED, PUBLICLY  
OPENED AND READ ALOUD ON:

DATE & TIME: March 3, 2017, 2:00 p.m., ET

PLACE: Florida Fish and Wildlife Conservation Commission  
Purchasing Office, Suite 100  
2590 Executive Center Circle  
Tallahassee, Florida 32301  
Phone: (850)488-6551

BID DOCUMENTS: Can be downloaded from the Vendor  
Bid System at the link below:

[http://www.myflorida.com/apps/vbs/vbs\\_www.main\\_menu](http://www.myflorida.com/apps/vbs/vbs_www.main_menu)

Search by bid number FWC 16/17-83

PURCHASING MANAGER: (Direct questions to the  
following)

Ms. Ruth Heggen, Procurement Manager  
Florida Fish & Wildlife Conservation Commission  
Tallahassee Purchasing Office  
2590 Executive Center Circle, Suite 100

Tallahassee, Florida 32301  
Phone: (850)488-6551  
[ruth.heggen@myfwc.com](mailto:ruth.heggen@myfwc.com)

OTHER AGENCIES AND ORGANIZATIONS  
Moffitt Cancer Center & Research Institute  
CENTRAL UTILITY PLANT (CUP) – RFQ 17-07-SSP  
REQUEST FOR QUALIFICATIONS

FOR

DESIGN/BUILDER SERVICES

CENTRAL UTILITY PLANT (CUP) – RFQ 17-07-SSP  
H. LEE MOFFITT CANCER CENTER AND RESEARCH  
INSTITUTE, INC.  
MAGNOLIA CAMPUS  
TAMPA, FLORIDA  
February 13, 2017

The H. Lee Moffitt Cancer Center and Research Institute, Inc.  
and its subsidiaries (collectively “Moffitt Cancer Center”) seek to award a Design/Builder contract to a qualified and responsible company for the design and construction of the Central Utility Plant (CUP). Moffitt Cancer Center is therefore requesting qualifications from interested Construction Management firms.

SUMMARY PROJECT DESCRIPTION:

- Stand-alone building to house the utilities for the proposed Clinical Support Building (CSB) that will be substantially completed in August of 2018.
- HVAC equipment to support the CSB including but not limited to chiller(s), boiler(s), pump(s), electrical switchgear, utility trenching to the CSB for these services.
- Ability to expand the CUP for future campus buildings:
- The estimated total project cost is \$10 million.
- Operational by May 1, 2018 to support the installation of finishes and millwork for the CSB Project. Fully commissioned and operational by August 1, 2018.

The Request for Qualifications (“RFQ”) is the first step in the process for selection. A response must be made in accordance with the instructions outlined in this RFQ. Upon receipt of RFQ submissions, a short list of firms will be selected to interview with representatives of Moffitt Cancer Center. After the interview, the Design/Builder shall be selected. Moffitt Cancer Center makes no representations, written or oral, that it will enter into any form of agreement with any respondent to this RFQ for any project and no such representation is intended or should be construed from the issuance for this RFQ.

RFQ Package: The RFQ package including the complete RFQ instructions appears on the H. Lee Moffitt Cancer Center Website beginning February 13, 2017.

Submittals are due no later than 2:00 p.m. on March 6, 2017 and sent via email to rfp@moffitt.org .Telefacsimile (fax) and telephone submittals are not acceptable and will not be considered. Proposals will not be returned to the respondent. Any proposals, plans and/or specifications will become the property of Moffitt.

**BRASFIELD & GORRIE, LLC**  
**UF 608 - PARKING GARAGE XIV**  
**INVITATION TO BID**

Brasfield & Gorrie will now be taking sealed bid proposals for the Structural Precast trade package for the University of Florida Parking Garage XIV project in Gainesville, FL.

Please contact Chris Evans at Brasfield & Gorrie, cevans@brasfieldgorrie.com, (407)562-4500, for additional information on the project and proposal requirements.

Sealed proposals are due by no later than noon on March 6, 2017. Sealed proposals must either be hand delivered or mailed to the following address:

Brasfield & Gorrie, LLC  
 c/o Chris Evans  
 941 West Morse Blvd., Suite 200  
 Winter Park, FL 32789

**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 8 a.m. Monday, February 6, and 3 p.m. Friday, February 10, 2017. An improved electronic publication system is forthcoming on the Florida Administrative Rules website, FLRules.org, which will accommodate complete publication of rules filed for adoption in the previous 7 days, including rules awaiting legislative action.

<b>Rule No.</b>	<b>File Date</b>	<b>Effective Date</b>
5B-3.001	2/6/2017	2/26/2017
5B-3.002	2/6/2017	2/26/2017
5B-3.003	2/6/2017	2/26/2017
5B-3.0032	2/6/2017	2/26/2017
5B-3.0035	2/6/2017	2/26/2017
5B-3.0038	2/6/2017	2/26/2017

5J-12.002	2/3/2017	2/23/2017
25-6.0346	2/10/2017	3/2/2017
25-12.005	2/10/2017	3/2/2017
25-12.008	2/10/2017	3/2/2017
25-12.022	2/10/2017	3/2/2017
25-12.027	2/10/2017	3/2/2017
25-12.040	2/10/2017	3/2/2017
25-12.085	2/10/2017	3/2/2017
40D-8.624	2/10/2017	3/2/2017
40D-8.624	2/10/2017	3/2/2017
58M-2.001	2/9/2017	3/1/2017
60-8.001	2/10/2017	3/2/2017
60-8.002	2/10/2017	3/2/2017
60A-1.030	2/10/2017	3/2/2017
60A-1.031	2/10/2017	3/2/2017
60A-1.032	2/10/2017	3/2/2017
60A-1.033	2/10/2017	3/2/2017
60A-1.045	2/10/2017	3/2/2017
60A-1.046	2/10/2017	3/2/2017
60A-1.047	2/10/2017	3/2/2017
60A-9.0062	2/10/2017	3/2/2017
60A-9.007	2/10/2017	3/2/2017
60B-3.001	2/10/2017	3/2/2017
60B-3.002	2/10/2017	3/2/2017
60B-4.002	2/10/2017	3/2/2017
60B-4.007	2/10/2017	3/2/2017
60E-1.004	2/10/2017	3/2/2017
60E-1.002	2/10/2017	3/2/2017
60FF-2.001	2/10/2017	3/2/2017
60FF-2.002	2/10/2017	3/2/2017
60FF-2.003	2/10/2017	3/2/2017
60FF-2.004	2/10/2017	3/2/2017
60FF-2.005	2/10/2017	3/2/2017
60FF-2.006	2/10/2017	3/2/2017
60FF-2.007	2/10/2017	3/2/2017
60FF-3.001	2/10/2017	3/2/2017
60H-3.005	2/10/2017	3/2/2017
60H-4.001	2/10/2017	3/2/2017
60H-4.003	2/10/2017	3/2/2017
60H-4.006	2/10/2017	3/2/2017
60H-4.008	2/10/2017	3/2/2017

60H-6.007	2/10/2017	3/2/2017
60H-6.009	2/10/2017	3/2/2017
60H-6.022	2/10/2017	3/2/2017
60H-6.011	2/10/2017	3/2/2017
60H-6.013	2/10/2017	3/2/2017
60H-6.017	2/10/2017	3/2/2017
60H-6.018	2/10/2017	3/2/2017
60H-6.019	2/10/2017	3/2/2017
60H-6.020	2/10/2017	3/2/2017
60H-9.002	2/10/2017	3/2/2017
60H-9.003	2/10/2017	3/2/2017
60L-29.001	2/10/2017	3/2/2017
60L-29.002	2/10/2017	3/2/2017
60L-30.001	2/10/2017	3/2/2017
60L-30.002	2/10/2017	3/2/2017
60L-30.003	2/10/2017	3/2/2017
60L-37.002	2/10/2017	3/2/2017
60L-37.003	2/10/2017	3/2/2017
60L-38.002	2/10/2017	3/2/2017
60L-38.003	2/10/2017	3/2/2017
60L-38.004	2/10/2017	3/2/2017
60L-38.005	2/10/2017	3/2/2017
60P-2.001	2/10/2017	3/2/2017
60P-2.002	2/10/2017	3/2/2017
60P-2.004	2/10/2017	3/2/2017
60P-2.012	2/10/2017	3/2/2017
60P-2.006	2/10/2017	3/2/2017
60P-2.007	2/10/2017	3/2/2017
60P-2.008	2/10/2017	3/2/2017
60P-2.009	2/10/2017	3/2/2017
60P-3.009	2/10/2017	3/2/2017
60P-3.010	2/10/2017	3/2/2017
60P-3.011	2/10/2017	3/2/2017
60P-3.012	2/10/2017	3/2/2017
60P-6.0068	2/10/2017	3/2/2017
60P-6.007	2/10/2017	3/2/2017
60P-6.0079	2/10/2017	3/2/2017
60P-6.0068	2/10/2017	3/2/2017
60P-6.007	2/10/2017	3/2/2017
60P-6.0079	2/10/2017	3/2/2017
60P-9.003	2/10/2017	3/2/2017

60P-9.004	2/10/2017	3/2/2017
60S-3.003	2/10/2017	3/2/2017
60S-3.004	2/10/2017	3/2/2017
60S-3.005	2/10/2017	3/2/2017
60S-3.006	2/10/2017	3/2/2017
60S-3.010	2/10/2017	3/2/2017
60S-4.0025	2/10/2017	3/2/2017
60S-4.005	2/10/2017	3/2/2017
60S-4.006	2/10/2017	3/2/2017
60S-4.013	2/10/2017	3/2/2017
60S-4.014	2/10/2017	3/2/2017
60S-5.002	2/10/2017	3/2/2017
60S-5.006	2/10/2017	3/2/2017
60S-5.0061	2/10/2017	3/2/2017
60S-7.002	2/10/2017	3/2/2017
60S-7.003	2/10/2017	3/2/2017
60S-7.050	2/10/2017	3/2/2017
60S-7.060	2/10/2017	3/2/2017
60S-7.070	2/10/2017	3/2/2017
60S-7.0041	2/10/2017	3/2/2017
60S-7.009	2/10/2017	3/2/2017
60S-0091	2/10/2017	3/2/2017
60S-7.010	2/10/2017	3/2/2017
60S-7.011	2/10/2017	3/2/2017
60S-7.0051	2/10/2017	3/2/2017
60S-7.0061	2/10/2017	3/2/2017
60S-7.0071	2/10/2017	3/2/2017
60S-7.0081	2/10/2017	3/2/2017
60P-9.007	2/10/2017	3/2/2017
60P-10.006	2/10/2017	3/2/2017
60S-11.003	2/10/2017	3/2/2017
60W-8.001	2/10/2017	3/2/2017
61G14-15.004	2/7/2017	2/27/2017
61G15-22.0001	2/7/2017	2/27/2017
61G15-22.0002	2/7/2017	2/27/2017
61J1-2.001	2/9/2017	3/1/2017
64B1-9.001	2/9/2017	3/1/2017
64B8-52.003	2/8/2017	2/28/2017
64B9-4.011	2/7/2017	2/27/2017
64B9-15.007	2/7/2017	2/27/2017
64B19-11.005	2/9/2017	3/1/2017

68A-16.003	2/10/2017	3/2/2017
<b>LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES</b>		
<b>Rule No.</b>	<b>File Date</b>	<b>Effective Date</b>
40B-9.021	12/21/2016	**/**/****
40B-9.041	12/21/2016	**/**/****
40B-9.126	12/21/2016	**/**/****
40B-9.131	12/21/2016	**/**/****
40B-9.1381	12/21/2016	**/**/****
40B-9.1411	12/21/2016	**/**/****
40B-9.142	12/21/2016	**/**/****
40B-9.145	12/21/2016	**/**/****
40B-9.123	12/9/2016	**/**/****
58M-2.009	2/9/2017	**/**/****
60FF1-5.009	7/21/2016	**/**/****
64B8-9.009	6/15/2016	**/**/****
64B8-10.003	12/9/2015	**/**/****
69L-7.100	12/19/2016	**/**/****
69L-7.501	12/19/2016	**/**/****

DEPARTMENT OF HEALTH

Emergency Action

On February 10, 2017, the State Surgeon General issued an Emergency Restriction Order with regard to the registration of FLA Medical Group, LLC., Registration # PMC 1190. This Emergency Restriction Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2016). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Emergency Action

On February 10, 2017, the State Surgeon General issued an Emergency Restriction Order with regard to the license of Thelma Junsay Toledo, R.N., License # RN 2581182. This Emergency Restriction Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2016). The State Surgeon General determined that this summary

procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Pharmacy

Emergency Action

On February 10, 2017, the State Surgeon General issued an Emergency Suspension Order with regard to the registration of Lilette Carolina Ortega, R.P.T., License # RPT 65622. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes (2016). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Pharmacy

Emergency Action

On February 10, 2017, the State Surgeon General issued an Emergency Suspension Order with regard to the license of Kim Elizabeth Schade, R.Ph., License # PS 34926. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes (2016). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

Final Order No. DEO-17-008

In re: A LAND DEVELOPMENT REGULATION  
ADOPTED BY CITY OF MARATHON  
ORDINANCE NO. 2016-10

FINAL ORDER

APPROVING CITY OF MARATHON ORDINANCE NO.  
2016-10

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to sections 380.05(6) and 380.0552(9), Florida Statutes, approving land development regulations adopted by the City of Marathon, Florida, Ordinance No. 2016-10 (the “Ordinance”).

FINDINGS OF FACT

1. The Florida Keys Area is designated by section 380.0552, Florida Statutes, as an area of critical state concern. The City of Marathon is a local government within the Florida Keys Area.

2. The Ordinance was adopted by the City of Marathon on December 13, 2016, and rendered to the Department on December 28, 2016.

3. The Ordinance amends the City of Marathon Code of Ordinances, Appendix A (Land Development Regulations) to ensure compliance with the Florida Building Code.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. Sections 380.05(6), and 380.0552(9), Florida Statutes.

5. "Land development regulations" include local zoning, subdivision, building, and other regulations controlling the development of land. Section 380.031(8), Florida Statutes. The regulations adopted by the Ordinance are land development regulations.

6. The Ordinance is consistent with the City of Marathon Comprehensive Plan generally, and specifically Objective 2-1.3, as required by section 163.3177(1), Florida Statutes.

7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. Sections 380.05(6) and 380.0552(9), Florida Statutes. The Principles for Guiding Development for the Florida Keys Area of Critical State Concern are set forth in section 380.0552(7), Florida Statutes.

8. The Ordinance is consistent with the Principles for Guiding Development in section 380.0552(7), Florida Statutes, as a whole, and is specifically consistent with the following Principle:

(a) Strengthening local government capabilities for managing land use and development so that local government is able to achieve these objectives without continuing the area of critical state concern designation.

WHEREFORE, IT IS ORDERED that the Department finds that the City of Marathon Ordinance No. 2016-10 is consistent with the City of Marathon Comprehensive Plan and the Principles for Guiding Development for the Florida Keys Area of Critical State Concern and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Register unless a petition is timely filed as described in the Notice of Administrative Rights below.

DONE AND ORDERED in Tallahassee, Florida.

/s/  
James D. Stansbury, Chief  
Bureau of Community Planning  
Department of Economic Opportunity

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES.

FOR THE REQUIRED CONTENTS OF A PETITION CHALLENGING AGENCY ACTION, REFER TO RULES 28-106.104(2), 28-106.201(2), AND 28-106.301, FLORIDA ADMINISTRATIVE CODE.

DEPENDING ON WHETHER OR NOT MATERIAL FACTS ARE DISPUTED IN THE PETITION, A HEARING WILL BE CONDUCTED PURSUANT TO EITHER SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, OR SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES. MEDIATION IS NOT AVAILABLE.

ANY PETITION MUST BE FILED WITH THE AGENCY CLERK OF THE DEPARTMENT OF ECONOMIC OPPORTUNITY WITHIN 21 CALENDAR DAYS OF THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER. A PETITION IS FILED WHEN IT IS RECEIVED BY:

AGENCY CLERK  
DEPARTMENT OF ECONOMIC OPPORTUNITY  
OFFICE OF THE GENERAL COUNSEL  
107 EAST MADISON ST., MSC 110  
TALLAHASSEE, FLORIDA 32399-4128  
FAX: (850)921-3230

YOU WAIVE THE RIGHT TO ANY ADMINISTRATIVE PROCEEDING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 CALENDAR DAYS OF THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 10th day of February, 2017.

/s/  
Agency Clerk  
Department of Economic Opportunity  
107 East Madison Street, MSC 110  
Tallahassee, FL 32399-4128

By Certified U.S. Mail:  
The Honorable Dr. Dan Zieg, Mayor  
City of Marathon, City Council  
9805 Overseas Highway  
Marathon, FL 33050

Diane Clavier, Clerk  
City of Marathon  
9805 Overseas Highway  
Marathon, FL 33050

George Garrett, Director  
City of Marathon, Planning Department  
9805 Overseas Highway  
Marathon, FL 33050

DEPARTMENT OF ECONOMIC OPPORTUNITY  
Division of Community Development  
Final Order No. DEO-17-007  
In re: A LAND DEVELOPMENT REGULATION  
ADOPTED BY CITY OF MARATHON  
ORDINANCE NO. 2016-05

FINAL ORDER  
APPROVING CITY OF MARATHON ORDINANCE NO.  
2016-05

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to sections 380.05(6) and 380.0552(9), Florida Statutes, approving land development regulations adopted by the City of Marathon, Florida, Ordinance No. 2016-05 (the “Ordinance”).

FINDINGS OF FACT

1. The Florida Keys Area is designated by section 380.0552, Florida Statutes, as an area of critical state concern. The City of Marathon is a local government within the Florida Keys Area.

2. The Ordinance was adopted by the City of Marathon on June 14, 2016, and rendered to the Department on December 28, 2016.

3. The Ordinance amends the City of Marathon Code of Ordinances, Appendix A (Land Development Regulations) to clarify clustering requirements in class I, II, and III habitat, and add definitions to further define environmental resource terms.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. Sections 380.05(6), and 380.0552(9), Florida Statutes.

5. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. Section 380.031(8), Florida Statutes. The regulations adopted by the Ordinance are land development regulations.

6. The Ordinance is consistent with the City of Marathon Comprehensive Plan generally, and specifically Policies 4-

1.2.1 and 4-1.2.2, as required by section 163.3177(1), Florida Statutes.

7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. Sections 380.05(6) and 380.0552(9), Florida Statutes. The Principles for Guiding Development for the Florida Keys Area of Critical State Concern are set forth in section 380.0552(7), Florida Statutes.

8. The Ordinance is consistent with the Principles for Guiding Development in section 380.0552(7), Florida Statutes, as a whole, and is specifically consistent with the following Principles:

(a) Strengthening local government capabilities for managing land use and development so that local government is able to achieve these objectives without continuing the area of critical state concern designation.

(c) Protecting upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation (for example, hardwood hammocks and pinelands), dune ridges and beaches, wildlife, and their habitat.

WHEREFORE, IT IS ORDERED that the Department finds that the City of Marathon Ordinance No. 2016-05 is consistent with the City of Marathon Comprehensive Plan and the Principles for Guiding Development for the Florida Keys Area of Critical State Concern and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Register unless a petition is timely filed as described in the Notice of Administrative Rights below.

DONE AND ORDERED in Tallahassee, Florida.

/s/  
James D. Stansbury, Chief  
Bureau of Community Planning  
Department of Economic Opportunity

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES.

FOR THE REQUIRED CONTENTS OF A PETITION CHALLENGING AGENCY ACTION, REFER TO RULES 28-106.104(2), 28-106.201(2), AND 28-106.301, FLORIDA ADMINISTRATIVE CODE.

DEPENDING ON WHETHER OR NOT MATERIAL FACTS ARE DISPUTED IN THE PETITION, A HEARING WILL BE CONDUCTED PURSUANT TO EITHER SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES,

OR SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES. MEDIATION IS NOT AVAILABLE.

ANY PETITION MUST BE FILED WITH THE AGENCY CLERK OF THE DEPARTMENT OF ECONOMIC OPPORTUNITY WITHIN 21 CALENDAR DAYS OF THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER. A PETITION IS FILED WHEN IT IS RECEIVED BY:

AGENCY CLERK

DEPARTMENT OF ECONOMIC OPPORTUNITY  
OFFICE OF THE GENERAL COUNSEL  
107 EAST MADISON ST., MSC 110  
TALLAHASSEE, FLORIDA 32399-4128  
FAX: (850)921-3230

YOU WAIVE THE RIGHT TO ANY ADMINISTRATIVE PROCEEDING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 CALENDAR DAYS OF THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 10th day of February, 2017.

/s/ \_\_\_\_\_

Agency Clerk  
Department of Economic Opportunity  
107 East Madison Street, MSC 110  
Tallahassee, FL 32399-4128

By Certified U.S. Mail:

The Honorable Dr. Dan Zieg, Mayor  
City of Marathon, City Council  
9805 Overseas Highway  
Marathon, FL 33050

Diane Clavier, Clerk  
City of Marathon  
9805 Overseas Highway  
Marathon, FL 33050

George Garrett, Director  
City of Marathon, Planning Department  
9805 Overseas Highway  
Marathon, FL 33050

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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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