

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:
33-210.101 Routine Mail

PURPOSE AND EFFECT: Rulemaking is necessary to establish the protocols for processing routine mail electronically and to update the regular routine mail process to make it consistent with the electronic routine mail process.

SUBJECT AREA TO BE ADDRESSED: Routine mail and electronic mail scanning.

RULEMAKING AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09 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: Paul A. Vazquez, Assistant General Counsel, 501 South Calhoun Street, Tallahassee, Florida 32399, paul.vazquez@fdc.myflorida.com. A copy of the preliminary draft may also be obtain using the following link: https://drive.google.com/drive/folders/1wh710UbTyKIF5ker_waBnsvSbc8tJRdm?usp=sharing.

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

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE NO.: RULE TITLE:
40C-4.091 Publications Incorporated by Reference

PURPOSE AND EFFECT: In conjunction with the Florida Department of Environmental Protection (FDEP), the St. Johns River Water Management District (SJRWMD) is beginning rulemaking to update the environmental resource permitting (ERP) stormwater design and operation regulations, using the most recent scientific information available, as required by paragraph 373.4131(6)(a), F.S. (2020). The coordinated rulemaking pursuant to this notice is expected to include amendments by FDEP to update chapter 62-330, F.A.C., and ERP Applicant’s Handbook Volume I (which applies statewide), plus SJRWMD’s amendments to its ERP

Applicant’s Handbook Volume II (which applies within the SJRWMD region). Therefore, part of the purpose of this rule development is to revise SJRWMD’s rules consistent with DEP’s amendments to chapter 62-330 and ERP Applicant’s Handbook Volume I. The purpose and effect of the proposed amendments will be to: (1) update stormwater design and operation regulations incorporated by rule in the document entitled “Environmental Resource Permit Applicant’s Handbook, Volume II: For Use Within the Geographic Limits of the St. Johns River Water Management District,” as required by paragraph 373.4131(6)(a), F.S. (2020); (2) update the DEP/SJRWMD Operating Agreement (regarding the division of ERP regulatory responsibilities between the two agencies) incorporated by rule; (3) update and clarify criteria for basin side slopes and fencing; (4) update and reduce regulatory costs of the Lake Apopka rules; (5) amend stormwater design criteria to promote conservation of groundwater; and (6) otherwise update, simplify, or clarify rules and reduce regulatory costs.

SUBJECT AREA TO BE ADDRESSED: Among other things, this rule development will cover the revision of SJRWMD rules on the following subjects: (1) stormwater design and operation regulations; (2) the DEP/SJRWMD ERP Operating Agreement; (3) criteria for basin side slopes and fencing; (4) the Lake Apopka rules; (5) stormwater design criteria that promote conservation of groundwater; and (6) other rules for which conforming amendments may be needed along with any rule changes made in the subject areas above.

RULEMAKING AUTHORITY: 369.318, 373.044, 373.046(4), 373.113, 373.4131, 373.414, 373.415, 373.416, 373.418, 373.461, FS.

LAW IMPLEMENTED: 369.318, 373.046(4), 373.413, 373.4131, 373.414, 373.415, 373.416, 373.418, 373.426, 373.461(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: Thomas Mayton, Jr., Esq., St. Johns River Water Management District, Office of General Counsel, 4049 Reid Street, Palatka, Florida 32177, (386)329-4108, tmayton@sjrwmd.com

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

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE NOS.: RULE TITLES:

- 40C-41.043 Application of Chapter
- 40C-41.063 Conditions for Issuance of Permits

PURPOSE AND EFFECT: In conjunction with the Florida Department of Environmental Protection (FDEP), the St. Johns River Water Management District (SJRWMD) is beginning rulemaking to update the environmental resource permitting (ERP) stormwater design and operation regulations, using the most recent scientific information available, as required by paragraph 373.4131(6)(a), F.S. (2020). The coordinated rulemaking pursuant to this notice is expected to include amendments by FDEP to update chapter 62-330, F.A.C., and ERP Applicant’s Handbook Volume I (which applies statewide), plus SJRWMD’s amendments to its ERP Applicant’s Handbook Volume II (which applies within the SJRWMD region). Therefore, part of the purpose of this rule development is to revise SJRWMD’s rules consistent with DEP’s amendments to chapter 62-330 and ERP Applicant’s Handbook Volume I. The purpose and effect of the proposed amendments will be to: (1) update stormwater design and operation regulations incorporated by rule in the document entitled “Environmental Resource Permit Applicant’s Handbook, Volume II: For Use Within the Geographic Limits of the St. Johns River Water Management District,” as required by paragraph 373.4131(6)(a), F.S. (2020); (2) update and clarify criteria for basin side slopes and fencing; (3) update and reduce regulatory costs of the Lake Apopka rules; (4) amend stormwater design criteria to promote conservation of groundwater; and (5) otherwise update, simplify, or clarify rules and reduce regulatory costs.

SUBJECT AREA TO BE ADDRESSED: Among other things, this rule development will cover the revision of SJRWMD rules on the following subjects: (1) stormwater design and operation regulations; (2) criteria for basin side slopes and fencing; (3) the Lake Apopka rules; (4) stormwater design criteria that promote conservation of groundwater; and (5) other rules for which conforming amendments may be needed along with any rule changes made in the subject areas above.

RULEMAKING AUTHORITY: 369.318, 373.044, 373.113, 373.4131, 373.414, 373.415, 373.416, 373.418, 373.461, FS.

LAW IMPLEMENTED: 369.318, 373.413, 373.4131, 373.414, 373.415, 373.416, 373.418, 373.426, 373.461(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: Thomas Mayton, Jr., Esq., St. Johns River Water Management District, Office of General Counsel, 4049 Reid Street, Palatka, Florida 32177, (386)329-4108, tmayton@sjrwmd.com

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

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE NOS.: RULE TITLES:

- 40C-44.021 Definitions
- 40C-44.041 Permits Required
- 40C-44.061 Individual Environmental Resource Permits for Agricultural Systems
- 40C-44.065 Performance Standards
- 40C-44.066 Water Quality Practices
- 40C-44.071 Relationship to Other Permitting Requirements
- 40C-44.091 Publications Incorporated by Reference
- 40C-44.301 Conditions for Issuance of Permits

PURPOSE AND EFFECT: In conjunction with the Florida Department of Environmental Protection (FDEP), the St. Johns River Water Management District (SJRWMD) is beginning rulemaking to update the environmental resource permitting (ERP) stormwater design and operation regulations, using the most recent scientific information available, as required by paragraph 373.4131(6)(a), F.S. (2020). The coordinated rulemaking pursuant to this notice is expected to include amendments by FDEP to update chapter 62-330, F.A.C., and ERP Applicant’s Handbook Volume I (which applies statewide), plus SJRWMD’s amendments to its ERP Applicant’s Handbook Volume II (which applies within the SJRWMD region). Therefore, part of the purpose of this rule development is to revise SJRWMD’s rules consistent with DEP’s amendments to chapter 62-330 and ERP Applicant’s Handbook Volume I. The purpose and effect of the proposed amendments will be to: (1) update stormwater design and operation regulations incorporated by rule in the document entitled “Environmental Resource Permit Applicant’s Handbook, Volume II: For Use Within the Geographic Limits of the St. Johns River Water Management District,” as required by paragraph 373.4131(6)(a), F.S. (2020); (2) update and clarify criteria for basin side slopes and fencing; (3) update and reduce regulatory costs of the Lake Apopka rules; (4) amend stormwater design criteria to promote conservation of groundwater; and (5) otherwise update, simplify, or clarify rules and reduce regulatory costs.

SUBJECT AREA TO BE ADDRESSED: Among other things, this rule development will cover the revision of SJRWMD rules on the following subjects: (1) stormwater design and operation regulations; (2) criteria for basin side slopes and fencing; (3) the Lake Apopka rules; (4) stormwater design criteria that promote

conservation of groundwater; and (5) other rules for which conforming amendments may be needed along with any rule changes made in the subject areas above.

RULEMAKING AUTHORITY: 369.318, 373.044, 373.113, 373.4131, 373.414, 373.415, 373.416, 373.418, 373.461, F.S.

LAW IMPLEMENTED: 369.318, 373.413, 373.4131, 373.414, 373.415, 373.416, 373.418, 373.426, 373.461(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: Thomas Mayton, Jr., Esq., St. Johns River Water Management District, Office of General Counsel, 4049 Reid Street, Palatka, Florida 32177, (386)329-4108, tmayton@sjrwmd.com

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

Section II Proposed Rules

NAVIGATION DISTRICTS

Florida Inland Navigation District

RULE NOS.:	RULE TITLES:
66B-1.003	Definitions
66B-1.005	Funds Allocation
66B-1.008	Project Eligibility
66B-1.014	Small-Scale Spoil Island Restoration and Enhancement Projects
66B-1.015	Small-Scale Derelict Vessel Removal Projects

PURPOSE AND EFFECT: The proposed rule amendment is being promulgated to implement changes in the administration of the District's Cooperative Assistance Program that will improve the quality and variety of projects submitted through the grant program. This makes minor changes to the Cooperative Assistance program rule sections: Definitions, Funds Allocation, Project Eligibility, Small-Scale Spoil Island and Small-Scale Derelict Vessel projects and increases potential funding for derelict vessel removal.

SUMMARY: The amendments being proposed at this time will increase potential funding for derelict vessel removal, increase project lifespan and clarify or make changes suggested by JAPC staff.

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: 1) No requirement for a SERC was triggered under Section 120.541(1), F.S. and 2) Based upon the nature of the rule, the adverse impact or regulatory cost, if any, do not exceed nor would be expected to exceed any one of the economic analysis criteria set forth in Section 120.541(2)(a), F.S. It is anticipated that the proposed rule will not have any negative economic impact.

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

RULEMAKING AUTHORITY: 374.976(2) FS.

LAW IMPLEMENTED: 374.976 (1) - (3) 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:

DATE AND TIME: January 8, 2021, 11:00 a.m.

PLACE: Florida Inland Navigation District, 1314 Marcinski Rd., Jupiter, Florida 33477

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Janet Zimmerman, Assistant Executive Director, Florida Inland Navigation District, 1314 Marcinski Rd., Jupiter, FL 33477, Phone: (561)627-3386.

THE FULL TEXT OF THE PROPOSED RULE IS:

66B-1.003 Definitions

The basic terms utilized in this rule are defined as follows:

(1) through (25) No change

(26) “FIRST BUDGET HEARING” means the public hearing to adopt a tentative District budget and proposed millage rate as required by Section 200.065(2)(c), F.S. ~~“TRIM HEARING” means a public hearing required by Chapter 200, F.S., concerning the tax and budget of the District.~~

(27) through (28) No change

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History—New 12-17-90, Amended 2-6-97, Formerly 16T-1.003, Amended 5-17-98, 3-21-01, 3-20-03, 3-3-04, 4-21-05, 4-24-06, 4-15-07, 3-25-08, 2-22-10, 3-7-11,_____.

66B-1.005 Funds Allocation

(1) No change

(2) Project Funding Ratio: All financial assistance and support to eligible state and regional agencies shall require, at minimum, equal matching funds from the project sponsor's own budget, with the exception of public navigation projects that meet the provisions of subsection 66B-1.005(6), F.A.C., land acquisition projects in accordance with subsection 66B-1.005(7), and Rule 66B-1.008, F.A.C., ~~and~~ small-scale spoil island restoration and enhancement projects that meet the provisions of Rule 66B-1.014, F.A.C. and projects approved in counties recovering from a state of emergency. Applicant's in-house costs are limited pursuant to paragraph 66B-1.007(1)(c), F.A.C. All financial assistance to seaports shall require equal matching funds. The District shall contribute no more than fifty (50) percent of the state share of the cost of an inlet project. The District shall not contribute funding to both the state and local shares of an inlet management project.

(3) through (4) No change.

(5) Inlet Management and Beach Renourishment: Projects and project elements in the categories of inlet management and beach renourishment shall be subject to the following provisions. The District shall contribute no more than fifty percent of the local share of the cost of the project. The District shall not contribute funding to both the state and local shares of an inlet management or beach renourishment project. Funding for the construction phase of an inlet management or beach renourishment project may be approved by the District Board for a multiple year period subject to budgeting and allocation pursuant to the provisions of Chapter 200, F.S. Additionally the following provisions shall be met for inlet management or beach renourishment projects:

(a) Inlet Management: Inlet management projects shall benefit public navigation within the District and shall be consistent with Department of Environmental Protection approved inlet management plans and the statewide beach management plan pursuant to Section 161.161, F.S. Prior to funding any inlet management project, the Board shall make a finding that the project is a benefit to public navigation in the District. Inlet management projects that are determined to be consistent with Department of Environmental Protection approved inlet management plans are declared to be a benefit to public navigation.

(b) Beach Renourishment: All projects in this category shall be consistent with the statewide beach management plan. Beach renourishment projects shall only include those beaches that have been adversely impacted by navigation inlets, navigation structures, navigation dredging, or a navigation project. Prior to funding any beach renourishment project, the Board shall make a finding that the beaches to be nourished have been adversely impacted by navigation inlets.

navigation structures, navigation dredging or a navigation project. The determination of beach areas that are adversely impacted by navigation for the purposes of this program shall be made by Department of Environmental Protection approved inlet management plans. If state funding is not provided for a beach project, public access with adequate parking must be available in accordance with Chapter 161, F.S.

(6) No change.

(7) Land Acquisition: Land acquisition projects ~~that provide for commercial/industrial waterway access~~ shall qualify for a maximum of fifty (50) percent funding. ~~All other land acquisition projects shall qualify for a maximum of twenty five (25) percent program funding.~~ All pre-agreement expenses for land acquisition must be completed within one-year of the date of application for funding. Except for acquisition of publicly owned spoil disposal site, all funded land acquisition projects must construct the required boating access facility within 7 years of completion of the land acquisition, or the District may require the applicant to refund the program funding. Immediately upon acquiring title to the land, the applicant shall record a declaration of covenants in favor of the District stating that if the required boating access facility is not constructed within 7 years and dedicated for the public use as a boating access facility in perpetuity ~~for a minimum period of 25 years~~ after completion of construction, the District shall require the applicant to refund the program funding.

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1), (3) FS. History—New 12-17-90, Amended 2-6-97, Formerly 16T-1.005, Amended 5-17-98, 3-31-99, 3-21-01, 7-30-02, 3-3-04, 4-21-05, 4-24-06, 4-15-07, 3-25-08, 4-1-09, 3-7-11, 3-7-12, 4-10-13, 5-15-16,_____.

66B-1.008 Project Eligibility

(1) No change.

(2) Property Control: The site of a new proposed land-based development project shall be dedicated for the public use for which the project was intended for a minimum period of ~~35~~ 25 years after project completion. Such dedication shall be in the form of a deed, lease, management agreement or other legally binding document and shall be recorded in the public property records of the county in which the property is located. This property control requirement also applies to a project site owned by another governmental entity. The governmental entity that owns the project site may be joined as a co-applicant to meet this property control requirement. Existing land based development projects that are being repaired, replaced or modified must demonstrate that the project site has been dedicated for public use for at least ~~35~~ 25 years with at least 10 years remaining on the dedication document.

(3) Permits: The project sponsor is responsible for obtaining and abiding by any and all federal, state and local

permits, laws, proprietary authorizations and regulations in the development and operation of the project. Applicants for construction projects that include elements that require state or federal environmental permits or proprietary authorizations will demonstrate that all required environmental permitting and authorizations will be completed by the third Monday in September. ~~District's final TRIM hearing.~~ This demonstration will be by submission of the required environmental permit(s) and authorizations, or by submission of a letter from the agency(s) stating that a permit or authorization is not required. ~~Should the environmental permitting element of an application that has construction elements requiring state or federal environmental permits or authorizations not be completed by the District's final TRIM hearing, the construction portion of the project will not be considered for funding. Whereby funding decisions are completed at the final TRIM hearing, the District will not deviate from the funding schedule to accommodate any application deficiency. Failure to timely submit the required environmental permits and authorizations or letters stating such permits or authorizations are not required shall result in the application not being considered for funding.~~

(4) through (7) No change.

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1)-(3) FS. History—New 12-17-90, Amended 2-6-97, Formerly 16T-1.008, Amended 5-17-98, 3-31-99, 3-5-00, 3-21-01, 7-30-02, 3-20-03, 3-3-04, 4-15-07, 3-25-08, 4-1-09, 2-22-10, 3-7-11, 3-7-12, 1-27-14, 2-17-15, 2-21-16, _____.

66B-1.014 Small-Scale Spoil Island Restoration and Enhancement Projects

(1) through (4) No change.

~~(5) Hold Harmless Waiver—All volunteers, who are not government employees, shall sign a hold harmless waiver Form No. 02-01 (New 7-30-02) as approved by the District and hereby incorporated by reference and available from the District office.~~

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History—New 3-20-03, Amended 4-24-06, 3-7-11, _____.

66B-1.015 Small-Scale Derelict Vessel Removal Projects

(1) through (3) No change.

(4) District funding shall be limited to \$50,000 ~~\$30,000~~ per county, per year, provided on a reimbursement basis only. The limitation on pre-agreement expenses may be waived by the Board in accordance with subsection 66B-1.005(3), F.A.C. Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History—New 4-24-06, Amended 4-15-07, 3-25-08, 3-7-11, 1-27-14, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Janet Zimmerman

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Commissioners, Florida Inland Navigation District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 14, 2020

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 20, 2020

NAVIGATION DISTRICTS

Florida Inland Navigation District

RULE NOS.:	RULE TITLES:
66B-2.003	Definitions
66B-2.005	Funds Allocation
66B-2.0061	Emergency Applications
66B-2.008	Project Eligibility
66B-2.014	Small-Scale Spoil Island Restoration and Enhancement Projects
66B-2.015	Small-Scale Derelict Vessel Removal Projects

PURPOSE AND EFFECT: The proposed rule amendment is being promulgated to implement changes in the administration of the District's Waterway Assistance Program that will improve the quality and variety of projects submitted through the grant program. This makes minor changes to the Waterway Assistance program rule sections: Definitions, Funds Allocation, Emergency Application, Project Eligibility Small-Scale Spoil Island and Small-Scale Derelict Vessel projects and increases potential funding for derelict vessel removal.

SUMMARY: The amendments being proposed at this time will increase potential funding for derelict vessel removal, increase project lifespan and clarify or make changes suggested by JAPC staff.

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: 1) No requirement for a SERC was triggered under Section 120.541(1), F.S. and 2) Based upon the nature of the rule, the adverse impact or regulatory cost, if any, do not exceed nor would be expected to exceed any one of the economic analysis criteria set forth in Section 120.541(2)(a), F.S. It is anticipated that the proposed rule will not have any negative economic impact.

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

RULEMAKING AUTHORITY: 374.976(2) FS.

LAW IMPLEMENTED: 374.976(1)-(3) 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:

DATE AND TIME: January 8, 2021, 11:00 a.m.

PLACE: Florida Inland Navigation District, 1314 Marcinski Rd., Jupiter, Florida 33477

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: Janet Zimmerman, Assistant Executive Director, Florida Inland Navigation District, 1314 Marcinski Rd., Jupiter, FL 33477, Phone: (561)627-3386. 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 IS: Janet Zimmerman, Assistant Executive Director, Florida Inland Navigation District, 1314 Marcinski Rd., Jupiter, FL 33477, Phone: (561)627-3386.

THE FULL TEXT OF THE PROPOSED RULE IS:

66B-2.003 Definitions

(1) through (27) No change.

~~(28) “TRIM HEARING” means a public hearing required by Chapter 200, F.S., concerning the tax and budget of the District.~~

~~(28)~~(29) “WATERWAYS” means the Atlantic Intracoastal Waterway, the Okeechobee Waterway, the Barge Canal in Brevard County west of the Port Canaveral Locks, those portions of the Dania Cut-Off Canal and the Hillsboro Canal east of the water control structures, all navigable natural rivers, bays, creeks or lagoons intersected by said waterways and all navigable natural creeks, rivers, bays or lagoons entering or extending from said waterways.

~~(29)~~(30) “WATERWAY RELATED ENVIRONMENTAL EDUCATION” means an interdisciplinary holistic process by which the learner: develops an awareness of the natural and manmade environments of waterways; develops knowledge about how the environment of the waterways works; acquires knowledge about the technological, social, cultural, political, and economic relationships occurring in waterway related environmental issues; and, becomes motivated to apply action strategies to

maintain balance between quality of life and quality of the environment of waterways.

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History—New 12-17-90, Amended 9-2-92, 2-6-97, Formerly 16T-2.003, Amended 5-17-98, 3-21-01, 3-20-03, 3-3-04, 4-21-05, 4-24-06, 4-15-07, 3-25-08, 3-7-11, _____.

66B-2.005 Funds Allocation

(1) No change.

(2) Project Funding Ratio: All financial assistance and support to eligible governmental agencies shall require, at a minimum, equal matching funds from the project sponsor, with the exception of public navigation projects that meet the provisions of subsection 66B-2.005(6), F.A.C., land acquisition projects in accordance with subsection 66B-2.005(7), and Rule 66B-2.008, F.A.C., small-scale spoil island restoration and enhancement projects that meet the provisions of Rule 66B-2.014, F.A.C., derelict vessel projects consistent with Rule 66B-2.0015, F.A.C., and Waterway Cleanup Projects approved under Rule 66B-2.0016, F.A.C. and projects approved in counties recovering from a state of emergency. Applicant’s in-house costs are limited pursuant to paragraph 66B-2.008(1)(c), F.A.C. All financial assistance to seaports shall require equal matching funds. The District shall contribute no more than fifty percent (50%) of the local share of the cost of an inlet management or beach renourishment project. The District shall not contribute funding to both the state and local shares of an inlet management or beach renourishment project.

(3) through (4) No change.

(5) Inlet Management and Beach Renourishment: Projects and project elements in the categories of inlet management and beach renourishment shall be subject to the following provisions. The District shall contribute no more than fifty percent of the local share of the cost of the project. The District shall not contribute funding to both the state and local shares of an inlet management or beach renourishment project. Funding for the construction phase of an inlet management or beach renourishment project may be approved by the District Board for a multiple year period subject to budgeting and allocation pursuant to the provisions of Chapter 200, F.S. Additionally the following provisions shall be met for inlet management or beach renourishment projects:

(a) Inlet Management: Inlet management projects shall benefit public navigation within the District and shall be consistent with Department of Environmental Protection approved inlet management plans and the statewide beach management plan pursuant to Section 161.161, F.S. Prior to funding any inlet management project, the Board shall make a finding that the project is a benefit to public navigation in the District. Inlet management projects that are determined to be consistent with Department of Environmental Protection

approved inlet management plans are declared to be a benefit to public navigation.

(b) Beach Renourishment: All projects in this category shall be consistent with the statewide beach management plan. Beach renourishment projects shall only include those beaches that have been adversely impacted by navigation inlets, navigation structures, navigation dredging, or a navigation project. Prior to funding any beach renourishment project, the Board shall make a finding that the beaches to be nourished have been adversely impacted by navigation inlets, navigation structures, navigation dredging or a navigation project. The determination of beach areas that are adversely impacted by navigation for the purposes of this program shall be made by Department of Environmental Protection approved inlet management plans. If state funding is not provided for a beach project, public access with adequate parking must be available in accordance with Chapter 161, F.S.

(6) No change.

(7) Land Acquisition: Land acquisition projects ~~that provide for commercial/industrial waterway access~~ shall qualify for a maximum of fifty (50) percent funding. ~~All other land acquisition projects shall qualify for a maximum of twenty five (25) percent program funding.~~ All pre-agreement expenses for land acquisition must be completed within one-year of the date of application for funding. Except for acquisition of publicly owned spoil disposal site, all funded land acquisition projects must construct the required boating access facility within 7 years of completion of the land acquisition, or the District may require the applicant to refund the program funding. Immediately upon acquiring title to the land, the applicant shall record a declaration of covenants in favor of the District stating that if the required boating access facility is not constructed within 7 years and dedicated for the public use as a boating access facility in perpetuity for a minimum period of 25 years after completion of construction, the District shall require the applicant to refund the program funding.

(8) No change

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1), (3) FS. History—New 12-17-90, Amended 6-24-93, 9-5-96, 2-6-97, Formerly 16T-2.005, Amended 5-17-98, 8-26-99, 3-21-01, 7-30-02, 3-3-04, 4-21-05, 4-24-06, 4-15-07, 3-25-08, 4-1-09, 3-7-11, 3-7-12, 4-10-13, 1-27-14, 5-15-16_____.

66B-2.0061 Emergency Applications

Disaster Relief applications may be submitted to the District and considered by the Board at any time during the year to provide assistance to an eligible applicant for the removal of navigation obstructions and repair or replacement of waterway facilities damaged by a declared natural disaster. Applicants for Disaster Relief shall use the same forms listed in Rule 66B-

2.006(2), F.A.C. The District shall consider these applications in accordance with these rules.

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History—New 6-24-93, Amended 2-6-97, Formerly 16T-2.0061, Amended 4-24-06_____.

66B-2.008 Project Eligibility

(1) No change.

(2) Property Control: The site of a new proposed land-based development project, with the exception of those projects requesting Small-Scale Spoil Island Restoration and Enhancement funding, shall be dedicated for the public use for which the project was intended for a minimum period of ~~25~~ 35 years after project completion. Such dedication shall be in the form of a deed, lease, management agreement or other legally binding document and shall be recorded in the public property records of the county in which the property is located. This property control requirement also applies to a project site owned by another governmental entity. The governmental entity that owns the project site may be joined as a co-applicant to meet this property control requirement. Existing land based development projects that are being repaired, replaced or modified must demonstrate that the project site has been dedicated for public use for at least 25 years with at least 10 years remaining on the dedication document.

(3) Permits: The project sponsor is responsible for obtaining and abiding by any and all federal, state and local permits, laws, proprietary authorizations and regulations in the development and operation of the project. Applicants for construction projects that include elements that require state or federal environmental permits or proprietary authorizations will demonstrate that all required environmental permitting and authorizations will be completed by the third Monday in September District's final TRIM hearing. This demonstration will be by submission of the required environmental permit(s) and authorizations, or by submission of a letter from the agency(s) stating that a permit or authorization is not required. ~~Should the environmental permitting element of an application that has construction elements requiring state or federal environmental permits or authorizations not be completed by the District's final TRIM hearing, the construction portion of the project will not be considered for funding. Whereby funding decisions are completed at the final TRIM hearing, the District will not deviate from the funding schedule to accommodate any application deficiency. Failure to timely submit the required environmental permits and authorizations or letters stating such permits or authorizations are not required shall result in the application not being considered for funding.~~

(4) through (7) No change.

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1)-(3) FS. History—New 12-17-90, Amended 9-2-92, 6-24-93, 2-3-94, 4-12-95, 9-5-96, 2-6-97, Formerly 16T-2.008, Amended 5-17-98, 3-31-

99, 5-25-00, 3-21-01, 7-30-02, 3-20-03, 3-3-04, 4-15-07, 3-25-08, 4-1-09, 2-22-10, 3-7-11, 3-7-12, 1-27-14, 2-17-15, 2-21-16,_____.

66B-2.014 Small-Scale Spoil Island Restoration and Enhancement Projects

(1) Through (4) no change.

~~(5) Hold Harmless Waiver: All volunteers, who are not government employees, shall sign a hold harmless waiver Form No. 02-01 (New 7-30-02) as approved by the District and hereby incorporated by reference and available from the District office.~~

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History—New 7-30-02, Amended 4-24-06, 3-7-11.

66B-2.015 Small-Scale Derelict Vessel Removal Projects

(1) through (3) No change.

(4) District funding shall be limited to \$50,000.00 ~~\$30,000.00~~ per county, per year, provided on a reimbursement basis only. The limitation on pre-agreement expenses may be waived by the Board in accordance with subsection 66B-2.005(3), F.A.C.

(5) through (11) No change

Rulemaking Authority 374.976(2) FS. Law Implemented 374.976(1) FS. History—New 4-24-06, Amended 4-15-07, 3-25-08, 3-7-11, 1-27-14,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Janet Zimmerman

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Commissioners, Florida Inland Navigation District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 14, 2020

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 20, 2020

NAVIGATION DISTRICTS

Florida Inland Navigation District

RULE NOS.:	RULE TITLES:
66B-3.002	Definitions
66B-3.005	Title Reports
66B-3.007	Appraisal Procedures
66B-3.008	Determining the Maximum Amount
66B-3.009	Appraiser Selection
66B-3.013	Multi-Party Acquisitions

PURPOSE AND EFFECT: The purpose of the proposed rule development is to clarify and revise rule provisions to the Land Acquisition Procedure rules. This makes minor changes to Land Acquisition rule sections: Definitions, Title Reports, Appraisal Procedures, Determination of Maximum Amount, Appraiser Selection and Multi-Party Acquisitions.

SUMMARY: The amendments being proposed at this time will clarify or make changes suggested by JAPC staff.

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: 1) No requirement for a SERC was triggered under Section 120.541(1), F.S. and 2) Based upon the nature of the rule, the adverse impact or regulatory cost, if any, do not exceed nor would be expected to exceed any one of the economic analysis criteria set forth in Section 120.541(2)(a), F.S. It is anticipated that the proposed rule will not have any negative economic impact.

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

RULEMAKING AUTHORITY: 374.984(3) FS.

LAW IMPLEMENTED: 374.984(1)-(3) 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:

DATE AND TIME: January 8, 2021, 11:00 a.m.

PLACE: Florida Inland Navigation District, 1314 Marcinski Rd., Jupiter, Florida 33477

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: Janet Zimmerman, Assistant Executive Director, Florida Inland Navigation District, 1314 Marcinski Rd., Jupiter, FL 33477, Phone: (561)627-3386. 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 IS: Janet Zimmerman, Assistant Executive Director, Florida Inland Navigation District, 1314 Marcinski Rd., Jupiter, FL 33477, Phone: (561)627-3386.

THE FULL TEXT OF THE PROPOSED RULE IS:

66B-3.002 Definitions

(1) through (11) No change.

(12) “State Certified General Appraiser” means a real estate appraiser who has been certified by the State Florida

Board of Real Estate Appraisers as a certified general appraiser under the provisions of Chapter 475, F.S.

(13) No change

~~(14) “Uniform Standards of Professional Appraisal Practice” means the generally accepted standards of the appraisal profession that deal with the procedures to be followed in developing an appraisal, analysis, or opinion and the manner in which such appraisal, analysis, or opinion is communicated.~~

Rulemaking Authority 374.984(3) FS. Law Implemented 374.984(1)-(3) FS. History–New 8-17-99,_____.

66B-3.005 Title Reports

(1) through (2) No change

(3) The District shall waive the requirement of the evidence of marketability for acquisition of property assessed by the county property appraiser at ~~\$15,000~~ \$10,000 or less, where the District finds, based upon such review of the title records as is reasonable under the circumstances, that there is no apparent impediment to marketability, or to management and use of the property by the District.

(4) No change

Rulemaking Authority 374.984(3) FS. Law Implemented 374.984(1)-(3) FS. History–New 8-17-99,_____.

66B-3.007 Appraisal Procedures

(1) All appraisal reports shall be prepared by or under the direct supervision of a State Certified General Appraiser, who shall sign the appraisal report. Techniques and methods used by the fee appraiser shall be consistent with the Uniform Standards of Professional Appraisal Practice which are hereby incorporated by reference.

(2) through (5) No change

Rulemaking Authority 374.984(3) FS. Law Implemented 374.984(1)-(3) FS. History–New 8-17-99,_____.

66B-3.008 Determination of Maximum Amount

(1) The maximum ~~minimum~~ amount that may be paid by the District for a parcel to be acquired shall be the value indicated in a single approved appraisal if only one appraisal is required. If two appraisals are obtained and approved when only one is required by law, the maximum value shall be the higher of the appraisals, regardless of their divergence.

(2) through (6) No change

Rulemaking Authority 374.984(3) FS. Law Implemented 374.984(1)-(3) FS. History–New 8-17-99,_____.

66B-3.009 Appraiser Selection

The selection of fee appraisers shall be accomplished as follows.

(1) The District will determine whether the appraiser is a State Certified General Appraiser ~~state certified appraiser~~

pursuant to subsection 66B-3.002(12), F.A.C., and is a MAI designated appraiser. The name of each appraiser who is determined to be eligible will be placed on a list of approved appraisers for the appraisal project.

(2) through (3) No change

Rulemaking Authority 374.984(3) FS. Law Implemented 374.984(1)-(3) FS. History–New 8-17-99,_____.

66B-3.013 Multi-Party Acquisitions

(1) The District may enter into an acquisition agreement with a water management district, a local government, a member county, or a navigation related district for any property which has been determined in a long range dredged material management plan or plan update approved by the Board to be necessary for dredged material management of the Atlantic Intracoastal or and Okeechobee Waterways in Florida.

(2) through (3) No change

Rulemaking Authority 374.984(3) FS. Law Implemented 374.984(1)-(3) FS. History–New 8-17-99,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Janet Zimmerman

NAME OF AGENCY HEAD WHO APPROVED THE

PROPOSED RULE: Board of Commissioners, Florida Inland Navigation District

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: November 14, 2020

DATE NOTICE OF PROPOSED RULE DEVELOPMENT

PUBLISHED IN FAR: November 20, 2020

Section III

Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

RULE NO.: RULE TITLE:

61-35.021 Professional Geologist Departmental Forms
NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 46 No. 183, September 18, 2020 issue of the Florida Administrative Register.

The changes are in response to written comments submitted by the staff of the Joint Administrative Procedures Committee in a letter dated September 24, 2020.

61-35.021 Professional Geologist Departmental Forms.

The following Professional Geologist forms can be obtained at www.myfloridalicense.com/dbpr/ or by contacting the Department of Business and Professional Regulation, 2601

Blair Stone Road, Tallahassee, FL 32399-0790, (850)487-1395:

(1) Any person desiring to apply for licensure as a Professional Geologist shall submit a completed Form DBPR PG 4701, Application for Licensure, effective XXXXXX, adopted and incorporated by reference at, <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>.

(2)- (5) No change.

(6) Any person desiring to register as a Geologist in Training shall submit a completed Form DBPR PG 4706, Application for Geologist in Training, effective XXXXXX, adopted and incorporated by reference at, <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>.

(7) No change.

Rulemaking Authority ~~420.536, 420.54~~, 455.203, 455.213, 455.271, 492.104, ~~492.105, 492.106, 492.108, 492.111~~, FS. Law Implemented ~~492.104, 492.105, 492.1051, 492.106, 492.108, 492.111, 492.1101, 455.213, 455.217, 455.271~~, 559.79 FS, History-New.

NAME OF PERSON ORIGINATING PROPOSED RULE: Aimee Odom, Rules Coordinator, Division of Professions, 2601 Blair Stone Road, Tallahassee, Florida 32399-0760, (850)717-1394.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Halsey Beshears, Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 24, 2020

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 21, 2020 (v. 46, n. 141)

Section IV Emergency Rules

NONE

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF MANAGEMENT SERVICES

Public Employees Relations Commission

RULE NO.: RULE TITLE:

60CC-4.002 Ratification by Members of Bargaining Unit
NOTICE IS HEREBY GIVEN that on December 10, 2020, the Public Employees Relations Commission, received a petition for variance from Rule 60CC-4.002, F.A.C., from Kevin Daly and the Teachers Association of Lee County to allow the

Teachers Association of Lee County to conduct all aspects of a ratification election electronically. The petition was assigned Case No. MS-2020-081. Any interested person may submit written comments on this petition within 5 days of publication of this notice by mail to Commission Clerk, Public Employees Relations Commission, 4708 Capital Circle Northwest, Suite 300, Tallahassee, Florida 32303-7256 or by facsimile to (850)488-9704.

A copy of the Petition for Variance or Waiver may be obtained by contacting: The Clerk, Public Employees Relations Commission, 4708 Capital Circle Northwest, Suite 300, Tallahassee, Florida 32303-7256 or by email to Barry.Dunn@perc.myflorida.com.

DEPARTMENT OF MANAGEMENT SERVICES

Public Employees Relations Commission

RULE NO.: RULE TITLE:

60CC-4.002 Ratification by Members of Bargaining Unit
NOTICE IS HEREBY GIVEN that on December 10, 2020, the Public Employees Relations Commission, received a petition for variance from Rule 60CC-4.002, F.A.C., from Jamie Michael and the Support Personnel Association of Lee County to allow the Support Personnel Association of Lee County to conduct all aspects of a ratification election electronically. The petition was assigned Case No. MS-2020-082. Any interested person may submit written comments on this petition within 5 days of publication of this notice by mail to Commission Clerk, Public Employees Relations Commission, 4708 Capital Circle Northwest, Suite 300, Tallahassee, Florida 32303-7256 or by facsimile to (850)488-9704.

A copy of the Petition for Variance or Waiver may be obtained by contacting: The Clerk, Public Employees Relations Commission, 4708 Capital Circle Northwest, Suite 300, Tallahassee, Florida 32303-7256 or by email to Barry.Dunn@perc.myflorida.com.

DEPARTMENT OF MANAGEMENT SERVICES

Public Employees Relations Commission

RULE NO.: RULE TITLE:

60CC-4.002 Ratification by Members of Bargaining Unit
NOTICE IS HEREBY GIVEN that on December 10, 2020, the Public Employees Relations Commission, received a petition for variance from Rule 60CC-4.002, F.A.C., from Bobby Mermer and the United Faculty of Florida to allow the United Faculty of Florida to conduct all aspects of a ratification election electronically. The petition was assigned Case No. MS-2020-083. Any interested person may submit written comments on this petition within 5 days of publication of this notice by mail to Commission Clerk, Public Employees Relations Commission, 4708 Capital Circle Northwest, Suite 300, Tallahassee, Florida 32303-7256 or by facsimile to (850)488-9704.

A copy of the Petition for Variance or Waiver may be obtained by contacting: The Clerk, Public Employees Relations Commission, 4708 Capital Circle Northwest, Suite 300, Tallahassee, Florida 32303-7256 or by email to Barry.Dunn@perc.myflorida.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on December 10, 2020, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and paragraph 5-202.11(A), 2017 FDA Food Code; paragraph 4-301.11(A) and paragraph 4-301.12(A), 2017 FDA Food Code and subsection 61C-4.010(5), Florida Administrative Code and Section 5-203.13, 2017 FDA Food Code from DA KINE POKE LLC located in Winter Park. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater; the requirement that adequate cold food storage is provided; and that each establishment has at least one service sink provided for the cleaning of mops or similar cleaning tools and the disposal of mop water. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at both handwash sinks; to share the warewashing facilities and share the Walk in cooler and Walk in freezer; and the mop sink located on the premises of a nearby business under a different ownership.

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

A copy of the Petition for Variance or Waiver may be obtained by contacting: Kasimira.Kelly@myfloridalicense.com, Division of Hotels and Restaurants, 2601 Blair Stone Road, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On December 11, 2020, the Division issued an order. The Final Order was in response to a Petition for an emergency permanent Variance from Turban, filed November 16, 2020, and advertised on November 19, 2020, in

Vol. 46, No. 226, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rules 2.4.1.5 and 2.15.9.2, ASME A17.1, 2013 edition, as adopted by Rule 61C-5.001, Florida Administrative Code that requires platform guards and bottom car clearances operations because the Petitioner has demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2020-143).

A copy of the Order or additional information may be obtained by contacting: Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013. dhr.elevators@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: RULE TITLE:

61G4-12.009 Fees

NOTICE IS HEREBY GIVEN that on November 18, 2020, the Construction Industry Licensing Board, received a petition for variance or waiver filed by Steven D. Ginsburg is seeking a variance or waiver of paragraph 61G4-12.009(11)(a), Florida Administrative Code, that states pursuant to subsection 455.271(7), F.S., the delinquency fee for certification or registration shall be twenty-five dollars (\$25.00).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Daniel Biggins, Executive Director, Construction Industry Licensing Board, 2601 Blair Stone Road, Tallahassee, Florida 32399-1039 or telephone: (850)487-1395, or by electronic mail to Donald.Shaw@myfloridalicense.com. Comments on this petition should be filed with the Construction Industry Licensing Board within 14 days of publication of this notice.

DEPARTMENT OF CHILDREN AND FAMILIES

Agency for Persons with Disabilities

RULE NO.: RULE TITLE:

65G-5.004 Selection of Housing.

The Agency for Persons with Disabilities hereby gives notice: That on October 30, 2020, the Agency for Persons with Disabilities ("Agency") received a petition for a waiver from paragraph 65G-5.004(2)(d), F.A.C., from T.S. ("Petitioner"). The rule states in part: "Neither the supported living provider nor the immediate family of the supported living provider shall serve as landlord or have any interest in the ownership of the housing unit." Petitioner sought a waiver from paragraph 65G-5.004(2)(b), F.A.C., and indicates that her daughter has been living in the home owned by her provider for more than 21 years, has received intense specialized care while there, and regards the residence as her home. The Agency agrees that strict

application of the rule would cause a significant hardship to her daughter to the extent that it would preclude her daughter from receiving necessary personal support services from the provider she has known all of her life in the familiar environment she considers her home. The waiver shall be effective January 1, 2021, and shall expire on December 31, 2020. As previously established in the initial rule waiver issued on May 29, 2015, the waiver continues to be subject to annual renewal every calendar year starting January 1st pending receipt of a new petition. The order granting the petition was issued on December 10, 2020.

A copy of the Order or additional information may be obtained by contacting: Brett Taylor, Senior Attorney, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 335, Tallahassee, Florida 32399-0950, (850)410-1309, brett.taylor@apdcares.org.

Section VI Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF HEALTH

The Correctional Medical Authority (CMA) announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 30, 2020, 2:00 p.m.

PLACE: Open Voice Conference: 1(888)585-9008 (toll-free), Conference Room: 344085830#

GENERAL SUBJECT MATTER TO BE CONSIDERED: CMA Board approval of annual and aging reports.

A copy of the agenda may be obtained by contacting: CMA@flhealth.gov, or (850)841-8430.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: The Department of Health at (850)245-4444. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HEALTH

Board of Medicine

The Board of Medicine –Joint Rules Committee Meeting announces a telephone conference call to which all persons are invited.

DATE AND TIME: (UPDATE/CANCELLATION) Wednesday, December 16, 2020, 10:00 a.m. ET. This meeting has been cancelled as of Thursday, December 10, 2020 and rescheduled for Monday, December 21, 2020.

PLACE: Update as of 12/10/2020 – This meeting has been cancelled.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business of the Joint Rules Committee. Cancelled Meeting as of Thursday, December 10, 2020.

A copy of the agenda may be obtained by contacting: Board of Medicine at

<https://flboardofmedicine.gov/meeting-information/>.

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: BOM Meeting Materials at BOM.MeetingMaterials@flhealth.gov or call at (850)245-4131. 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: BOM Meeting Materials at BOM.MeetingMaterials@flhealth.gov or call at (850)245-4131.

FLORIDA ASSOCIATION OF CENTERS FOR INDEPENDENT LIVING

The Florida Association of Centers for Independent Living announces a public meeting to which all persons are invited.

DATE AND TIME: January 15, 2021, 1:00 p.m., ET

PLACE:

<https://us02web.zoom.us/j/85821484799?pwd=aGc5eG1Eb3BrbXd6aE1SelpxeTNwdz09>

GENERAL SUBJECT MATTER TO BE CONSIDERED: Matters related to the James Patrick Memorial Work Incentive Personal Attendant Services and Employment Assistance Program.

Join Zoom Meeting

<https://us02web.zoom.us/j/85821484799?pwd=aGc5eG1Eb3BrbXd6aE1SelpxeTNwdz09>

Meeting ID: 858 2148 4799

Passcode: 535626

One tap mobile

+13126266799,,85821484799#,,,,,0#,,535626# US (Chicago)

+16465588656,,85821484799#,,,,,0#,,535626# US (New York)

Dial by your location

+1 312 626 6799 US (Chicago)

+1 646 558 8656 US (New York)

+1 301 715 8592 US (Washington D.C)

+1 346 248 7799 US (Houston)

+1 669 900 9128 US (San Jose)

+1 253 215 8782 US (Tacoma)

Meeting ID: 858 2148 4799

Passcode: 535626

Find your local number:

<https://us02web.zoom.us/j/kdv3BafHt0>

A copy of the agenda may be obtained by contacting: Kristen Herron at 850-575-6004.

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: Kristen Herron at 850-575-6004. 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).

QCAUSA

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

DATE AND TIME: Wednesday, January 13, 2021, 5:30 p.m. – 6:30 p.m.

PLACE: To join the virtual public workshop (preregistration required), go to <https://register.gotowebinar.com/register/5383093891759478543>

If using a mobile device, the free "GoToWebinar" app will be required. Download at Apple Store or Google Play.

Participants can use their telephone (listen mode) by calling (631)992-3221, Access Code: 580-043-201

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT), District Four, will be hosting a Virtual Public Information Workshop for a second continuous eastbound to northbound off-ramp from SR 80/Southern Boulevard to Australian Avenue in the City of West Palm Beach, Florida and Town of Glen Ridge, Florida. The proposed improvements will relieve congestion and increase safety. The project includes new signalization and mast arms at SR 80/Southern Boulevard and Australian Avenue.

A copy of the agenda may be obtained by contacting: Ms. Haiyan Ou, P.E., Project Manager, Florida Department of Transportation District Four, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309, at (954)777-4641 (telephone) or via email at Haiyan.Ou@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Ms. Haiyan Ou, P.E., Project Manager, Florida

Department of Transportation District Four, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309, at (954)777-4641 (telephone) or via email at Haiyan.Ou@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Ms. Haiyan Ou, P.E., Project Manager, Florida Department of Transportation District Four, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309, at (954)777-4641 (telephone) or via email at Haiyan.Ou@dot.state.fl.us.

Section VII
Notice of Petitions and Dispositions
Regarding Declaratory Statements

NONE

Section VIII
Notice of Petitions and Dispositions
Regarding the Validity of Rules

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

NONE

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

NONE

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

NONE

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

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

NONE

Section XII
Miscellaneous

DEPARTMENT OF STATE

Index of Administrative Rules Filed with the Secretary of State Pursuant to subparagraph 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 3:00 p.m., Monday, December 5, 2020 and 3:00 p.m., Friday, December 11, 2020.

Rule No.	File Date	Effective Date
6A-1.099813	12/10/2020	12/30/2020
12A-1.001	12/11/2020	12/31/2020
12A-1.007	12/11/2020	12/31/2020
12A-1.0071	12/11/2020	12/31/2020
12A-1.043	12/11/2020	12/31/2020
12A-1.0641	12/11/2020	12/31/2020
12A-1.097	12/11/2020	12/31/2020
12A-1.104	12/11/2020	12/31/2020
12AER20-13	12/10/2020	12/10/2020
12AER20-14	12/10/2020	12/10/2020
12AER20-15	12/10/2020	12/10/2020
12B-8.003	12/11/2020	12/31/2020
12BER20-16	12/10/2020	12/10/2020
59C-1.008	12/10/2020	12/30/2020
64B18-12.008	12/9/2020	12/29/2020
64B18-16.005	12/9/2020	12/29/2020
64B18-16.006	12/9/2020	12/29/2020
64B18-24.002	12/9/2020	12/29/2020
LIST OF RULES AWAITING EPA APPROVAL PURSUANT TO SECTION 373.4146 (2), FLORIDA STATUTES		

Rule No.	File Date	Effective Date
62-330.010	7/21/2020	**/**/****
62-330.050	6/26/2020	**/**/****
62-330.060	6/26/2020	**/**/****
62-330.090	6/26/2020	**/**/****
62-330.201	6/26/2020	**/**/****
62-330.340	6/26/2020	**/**/****
62-330.402	6/26/2020	**/**/****
62-331.010	7/21/2020	**/**/****
62-331.020	6/11/2020	**/**/****
62-331.030	6/11/2020	**/**/****
62-331.040	6/11/2020	**/**/****
62-331.050	6/11/2020	**/**/****
62-331.051	7/21/2020	**/**/****
62-331.052	7/21/2020	**/**/****
62-331.053	7/21/2020	**/**/****
62-331.054	7/21/2020	**/**/****
62-331.060	7/21/2020	**/**/****
62-331.070	6/11/2020	**/**/****
62-331.080	7/21/2020	**/**/****
62-331.090	7/21/2020	**/**/****
62-331.100	6/11/2020	**/**/****
62-331.110	7/21/2020	**/**/****
62-331.120	7/21/2020	**/**/****
62-331.130	6/11/2020	**/**/****
62-331.140	6/11/2020	**/**/****
62-331.160	7/21/2020	**/**/****
62-331.200	7/21/2020	**/**/****
62-331.201	7/21/2020	**/**/****
62-331.210	7/21/2020	**/**/****
62-331.211	6/11/2020	**/**/****

62-331.212	6/11/2020	**/**/****
62-331.213	6/11/2020	**/**/****
62-331.214	6/11/2020	**/**/****
62-331.215	7/21/2020	**/**/****
62-331.216	7/21/2020	**/**/****
62-331.217	7/21/2020	**/**/****
62-331.218	6/11/2020	**/**/****
62-331.219	6/11/2020	**/**/****
62-331.220	6/11/2020	**/**/****
62-331.221	6/11/2020	**/**/****
62-331.222	6/11/2020	**/**/****
62-331.223	6/11/2020	**/**/****
62-331.224	6/11/2020	**/**/****
62-331.225	7/21/2020	**/**/****
62-331.226	7/21/2020	**/**/****
62-331.227	6/11/2020	**/**/****
62-331.228	6/11/2020	**/**/****
62-331.229	7/21/2020	**/**/****
62-331.230	7/21/2020	**/**/****
62-331.231	7/21/2020	**/**/****
62-331.233	6/11/2020	**/**/****
62-331.234	6/11/2020	**/**/****
62-331.235	6/11/2020	**/**/****
62-331.236	6/11/2020	**/**/****
62-331.237	6/11/2020	**/**/****
62-331.238	6/11/2020	**/**/****
62-331.239	6/11/2020	**/**/****
62-331.240	7/21/2020	**/**/****
62-331.241	6/11/2020	**/**/****
62-331.242	7/21/2020	**/**/****
62-331.243	6/11/2020	**/**/****
62-331.244	6/11/2020	**/**/****

62-331.245	6/11/2020	**/**/****
62-331.246	6/11/2020	**/**/****
62-331.247	6/11/2020	**/**/****
62-331.248	7/21/2020	**/**/****
LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES		
Rule No.	File Date	Effective Date
60FF1-5.009	7/21/2016	**/**/****
60P-1.003	11/5/2019	**/**/****
60P-2.002	11/5/2019	**/**/****
60P-2.003	11/5/2019	**/**/****
64B8-10.003	12/9/2015	**/**/****

**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.