

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

**DEPARTMENT OF EDUCATION**

**Florida School for the Deaf and the Blind**

RULE NO.: RULE TITLE:

6D-7.0073 Disciplinary Procedures and Disposition

PURPOSE AND EFFECT: The purpose of this rule is to establish general student disciplinary standards and procedures for the Florida School for the Deaf and the Blind.

SUBJECT AREA TO BE ADDRESSED: Discussion of amendment to the requirements for disciplinary standards and procedures for and discipline of students for the Florida School for the Deaf and the Blind.

RULEMAKING AUTHORITY: 1002.36(4)(c), F.S.

LAW IMPLEMENTED: 1002.36, F.S.

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

DATE AND TIME: Friday, February 23, 2018, 9:00 a.m.

PLACE: Center for Leadership Development, Moore Hall, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084

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: Cindy Brueckner, Executive Assistant to the President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, Florida 32084, Telephone (904)827-2210, Email: bruecknerc@fsdb.k12.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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Cindy Day, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, Florida 32084, Telephone (904)827-2200, Email: dayc@fsdb.k12.fl.us

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

**DEPARTMENT OF TRANSPORTATION**

RULE NO.: RULE TITLE:

14-10.057 Application and Permit Insurance

PURPOSE AND EFFECT: To provide requirements for tree trimming and other vegetation management on Department property as necessary for visibility of outdoor advertising signs.

SUBJECT AREA TO BE ADDRESSED: Vegetation management at outdoor advertising signs.

RULEMAKING AUTHORITY: 334.044(2), 337.405, 479.02(7), 479.106, FS.

LAW IMPLEMENTED: 334.044(26), 335.167, 337.405, 479.106, 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: Susan Schwartz, Assistant General Counsel, Florida Department of Transportation, 605 Suwannee Street, Tallahassee, FL 32399, susan.schwartz@dot.state.fl.us.

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

**DEPARTMENT OF TRANSPORTATION**

RULE NOS.: RULE TITLES:

14-61.0012 Definitions

14-61.0013 Tolls

14-61.0014 Limitation on Use of Turnpike System

14-61.0015 Prohibitions on the Turnpike System

14-61.0016 Turnpike Tandem Access

14-61.0017 Other Regulations

14-61.0018 Tractor Requirements

14-61.0019 Tire Requirements

14-61.0020 Brake Requirements

14-61.0021 Emergency Equipment

14-61.0022 Lead Trailer Requirements

14-61.0023 Converter Dolly Requirements

14-61.0024 Lamps, Etc.

14-61.0025 Inspection by Driver

14-61.0026 Coupling Devices/Hitch Connections

14-61.0027 Staging

14-61.0028 Speed Limits, Minimum Distances, Passing, and Operations Under Hazardous Conditions

PURPOSE AND EFFECT: To clarify requirements for use of turnpike tandems and other vehicles on the Turnpike System, eliminating rule language that is unnecessary and duplicative of state laws.

SUBJECT AREA TO BE ADDRESSED: Florida's Turnpike System and use of turnpike-tandem trailers.

RULEMAKING AUTHORITY: 316.550(6), 334.044(2), 338.239, FS.

LAW IMPLEMENTED: 316.1001, 316.515, 316.646, 324.171, 334.044(14), 338.155, 338.165, 338.2216, 338.234, 338.239, 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: Susan Schwartz, Assistant General Counsel, Florida Department of Transportation, 605 Suwanee Street, Tallahassee, FL 32399. THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**RULE NO.:**        **RULE TITLE:**  
 62-302.530        Table: Surface Water Quality Criteria  
**PURPOSE AND EFFECT:** The Department of Environmental Protection (department) is initiating rulemaking to consider proposed revisions to the human health-based surface water quality criteria in Rule 62-302.530, F.A.C., that are designed to ensure that Floridians can safely eat Florida fish and drink local tap water. The department intends to conduct a state-wide fish consumption survey to accurately determine the amount and types of fish commonly eaten by Floridians in advance of criteria development and adoption.  
**SUBJECT AREA TO BE ADDRESSED:** The department is initiating rulemaking to revise human health-based surface water quality criteria within Rule 62-302.530, F.A.C.  
**RULEMAKING AUTHORITY:** 403.061, 403.062, 403.087, 403.504, 403.704, 403.804 FS.  
**LAW IMPLEMENTED:** 403.021(11), 403.061, 403.087, 403.088, 403.141, 403.161, 403.182, 403.502, 403.702, 403.708 FS.  
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Eric Shaw, Water Quality Standards Program, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS 6511, Tallahassee, FL 32399-2400; telephone (850)245-8429, email Eric.Shaw@dep.state.fl.us.  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**Section II  
 Proposed Rules**

**DEPARTMENT OF STATE**

**Division of Cultural Affairs**

**RULE NOS.:**        **RULE TITLES:**  
 1T-1.036            Arts and Cultural Grants  
 1T-1.040            Fast Track Grants

**PURPOSE AND EFFECT:** The purpose of this rule amendment is to establish in rule the most recent guidelines, forms, and Grant Award Agreements for the General Program Support Cultural Project, and Fast Track Grants.

**SUMMARY:** The guidelines and incorporated material for grant programs are being updated for the upcoming grant cycle.

**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: Upon completion of the SERC checklist, it was determined that this rule amendment will not have a direct or indirect adverse impact on small businesses.

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:** 265.286(11), FS.

**LAW IMPLEMENTED:** 265.286, 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:** Carlos A. Rey, Florida Department of State, 500 S. Bronough St., Tallahassee, FL 32304, (850)245-6536, Carlos.Rey@dos.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

1T-1.036 Arts and Cultural Grants.

(1) This rule provides the requirements for grant programs administered by the Division of Cultural Affairs (Division). Each program is governed by guidelines which contain eligibility requirements, application review procedures, evaluation and funding criteria, grant administration procedures, and application forms. All grant awards are subject to the approval of the Secretary of State.

(2) All grant applicants must meet the requirements set forth in the Grant Guidelines for ~~2018-2019~~ 2019-2020 General Program Support and Grant Guidelines for ~~2018-2019~~ 2019-2020 Specific Cultural Projects, <http://www.flrules.org/Gateway/reference.asp?No=Ref-08137>, which are available from the Division at [www.Florida-arts.org](http://www.Florida-arts.org) [www.dos.myflorida.com/cultural](http://www.dos.myflorida.com/cultural), effective ~~05/17~~ XX/XX, and are hereby incorporated by reference:

(a) The General Program Support Program provides general program support for local arts agencies, state service organizations, and organizations that have general program activity in any of the art and cultural disciplines in Section 265.283(7), F.S.

(b) Specific Cultural Projects Program, provides funding for arts in education, underserved cultural community development, artist projects, and other nonprofit public or private organizations having specific cultural project activity in any of the arts and cultural disciplines in Section 265.283(7), F.S. Grant administration procedures are also included as part of the guidelines.

(3) The following application form is available from the Division at [www.Florida-arts.org](http://www.Florida-arts.org) [www.dosgrants.com](http://www.dosgrants.com) and is hereby incorporated by reference: General Program Support and Specific Cultural Projects Program Application (Form CA2E145, <http://www.flrules.org/Gateway/reference.asp?No=Ref-08135>, effective ~~05/17~~ XX/XX).

(4) The following forms are used in the administration of all grant programs in this rule and are hereby incorporated by reference and available at [www.Florida-arts.org](http://www.Florida-arts.org):

(a) Final Report Form (Form CA2E004, <http://www.flrules.org/Gateway/reference.asp?No=Ref-08127>, effective ~~05/17~~ XX/XX).

(b) Grant Award Agreement (Form CA2E142, <http://www.flrules.org/Gateway/reference.asp?No=Ref-08128>, effective ~~05/17~~ XX/XX).

(5) The following documents are incorporated by reference:

(a) Section 504 Self Evaluation Workbook from the National Endowment for the Arts,

<http://www.flrules.org/Gateway/reference.asp?No=Ref-08132>, effective 05/17.

(b) National Endowment for the Arts General Terms & Conditions for Partnership Agreements, <http://www.flrules.org/Gateway/reference.asp?No=Ref-08133>, effective 05/15.

Rulemaking Authority 265.286(11) FS. Law Implemented 265.286 FS. History—New 10-27-09, Amended 6-1-10, 4-2-12, 6-10-13, 3-16-14, 5-27-15, 7-6-16, 5-14-17, XX-XX-XX.

1T-1.040 Fast Track Grants.

(1) This rule provides the requirements for the Fast Track Grants Program administered by the Division of Cultural Affairs (Division). The guidelines contain eligibility requirements, application review procedures, evaluation criteria, and application forms. All grant awards are subject to the approval of the Secretary of State.

(2) All grant applicants must meet the requirements set forth in the Grant Guidelines for ~~2017-2018~~ 2018-2019 Fast Track Project Program, <http://www.flrules.org/Gateway/reference.asp?No=Ref-08141>, effective ~~05/17~~ XX/XX, which are available from the Division at [www.Florida-arts.org](http://www.Florida-arts.org) [www.dos.myflorida.com/cultural](http://www.dos.myflorida.com/cultural) and are hereby incorporated by reference.

(3) The following application form is available from the Division at [www.Florida-arts.org](http://www.Florida-arts.org) [www.dosgrants.com](http://www.dosgrants.com) and is hereby incorporated by reference: Fast Track Grants Program Application (Form CA2E157, <http://www.flrules.org/Gateway/reference.asp?No=Ref-08142>, effective ~~05/17~~ XX/XX).

(4) The following forms are used in the administration of the Fast Track Grant Program in this rule and are hereby incorporated by reference.

(a) Final Report Form (Form CA2E004, <http://www.flrules.org/Gateway/reference.asp?No=Ref-08127>, effective ~~05/17~~ XX/XX).

(b) Grant Award Agreement (Form CA2E142, <http://www.flrules.org/Gateway/reference.asp?No=Ref-08128>, effective ~~05/17~~ XX/XX).

Rulemaking Authority 265.286(11) FS. Law Implemented 265.286 FS. History—New 8-12-12, Amended 6-10-13, 3-16-14, 4-29-15, 7-6-16, 5-14-17, XX-XX-XX.

NAME OF PERSON ORIGINATING PROPOSED RULE: Tim Storhoff

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ken Detzner

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 01/23/2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: 01/12/2018

**DEPARTMENT OF STATE**

**Division of Cultural Affairs**

RULE NO.: RULE TITLE:  
 1T-1.039 Cultural Facilities Program

PURPOSE AND EFFECT: The purpose of this rule amendment is to establish in rule the most recent guidelines, forms, and Grant Award Agreements Cultural Facilities.

SUMMARY: The guidelines and incorporated material for grant programs are being updated for the upcoming grant cycle.  
 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: Upon completion of the SERC checklist, it was determined that this rule amendment will not have a direct or indirect adverse impact on small businesses.

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: 265.701(5), FS.

LAW IMPLEMENTED: 265.701, 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: Carlos A. Rey, Florida Department of State, 500 S. Bronough St., Tallahassee, FL 32304, (850)245-6536, Carlos.Rey@dos.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

1T-1.039 Cultural Facilities Program.

(1) This rule provides the requirements for the Cultural Facilities Program administered by the Division of Cultural Affairs (Division). All grant applicants must meet the requirements set forth in the Grant Guidelines for ~~2018-2019~~ 2019-2020 Cultural Facilities, <http://www.flrules.org/Gateway/reference.asp?No=Ref-08134> \_\_\_\_\_, effective 05/17 XX/XX, which are available from the Division at ~~www.Florida arts.org~~ [www.dos.myflorida.com/cultural](http://www.dos.myflorida.com/cultural), and are hereby incorporated by reference. The program guidelines contain eligibility

requirements, application review procedures, evaluation and funding criteria, and application forms. All grant awards are subject to the approval of the Secretary of State and Legislative appropriation.

(2) The Cultural Facilities Program Application (Form CA2E147, <http://www.flrules.org/Gateway/reference.asp?No=Ref-08138> \_\_\_\_\_, effective 05/17 XX/XX), is available from the Division online at ~~www.Florida arts.org~~ [www.dosgrants.com](http://www.dosgrants.com), and is hereby incorporated by reference.

(3) The following forms must be used in the administration of the Cultural Facilities Program and are hereby incorporated by reference and available at ~~www.Florida arts.org~~ [www.dosgrants.com](http://www.dosgrants.com):

(a) Cultural Facilities Program Report Form (Form CA2E048, <http://www.flrules.org/Gateway/reference.asp?No=Ref-08139> \_\_\_\_\_, effective 05/17 XX/XX).

(b) Grant Award Agreement (Form CA2E038, <http://www.flrules.org/Gateway/reference.asp?No=Ref-08140> \_\_\_\_\_, effective 05/17 XX/XX).

Rulemaking Authority 265.701(5) FS. Law Implemented 265.701 FS. History—New 7-13-10, Formerly 1T-1.001(3), Amended 6-5-12, 6-13-13, 3-16-14, 4-29-15, 7-6-16, 5-14-17, XX-XX-XX.

NAME OF PERSON ORIGINATING PROPOSED RULE: Tim Storhoff

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ken Detzner

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 01/23/2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: 01/12/2018

**DEPARTMENT OF TRANSPORTATION**

RULE NOS.: RULE TITLES:  
 14-26.0041 Definitions and Terms  
 14-26.00411 Procedure for Issuance of Permits  
 14-26.008 Schedule of Fees  
 14-26.012 Movement Conditions and Restrictions  
 14-26.015 Penalties

PURPOSE AND EFFECT: To provide consistency in permitting of overweight and overdimensional vehicles traveling on state roads.

SUMMARY: Clarifies the responsibility of the permittee to survey the route before travel, eliminates weekend travel restrictions, provides a three month route specific permit option, increases the maximum towed length of a manufactured home to 120 feet, and allows for nighttime travel with an escort between the Alabama state line and the Pensacola weigh station.

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 proposed rule decreases regulatory requirements and provides a lower cost alternative to 12 month blanket permit.

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: 316.515, 316.550, 334.044(2), F.S.

LAW IMPLEMENTED: 316.228, 316.515, 316.516(4), 316.535, 316.550, F.S.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan Schwartz, 605 Suwannee Street, Tallahassee, Fl 32399, susan.schwartz@dot.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

14-26.0041 Definitions and Terms.

All terms in this rule chapter shall have the same meaning as defined in Section 316.003, F.S., except that “Department” shall refer to the Department of Transportation. Additionally, the following terms are defined:

(1) through (5) No change.

(6) “~~Excluding Weekends and Holidays~~” means movement ~~on Saturday and Sunday is limited to the period of time beginning one half hour before sunrise and ending at 12:00 Noon, and~~ is prohibited all day on New Year’s Day, Memorial Day, Independence Day, Labor Day, Thanksgiving, the day after Thanksgiving, and Christmas. If any of these holidays fall on Saturday, the preceding Friday shall also be observed as a holiday. If any of these holidays fall on a Sunday, the following Monday shall also be observed as a holiday.

(7) through (18) No change.

(19) “Multi-Trip Permit” or “blanket” or “annual permit” or “Route Specific Blanket Permit” means authorization issued to allow multiple trips for a period not to exceed 12 months.

(20) through (33) No change.

Rulemaking Authority 316.550(6), 334.044(2) FS. Law Implemented 316.515, 316.550 FS. History–New 9-15-87, Amended 7-21-91, 6-23-96, 11-10-98, 2-1-10, 10-4-10, 2-5-13, 8-23-16, \_\_\_\_\_.

14-26.00411 Procedure for Issuance of Permits.

(1) through (4) No change.

(5) The Department is responsible for verifying the load carrying capacity of the route (bridges and similar load bearing structures). The applicant is responsible for verifying adequate vertical (height) and horizontal (length and width) clearances exist on route. ~~No movement shall be made under any permit until the route has been surveyed to verify that the route can accommodate the vehicle and load. A survey letter must be maintained with the load during movement and produced to law enforcement and weight inspectors upon request. The survey letter must be on the hauler’s letterhead and include a signed statement verifying that the route has been surveyed, and that clearances exceed the requested permitted dimension by a minimum of 6 inches for height greater than 15 feet and 2 feet on each side for width greater than 16 feet. The surveyed route and the route shown on the permit must match. The Department is responsible for verifying the load carrying capacity of the route (bridges and similar load bearing structures). The applicant is responsible for verifying adequate vertical (height) and horizontal (length and width) clearance. Vehicles and loads with a height greater than 18 feet shall be surveyed by a qualified escort, as described in this rule chapter prior to any movement. Surveying a route prior to movement of the load does not exempt the hauler from being required to obtain a permit prior to any movement. In addition, applications for permits for vehicles and loads with a height greater than 18 feet and/or width greater than 22 feet shall be supported by a survey letter from the hauler. The survey letter must be on the hauler’s letterhead and include a signed statement verifying that the route has been surveyed, and that clearances exceed the requested permitted dimension by a minimum of 6 inches for height and 2 feet on each side for width. The survey letter must be maintained with the load during movement and produced to law enforcement and weight inspectors upon request. The surveyed route and the route shown on the application must be identical.~~

(6) No change.

Rulemaking Authority 316.550, 334.044(2) FS. Law Implemented 316.515, 316.535, 316.550 FS. History–New 8-26-82, Formerly 14-26.06, Amended 9-15-87, 7-21-91, 6-23-96, 11-10-98, Formerly 14-26.006, Amended 2-1-10, 10-4-10, 2-5-13, 8-23-16, 3-9-17, \_\_\_\_\_.

14-26.008 Schedule of Fees.

The following schedule of fees shall be charged by the Department for permits for overweight and/or overdimensional vehicles operating on state owned roadways and bridges:

TABLE 1A – SCHEDULE OF FEES FOR OVERDIMENSION PERMITS			
	TRIP PERMIT 10 Days	MULTI-TRIP PERMITS 12 Months	ROUTE SPECIFIC MULTI-TRIP PERMIT 3 Months
(1) OVERDIMENSION			
(a) Straight trucks and semi-truck-tractor-trailer.			
Up to 12 feet wide, or up to 13 feet 6 inches high or up to 85 feet long.	\$5.00	\$20.00	\$5.00
Up to 14 feet wide or up to 14 feet 6 inches high or up to 95 feet long.	\$15.00	\$150.00	\$38.00
Up to 14 feet wide or up to 18 feet high or up to 120 feet long.	\$25.00	\$250.00	\$63.00
Over 14 feet wide or over 18 feet high or over 120 feet long.	\$25.00	NOT ISSUED	\$125.00
(b) Overlength semi-trailers of legal width, height, and weight, which exceed 53 feet In Length up to 57 feet 6 inches in length or overlength semi-trailer with kingpin setting greater than 41 feet.	\$10.00	\$30.00	NOT ISSUED
(c) Truck crane or earth handling equipment moving under own power, up to 12 feet wide or 14 feet 6 inches high.	\$15.00	\$150.00	\$38.00
* (d) Trailers or equipment towed with ball or pintle.			
*Up to 10 feet wide or up to 13 feet 6 inches high or up to 80 feet long.	\$5.00	\$20.00	\$5.00
*Up to 12 feet wide or up to 13 feet 6 inches high or up to 105 feet long.	\$5.00	\$330.00	\$83.00
*Up to 14 feet wide or up to 14 feet 6 inches high or up to 105 feet long.	\$15.00	\$500.00	\$125.00

TABLE 1B – SCHEDULE OF FEES FOR OVERWEIGHT VEHICLES			
	TRIP PERMIT 107 Days	MULTI-TRIP PERMITS 12 Months	ROUTE SPECIFIC MULTI-TRIP PERMITS 3 months
Over 14 feet wide or over 14 feet 6 inches high or over 105 feet long.	\$25.00	NOT ISSUED	\$250.00
NOTE: All permitted dimensions (length, height, width) must be within limits shown for permit fee.			
(2) OVERWEIGHT			
*(a) Up to 95,000 pounds.	\$0.27 Per Mile	**\$240.00	\$60.00
*(b) Up to 112,000 pounds.	\$0.32 Per Mile	**\$280.00	\$70.00
*(c) Up to 122,000 pounds.	\$0.36 Per Mile	**\$310.00	\$78.00
*(d) Up to 132,000 pounds.	\$0.38 Per Mile	**\$330.00	\$83.00
*(e) Up to 142,000 pounds.	\$0.42 Per Mile	**\$360.00	\$90.00
*(f) Up to 152,000 pounds.	\$0.45 Per Mile	**\$380.00	\$95.00
*(g) Up to 162,000 pounds.	\$0.47 Per Mile	**\$400.00	\$100.00
(h) Up to 199,000 pounds.	\$0.003 Per 1,000 Pounds Per Mile	\$500.00	\$125.00
(i) Over 199,000 pounds.	\$0.003 Per 1,000 Pounds Per Mile	NOT ISSUED	\$250.00
(j) Containerized Cargo Unit.	\$0.27 Per Mile	\$500.00	\$125.00
(k) Overall Wheel Base (Inner Bridge/External Bridge).	\$10.00	\$35.00	NOT ISSUED
(l) Implements of husbandry, farm equipment, agricultural	\$5.00	\$17.00	NOT ISSUED

trailers/products and forestry equipment (Local Moves Only).			
(3) SPECIAL PERMIT FEES			
Transmission Fee	\$5.00	NOT APPLICABLE	NOT APPLICABLE
<p>*Dimensions greater than 12 feet wide or 13 feet 6 inches high or 85 feet long will have an additional dimension fee with a combined fee of not to exceed \$500.00.</p> <p>NOTE: For weights over 80,000 pounds [Items (2)(a) through (h) above], add an administrative cost of \$3.33 for issuance of permit, which does not include the costs charged by wire services for their services. Permit fees shall be based on 25 mile increments rounded up to the nearest dollar. Example: A 112,000 pound load traveling 67.5 miles would cost (75 miles X \$0.32) plus \$3.33 = \$27.33 rounded up to \$28.00 in addition to the \$5.00 transmission fee when applicable.</p>			

Rulemaking Authority 316.550, 334.044(2) FS. Law Implemented 316.550 FS. History—New 8-26-82, Formerly 14-26.01, Amended 12-6-83, Formerly 14-26.08, Amended 9-15-87, 7-21-91, 4-22-92, 3-1-94, 6-23-96, 11-10-98, 2-1-10, 10-4-10, 2-5-13, 8-23-16, \_\_\_\_\_.

14-26.012 Movement Conditions and Restrictions.

(1) through (2) No Change

(3) Escort Vehicle and Equipment Requirements for Qualified Escorts.

(a) No change.

(b) On Board Equipment. During escort operations, all escort vehicles shall have on board the following equipment and such equipment shall be in working order:

1. through 7. No change.

8. For over height loads, the lead vehicle must have a height indicator, i.e., height pole, used to determine vertical clearance. This device must be manufactured of non-conductive ~~non-conductive~~ and non-destructive material and must be positioned at a height of at least 6 inches above the height of the load being escorted.

(4) through (6) No Change

(7) Width Limitations.

(a) No change.

(b) Vehicles over 10 feet up to 12 feet. When the criteria of Rule 14-26.00425, F.A.C., are met, trip or multi-trip permits shall be issued. Movement permitted daytime hours only, excluding ~~weekends and~~ holidays. Flags, warning signs, and

warning lights are required. Except for local moves, this is the maximum width allowed on a straight truck.

(c) Vehicles over 12 feet up to 14 feet. When the criteria of Rule 14-26.00425, F.A.C., are met, trip or multi-trip permits shall be issued. Movement is permitted during daytime hours only, excluding ~~weekends and~~ holidays. Flags, warning signs, and warning lights are required. A minimum of one escort vehicle, with escort, is required at all times.

1. through 4. No change.

(d) Vehicles over 14 feet up to 16 feet. When the criteria of Rule 14-26.00425, F.A.C., are met, trip permits only shall be issued. Movement is permitted daytime hours only, excluding ~~weekends and~~ holidays. Flags, warning signs, and warning lights are required. Two qualified escorts are required at all times during the move, one in the front and one in the rear of the load.

1. through 4. No change.

(e) No change.

(8) Height Limitations.

(a) No change.

(b) Vehicles over 14 feet 6 inches up to 16 feet. When the criteria of Rule 14-26.00425, F.A.C., are met, trip or multi-trip permits shall be issued. Movement is permitted daytime hours only, excluding ~~weekends and~~ holidays. Flags, warning signs, and warning lights are required. A minimum of two warning lights are required; one mounted on the front and one on the rear of the load. An escort vehicle with a vertical height indicator is required to precede the load at a distance which allows the permitted vehicle to take evasive actions when approaching overhead obstructions.

(c) Vehicles over 16 feet. When the criteria of Rule 14-26.00425, F.A.C., are met, trip or multi-trip permits shall be issued. Multi-trip permits shall be limited to vehicles up to 18 feet. Trip permit requests for movement of vehicles over 18 feet high will require an affidavit verifying the proposed route has clearance to accommodate the request height plus six inches. Movement is permitted during daytime hours only, excluding ~~weekends and~~ holidays. Flags, warning signs, and warning lights are required. A minimum of two warning lights are required with one mounted on the front and one on the rear of the load. In addition, movement is restricted to local moves only.

1. through 2. No change.

(9) Length Limitations.

(a) No change.

(b) Vehicles over 80 feet. When the criteria of Rule 14-26.00425, F.A.C., are met, trip or multi-trip permits shall be issued. Movement is permitted during daytime hours only, excluding ~~weekends and~~ holidays. Flags, warning signs, and warning lights are required. A minimum of two warning lights

are required to be mounted: one on the front and one on the rear of load.

1. through 5. No change.

6. Maximum length for a manufactured homes, modular units and portable buildings is 120 ~~home, tractor combination is 105~~ feet provided the length of the towed housing does not exceed 81 feet, including all overhangs and tongue.

7. No change.

(c) Self-Propelled Equipment Length Limitations. When the criteria of Rule 14-26.00425, F.A.C., are met, trip or multi-trip permits shall be issued. For all self-propelled equipment, the boom must be fully retracted. Nighttime movement requires that the front overhang has a minimum of 80 inches clearance above the roadway. In addition, no movement is allowed on limited access facilities with units designed for off road use. In addition, the following restrictions will apply:

1. No change.

2. Total Length over 80 feet. Movement is permitted daytime hours only, excluding ~~weekends and~~ holidays. Flags and warning signs are required. A warning light is required to be mounted at the extreme end of the protrusion in such a way as to be seen by all approaching traffic.

(10) No change.

(11) Designated Permits.

(a) through (f) No change.

(g) A vehicle operating under a valid permit with a law enforcement escort, may enter Florida at the Alabama Line on I-10 and proceed to the eastbound Pensacola Weigh Station or exit Florida at the Alabama Line on I-10 when leaving the westbound Pensacola Weigh Station during nighttime hours.

~~(g) Multi trip permits will be issued for vehicles operating with a natural gas fueling system. These permits will be valid for 36 months and the hauler is responsible for producing a certification displaying the difference in weight between the natural gas fueling system and a comparable diesel fueling system when requested by law enforcement.~~

(12) No change.

Rulemaking Authority 316.515, 316.550, 334.044(2) FS. Law Implemented 316.228, 316.515, 316.550, 334.044(28) FS. History—New 8-26-82, Amended 12-6-83, Formerly 14-26.12, Amended 9-15-87, 5-2-90, 7-21-91, 6-23-96, 11-10-98, 2-1-10, 10-4-10, 2-5-13, 8-23-16, 3-9-17,\_\_\_\_\_.

14-26.015 Penalties.

(1) No change.

(2) Null and Void Criteria. Any vehicle found to be operating under one or more of the following conditions shall be determined to be out of conformity with the provisions of the permit, in which case the vehicle is considered to be in non-compliance and the permit will be declared to be null and void for that vehicle for that trip. Penalties will be assessed as provided in Sections 316.516 and 316.545, F.S., and the vehicle

must remain until the load is brought into compliance or a valid permit is obtained.

(a) through (k) No change.

~~(l) The vehicle permitted for operation with a natural gas fueling system, is being operated without certification of the weight difference between the natural gas fueling system and a comparable diesel fueling system. Penalty to be assessed for weight only.~~

Rulemaking Authority 316.550, 334.044(2) FS. Law Implemented 316.516(4), 316.550(8), (10) FS. History—New 6-23-96, Amended 11-10-98, 2-1-10, 10-4-10, 2-5-13, 8-23-16, 3-9-17,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Rudy Powell, Director, Office of Maintenance

NAME OF AGENCY HEAD WHO APPROVED THE

PROPOSED RULE: Mike Dew, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: February 6, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT

PUBLISHED IN FAR: December 20, 2017

**DEPARTMENT OF TRANSPORTATION**

RULE NOS.: RULE TITLES:

14-40.003 Highway Landscape Projects

14-40.020 Grant Application Process

14-40.023 Funding, Construction, and Maintenance of Beautification Projects

PURPOSE AND EFFECT: To provide requirements for landscape projects on Department property and application process for beautification grants. To eliminate references to the Highway Beautification Council as the council was eliminated by Ch. 2017-42, Laws of Florida.

SUMMARY: Clarifies requirements for landscape plans for projects to be installed and maintained in Department right-of-way. Provides application and award process for beautification grants.

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: Landscape projects are not required, but may be permitted at the request of an applicant. No application or permit fee is required. Beautification grants do not require an application fee or matching funds.



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: 334.044(2), 337.2505, 337.405, 339.2405, F.S.

LAW IMPLEMENTED: 334.044(26), 335.167, 337.2505, 337.405, 339.24, 339.2405, 479.106, F.S.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan Schwartz, Assistant General Counsel, 605 Suwannee Street, Tallahassee, FL 32399. susan.schwartz@dot.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

14-40.003 ~~Highway~~ Landscape Projects.

- (1) No change.
- (2) Definitions.
- (a) through (b) No change.

(c) “~~Highway~~ Landscape Project” means any planned or actual landscape or landscaping on Department right-of-way, including construction or installation, planning, beautification, and maintenance thereof, by a local government entity, non-governmental entity, or abutting private property owner.

(d) “Landscape” or “Landscaping” means any vegetation, mulches, irrigation systems, and ~~any site amenities other landscape components~~, such as, street furniture, ~~decorative specialty paving, tree gates, walls, planters, fountains~~, fences, and lighting (excluding public utility street and area lighting).

- (e) No change.
- (f) “Non Governmental Entity” means any person or organization, other than a governmental entity, who seeks approval of a ~~highway~~ landscape project.
- (g) through (h) No change.

(3) Approval Criteria.

(a) Approval is based on review of a complete set of landscape plans. The District Landscape Architect can be consulted during preparation of landscape plans. The following plan preparation guidelines must be used:

- 1. No change.
- 2. Plans must be drawn to scale, exhibiting an accurate and legibility representation of existing conditions (above and below ground), and all proposed work. Plans must show all dimensions necessary to demonstrate compliance with this rule.

If there is a baseline survey or centerline of construction, station points ~~are to must~~ be used for linear landscape projects. For interchange and non-linear projects, such as ponds, plazas and rest areas, dimensioning can be from a fixed point or station

~~point. If there is no baseline survey or centerline, dimensioning must be from a fixed point.~~ All dimensions must be noted in English system measurements (inches, feet, yards, miles, etc.). Plans must be plotted to scale on 11" x 17" multipurpose paper. Scale shall be such that clarity and legibility are preserved. Plans must contain a graphic scale and north arrow with standard orientation on each plan sheet, and reference the state road number, section number, milepost, and local street names. Plans must also include curbs, edge of pavement, edge of travel lanes, guardrails, right-of-way fence and/or right-of-way lines, sidewalks, intersections, median breaks, driveways, bike lanes, transit facilities, surveying monuments, signs, view zones of permitted outdoor advertising signs, lighting, traffic signals, other traffic control devices, drainage features, limits of clear sight, set backs and clear zone limits, existing off site features and conditions which affect or are affected by the project, easements, above and below ground utilities, and all existing vegetation. Details and text must be large enough to be legible on all plan sheets.

3. through 7. No change.

8. A comprehensive maintenance plan must accompany the plans. The intent of design elements, such as to screen a view, maintain a clear sight distance, or assist with water retention, must be included in a description of the project, accompanied by a written or graphic guide describing the performance requirements of the entity responsible for maintaining the project. The maintenance plan must include requirements necessary to maintain and manage sight distance, horizontal and vertical clearance, accessibility, plant health, form, height and spread, mulch thickness and cover, edges, weeds and litter, irrigation system(s), hardscape, lighting, benches, and ~~site amenities~~ landscape components, and any other requirements necessary for the design intent to be ~~fulfilled~~ achieved. The maintenance plan must include a work zone traffic control plan, and define the limits of the mowing and litter control that will be performed as part of the landscape project. When the landscape project is to be maintained by the Department, a maintenance cost estimate based on anticipated maintenance activities must be an attachment to the plans.

9. No change.

(b) No planting or installation of vegetation or other landscape components ~~material~~ for landscape projects, or issuance of permits for such planting or installation, including construction and beautification projects, is allowed on Department right-of-way which screens or which, when mature, will screen an outdoor advertising sign permitted under Chapter 479, F.S. This prohibition also applies to outdoor advertising signs on the state highway system, located within urban areas incorporated municipalities and not required to obtain a Department permit pursuant to Section 479.07(1), F.S. This prohibition applies to all landscape, construction, and

beautification projects on Department right-of-way regardless of the source of funds for the project, except for landscape projects approved by the Department prior to the date of the original state sign permit for the sign. For purposes of this rule, a landscape, construction, or beautification project is approved when it is specifically identified in the Department's five year work program, is a permitted landscape project, is part of an executed agreement between the Department and a local government, or has been approved in writing by the Department for installation at a later date by a local government.

1. Screening is prohibited within an established view zone. The District Landscape Architect can verify the location of view zones within the project limits.

2. When a landscape project is proposed within 1,000 feet approaching a legally erected and permitted outdoor advertising signs ~~sign~~ the person preparing the landscape plan designer of record will notify the sign permittee in writing at the address provided in accordance with rule subsection 14-10.011(2), F.A.C..

(c) through (g) No change.

~~(4) Government Approvals. If the proposed highway landscape project is to be located on an Interstate Highway facility, Federal Highway Administration (FHWA) review is required. Approval pursuant to this Part does not relieve the local governmental entity, non governmental entity, or abutting private property owner of local or other jurisdictional requirements.~~

~~(5)~~(4) Installation and Maintenance.

(a) All landscape installation or maintenance activities performed by a local governmental entity, non-governmental entity, or abutting private property owner on the Department's right-of-way must be performed in conformity with approved landscape plans.

(b) If a landscape project is proposed for a median or grassed area which is maintained pursuant to an agreement between the Department and a local governmental entity, and the agreement obligates the local governmental entity to maintain the median or grassed area in accordance with an approved maintenance plan, the agreement will be applied to the maintenance of the landscape project. If the Department has previously agreed to provide funds for such maintenance, no increased compensation will be provided by the Department for maintenance of the landscape project.

~~(6)~~ (5) As-built plans, or a summary of changes are required for all landscape projects, and must be submitted to the District Office within 30 days of the project completion.

~~(7)~~ (6) Donation of Landscape Projects. The Department will accept donations of plants, materials, installation, and maintenance for landscape projects on the State Highway System that meet the requirements of this rule. The donated landscape projects must substantially improve the appearance

or manageability of the median or roadside. An agreement must be on file with the Department before installation of plants, materials, or signs. The agreement must stipulate that the sign and the landscape project may be removed by the Department for failure to meet the requirements of this rule chapter or the agreement.

(a) No change.

(b) Interstate Highways: The sign acknowledging donation of landscape projects on the Interstate Highway System will be provided by the Department. The text will state "Landscape by" and the name of the contributor. This sign will be similar to the Adopt a Highway Program sign used by the Department, except that the word "landscaping" will be substituted for the words "litter control" and the colors will be green lettering on white background. The signs shall be installed and maintained by the Department.

(c) Arterial Highways: ~~The approved sign acknowledging donation of landscape projects on design for arterial highways is depicted in Figure 1. The rectangular sign panel will be rectangular and no larger than 18 inches tall and 24 inches wide. Recommended text sizes and message are shown in Figure 1. The text shall state only "Landscape by" and the name of the contributor.~~ The sign must be mounted on break away posts. The top of signs will be a maximum of no more than 2 feet above grade. Installation of signs is contingent upon an agreement with the appropriate local governmental entity. The approved sign panel(s) must be provided and replaced by the local governmental entity. Signs will be placed according to the approved landscape plan.

[Diagram removed]

Rulemaking Authority 334.044(2), 337.2505, 337.405 FS. Law Implemented 334.044(26), 335.167, 337.2505, 337.405, 339.24, 479.106 FS. History—New 9-22-92, Amended 1-19-99, 4-2-02, 5-22-05, 2-8-06, 12-24-08, 12-2-15, \_\_\_\_\_.

14-40.020 Beautification Grant Application and Award Process.

(1) Purpose. The Department may provide grant assistance for ~~highway~~ beautification projects in accordance with Section 339.2405, F.S., to a local governmental entity or a local ~~highway~~ beautification council.

(2) Definitions.

(a) "Agreement" means the contract between the Applicant and the Department setting forth the terms of the grant.

(b) "Applicant" means a local governmental entity, as defined in Section 11.45(1), F.S., or a local ~~highway~~ beautification council as established in accordance with Section 339.2405(9), F.S.

~~(c) "Council" means the Florida Highway Beautification Council.~~

~~(c)~~(d) "Department" means the Florida Department of Transportation.

(d)(e) “Grant” means funds provided by the Department to Applicants, pursuant to this rule chapter.

(e)(f) “Grant Application” means the ~~Florida Highway Beautification Council~~ Grant Application, Form 650-050-10, Part 1 and Part II, Rev. ~~6/17~~ 5/15, incorporated herein by reference at \_\_\_\_\_ <https://www.flrules.org/Gateway/reference.asp?No=Ref-06102> and available on the Department’s website at <https://fms.fdot.gov>.

~~[www.dot.state.fl.us/projectmanagementoffice/highwaybeautification](http://www.dot.state.fl.us/projectmanagementoffice/highwaybeautification)~~.

(f)(g) “Grant Coordinator” means the Department District employee responsible for the Beautification Council grant program.

(g)(h) “Highway Beautification Project” means landscapes ~~landscaping~~ intended to enhance the attractiveness of facilities ~~roads~~ on the State Transportation Highway System. Landscapes ~~are Landscaping is to be~~ installed on state highway right-of-way and may include property owned by a local governmental entity that abuts Department right-of-way, if the property is visible to the state highway system.

(3) Grant Application.

(a) Applicants must submit a grant application to the Grant Coordinator having jurisdiction over the state transportation right-of-way ~~highway~~ on which the beautification project is proposed. ~~Grant applications must be accompanied by the following supporting documents: location map, photographs of existing conditions, one page written project narrative, written or graphic conceptual plan (in accordance with Rule 14 40.003, F.A.C.), one paragraph descriptions of each evaluation attribute, photographs or sketches of examples of proposed improvements, list of proposed plant species (scientific and botanical names) and anticipated quantities, anticipated maintenance schedule, proposed means of providing supplemental water, project schedule, and resolutions required in paragraph (3)(e) below.~~

(b) No change.

(c) Applicants are to submit applications online. Applicants must contact the Grant Coordinator at least a week before the October 1 deadline for submission to gain access to the on-line system. For the Council to consider a grant application, ten paper copies, and one electronic file copy of the completed grant application and supporting documents must be received by the Grant Coordinator by October 1.

(d) Applicants may submit an unlimited number of grant applications, for any number of project sites. ~~The Grant Coordinator will note on the application if the applicant previously received Council grants and if previous projects were maintained in accordance with the terms of prior agreements.~~

(e) No change.

(f) Applicants are encouraged to either identify themselves as supporting a Rural Economic Development Initiative (REDI) community under s. 288.056, F.S. or indicate that the project is to submit grant applications for highway beautification projects supported with equal (50 percent) matching funds or in kind contributions from other sources. Design fees up to 10 percent of the grant amount may be considered towards the applicant’s match.

(g) For a beautification grant application to be eligible, the application must be accompanied by a letter of authorization from the appropriate Department District verifying that the proposed landscape project will not be in conflict with the Department’s five year work program or other Department program or activity. To request a letter of authorization, contact the appropriate Department District Landscape Architect on or before August 1 and provide precise location and written conceptual description of the proposed project.

(h) The Department will evaluate grant applications based on the following attributes: aesthetic value, cost effectiveness, feasibility of installation and maintenance, compliance with state and federal regulations, litter prevention, level of local support, context appropriateness, low maintenance, level of impact, and plant palette.

(i) The Department Landscape Architect with input from the Districts, will provide the Department Secretary with a list of prioritized grant applications, with recommended funding levels, and conditions for grant awards.

Rulemaking Authority 339.2405 FS. Law Implemented 339.24, 339.2405 FS. History—New 1-19-99, Amended 11-22-01, 3-20-03, 8-10-03, 12-23-03, 2-8-06, 12-24-08, 12-2-15, \_\_\_\_\_.

14-40.023 Funding, Construction, and Maintenance of Beautification Projects.

(1) Award of Grants.

(a) The Secretary will award grants in the order they appear on the Council’s prioritized list and in accordance with available funding. Each grant will be limited to a maximum of 10% of the total Department’s beautification grants budget.

(b) Official notice of each grant award will be made by the Department by email certified mail to the applicant named in the grant application.

(c) To accept a grant, an applicant must send a letter of acceptance by email certified mail to the Grant Coordinator within 15 days from the date of receipt of the offer of the award.

(d) through (e) No change.

(2) No change.

Rulemaking Authority 339.2405 FS. Law Implemented 339.24, 339.2405 FS. History—New 3-20-03, Amended 8-10-03, 12-24-08, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Jeff Caster, State Transportation Landscape Architect.  
 NAME OF AGENCY HEAD WHO APPROVED THE  
 PROPOSED RULE: Mike Dew, Secretary.  
 DATE PROPOSED RULE APPROVED BY AGENCY  
 HEAD: February 06, 2018  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
 PUBLISHED IN FAR: October 27, 2017

**DEPARTMENT OF TRANSPORTATION**

RULE NO.: 14-40.022      RULE TITLE:  
 Florida Highway Beautification Council  
 Grant Award Process

PURPOSE AND EFFECT: Rule repeal upon elimination of the Highway Beautification Council by Ch. 2017-42, Laws of Florida.

SUMMARY: Rule is repealed based on legislative change.  
 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: No costs are required by repeal.

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:

LAW IMPLEMENTED:

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: Susan Schwartz, Assistant General Counsel, 605 Suwannee Street, Tallahassee, FL 32399, susan.schwartz@dot.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

14-40.022 Florida Highway Beautification Council Grant Award Process.

Rulemaking Authority 339.2405 FS. Law Implemented 339.2405 FS. History—New 3-9-99, Amended 11-22-01, 3-20-03, 8-10-03, 12-23-03, 12-24-08, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Jeff Caster, State Transportation Landscape Architect  
 NAME OF AGENCY HEAD WHO APPROVED THE  
 PROPOSED RULE: Mike Dew, Secretary  
 DATE PROPOSED RULE APPROVED BY AGENCY  
 HEAD: February 6, 2018  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
 PUBLISHED IN FAR: October 27, 2017

**PUBLIC SERVICE COMMISSION**

RULE NOS.: 25-4.511      RULE TITLES:  
 Application for Certificate  
 25-4.512      Application for Approval of Sale or Transfer  
 of Certificate

PURPOSE AND EFFECT: To update and clarify the application form and process for obtaining a certificate to provide pay telephone service or the transfer of the certificate.

Docket No. 20170263-TP

SUMMARY: Rule 25-4.511, F.A.C., sets forth the requirements and the process to apply for a certificate to provide pay telephone service. The amendments streamline Rule 25-4.511, F.A.C., so that applicants are clearly on notice of the procedures and requirements to provide pay telephone service or the transfer of such certificate. The application form is hyperlinked to the Department of State and is incorporated by reference to the Commission website. Rule 25-4.512, F.A.C., would be repealed and its provisions included in Rule 25-4.511, F.A.C. Repeal of Rule 25-4.512, F.A.C., allows one rule to address both the applications for and the transfer of a pay telephone certificate.

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 been prepared by the Agency.

The SERC examined the factors required by Section 120.541(2), F.S., and concluded that the rule amendment and repeal will not have an adverse impact on economic growth, business competitiveness, or small business and that there may be transactional cost savings to the individual and entities, including government entities, required to comply with the rule. 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: based upon the information contained in the SERC.

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: 350.127(2) FS

LAW IMPLEMENTED: 364.32, 364.33, 364.335, 364.3375, 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: Pamela H, Page, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6214, phpage@psc.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

25-4.511 Application for Original or Transfer of Pay Telephone Certificate.

(1) In order Any person desiring to provide pay telephone service services, must have a pay telephone service certificate or transfer of certificate must be granted by the Florida Public Service Commission.

(2) Each An applicant shall apply by using submit an application on Form PSC 1021 (1/18) PSC/TEL 32 (2/13), entitled "Application Form for Original Authority or Transfer of Authority to Provide Pay Telephone Service In Within the State of Florida,;" The application which is incorporated into this rule by reference and may be obtained from the Commission's website at [http://www.floridapsc.com/telecommunication/TelecomPATS\\_Application-~~www.floridapsc.com/utilities/telecomm/~~](http://www.floridapsc.com/telecommunication/TelecomPATS_Application-<del>www.floridapsc.com/utilities/telecomm/</del>) or from the Office of Industry Development and Market Analysis Telecommunications. Such form may also be accessed at the Department of State website at: [Dept. of State Hyperlink] <http://www.flrules.org/Gateway/reference.asp?No=Ref 02213>. A non-refundable application or transfer fee of \$250.00 must accompany the filing of each application to cover processing costs. The Commission's acceptance of the application fee does not imply that the application or transfer of a certificate will be granted all applications.

(3) Certificates authorizing pay telephone service shall not be transferred by the holder without prior Commission approval.

(4)(3) An original and one copy of Tthe application shall be filed with the Office of Commission Clerk.

(4) Any pay telephone service authority previously granted or granted hereafter is subject to the following:

(a) Authority granted is statewide.

(5)(b) Authority is to provide both local and intrastate toll

~~pay telephone service.~~ A certificate to provide pay telephone service does not carry with it the authority to provide local exchange or interexchange service. A separate application must be made for such authority to provide this service.

Rulemaking Authority 350.127(2) FS. Law Implemented ~~364.32, 364.33, 364.335, 364.3375~~ FS. History--New 1-5-87, Amended 9-28-89, 4-7-91, 11-20-91, 12-21-92, 2-1-99, 1-5-06, 5-29-08, 2-7-13, Formerly 25-24.511, \_\_\_\_\_.

25-4.512 Application for Approval of Sale or Transfer of Certificate.

(1) ~~Certificates of authority or necessity authorizing pay telephone service shall not be sold, assigned or transferred by the holder without prior Commission approval.~~

(2) ~~A person seeking to obtain a certificate from a sale or transfer from the holder shall submit an application jointly with the certificate holder on Commission Form PSC/TEL 32 (2/13), entitled "Application Form for Authority to Provide Pay Telephone Service Within the State of Florida." The application form may be obtained from the Commission's website at [www.floridapsc.com/utilities/telecomm/](http://www.floridapsc.com/utilities/telecomm/) or from the Office of Telecommunications. Such form may also be accessed at the Department \_\_\_\_\_ of \_\_\_\_\_ State \_\_\_\_\_ website \_\_\_\_\_ at: <http://www.flrules.org/Gateway/reference.asp?No=Ref 02214>. A nonrefundable application fee of \$250.00 must accompany the filing of all applications to cover processing costs. The Commission's acceptance of the application fee does not imply that the application for sale or transfer of a certificate will be granted.~~

(3) ~~An original and one copy of the application shall be filed with the Office of Commission Clerk.~~

(4) ~~An application for sale or transfer of a certificate will be granted if the Commission determines that such approval is in the public interest.~~

(5) ~~A certificate may be sold or transferred only as a whole.~~ Rulemaking Authority 350.127(2) FS. Law Implemented 364.32, 364.33, ~~364.337, 364.3375, 364.345~~ FS. History--New 1-5-87, Amended 5-15-89, 1-5-06, 5-29-08, 2-7-13, Formerly 25-24.512, Repealed \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Greg Fogleman

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD:

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: Volume 43, Number 196, October 10,

2017.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Engineers**

RULE NOS.: RULE TITLES:

- 61G15-23.004 Procedures for Digitally Signing and Sealing Electronically Transmitted Plans, Specifications, Reports or Other Documents
- 61G15-23.005 Procedures for Electronically Signing and Sealing Electronically Transmitted Plans, Specifications, Reports or Other Documents

**PURPOSE AND EFFECT:** The purpose of the amendment is to clarify that while formatting of the seal may be altered or changed, the language must be identical to that in the rule.

**SUMMARY:** Formatting of the seal and language.

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

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

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

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

**RULEMAKING AUTHORITY:** 471.025(1), 471.033(2), 471.008 FS.

**LAW IMPLEMENTED:** 471.025, 471.033(1)(j), 668.003, 668.006 FS.

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

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

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

61G15-23.004 Procedures for Digitally Signing and Sealing Electronically Transmitted Plans, Specifications, Reports or Other Documents.

(1) through (2) No change.

(3) The affixing of a digital signature to engineering plans, specifications, reports or other documents as provided herein shall constitute the signing and sealing of such items.

(a) through (c) No change.

(d) Formatting of seals and text similar to that depicted below may be used. While the formatting may be altered, the text must remain identical.

1. through 2. No change.

(e) through (f) No change.

Rulemaking Authority 471.025(1), 471.033(2), 471.008 FS. Law Implemented 471.025, 471.033(1)(j), 668.003, 668.006 FS. History—New 11-3-15, Amended 9-7-17,\_\_\_\_\_.

61G15-23.005 Procedures for Electronically Signing and Sealing Electronically Transmitted Plans, Specifications, Reports or Other Documents.

(1) through (3) No change.

(4) The affixing of an electronic signature to engineering plans, specifications, reports or other documents as provided herein shall constitute the signing and sealing of such items.

(a) through (c) No change.

(d) Formatting of seals and text similar to that depicted below may be used. While the formatting may be altered, the text must remain identical.

1. through 2. No change.

Rulemaking Authority 471.025(1), 471.033(2), 471.008 FS. Law Implemented 471.025, 668.006 FS. History—New 11-3-15, Amended 2-3-16, 10-26-16, 9-7-17,\_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:**

Board of Professional Engineers

**NAME OF AGENCY HEAD WHO APPROVED THE**

**PROPOSED RULE:** Board of Professional Engineers

**DATE PROPOSED RULE APPROVED BY AGENCY**

**HEAD:** December 7, 2017

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT**

**PUBLISHED IN FAR:** January 24, 2018

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Veterinary Medicine**

RULE NO.: RULE TITLE:

61G18-12.006 Delinquency Fee

**PURPOSE AND EFFECT:** The proposed amendment will bring the rule into compliance with HB 741.

**SUMMARY:** Bring rule into compliance.

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

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

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

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

**RULEMAKING AUTHORITY:** 455.271 FS

**LAW IMPLEMENTED:** 455.271 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:** Ruthanne Christie, Executive Director, Board of Veterinary Medicine, 2601 Blair Stone Road, Tallahassee, FL 32399-0751, N13, or by electronic mail - Ruthanne.Christie@myfloridalicense.com.

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

61G18-12.006 Delinquency Fee.

A delinquent status licensee shall pay a delinquency fee of ~~twenty-five (\$25.00) two hundred sixty (\$260)~~ dollars when the licensee applies for active or inactive status.

Rulemaking Specific Authority 455.271 FS. Law Implemented 455.271 FS, History–New 2-6-95, Amended 5-8-00, 12-16-03,\_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:**  
Board of Veterinary Medicine

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** Board of Veterinary Medicine

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** December 1, 2017

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR:** January 23, 2018

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Veterinary Medicine**

**RULE NO.:** 61G18-15.002 **RULE TITLE:** Minimum Standards for Premises Where Veterinary Medicine Is Practiced

**PURPOSE AND EFFECT:** Update rule text regarding diagnostic imaging.

**SUMMARY:** Update rule.

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

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

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

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

**RULEMAKING AUTHORITY:** 474.206, 474.215(1) FS.

**LAW IMPLEMENTED:** 474.202(7), 474.215(1), 474.216 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:** Ruthanne Christie, Executive Director, Board of Veterinary Medicine, 2601 Blair Stone Road, Tallahassee, FL 32399-0751, N13, or by electronic mail - Ruthanne.Christie@myfloridalicense.com.

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

61G18-15.002 Minimum Standards for Premises Where Veterinary Medicine Is Practiced.

(1) No change.

(2) Interior.

(a) No change.

(b) All premises must have facilities for radiology, surgery and long-term hospitalization, as described below or, in lieu thereof, written evidence that arrangements have been made with a local clinic or hospital must be available for inspection. For the purpose of this chapter local is defined as within 30 minutes or 30 miles whichever is greater to provide the service outside the premise.

1. Radiology.

a. No change.

b. Equipment necessary to produce diagnostic radiographic images. ~~Developing tanks.~~

c. No change

2. through 3. No change.

(c) No change.

(3) No change.

Rulemaking Specific Authority 474.206, 474.215(1) FS. Law Implemented 474.202(7), 474.215(1), 474.216 FS. History—New 7-14-79, Amended 4-6-81, Formerly 21X-15.02, Amended 10-14-86, 11-2-88, 8-29-89, 5-27-91, 3-24-93, Formerly 21X-15.002, Amended 7-4-95,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Board of Veterinary Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 1, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 23, 2018

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Insurance Agent and Agency Services**

RULE NOS.: RULE TITLES:

69B-151.201 Purpose and Scope

69B-151.202 Requirements

69B-151.203 Adoption of Form OIR-D0-1180

PURPOSE AND EFFECT: The proposed amendments update the rules by removing unnecessary language regarding the Department’s regulation of insurers.

SUMMARY: Rule 69B-151.201, F.A.C., is amended to incorporate the Office of Insurance Regulation’s Form OIR-D0-1180, Policy Disclosure Form and Instructions, by reference. Rule 69B-151.202, F.A.C., is amended to delete unnecessary language. Rule 69B-151.203, F.A.C., is repealed.

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

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within

one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department conducted an economic analysis of the potential impact of the proposed rule and determined that there will be no adverse economic impact or regulatory increases that would require legislative ratification.

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: 624.308(1) FS

LAW IMPLEMENTED: 626.016(3), 626.9541(1)(aa) 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: Monday, March 5, 2018, at 10:00 a.m.

PLACE: 200 E. Gaines St., Larson Building, Conference Room 139, Tallahassee, FL

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: Ray Wenger, telephone: (850)413-5605, email: Ray.Wenger@myfloridacfo.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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ray Wenger, Chief of Investigations, address: 200 E. Gaines Street, Tallahassee, FL 32399-0320, telephone: (850)413-5605, email: Ray.Wenger@myfloridacfo.com.

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

69B-151.201 Purpose and Scope.

(1) The purpose of Rules 69B-151.201 and 69B-151.202, F.A.C., this rule chapter is to implement the provisions of paragraph Section 626.9541(1)(aa), F.S., with respect to churning and to adopt Form OIR-D0-1180. Rules 69B-151.201 and 69B-151.202, F.A.C., This rule and its accompanying disclosure form and instructions (Form OIR-D0-1180), Policy Disclosure Form and Instructions, which is incorporated by reference in Rule 69O-151.203, F.A.C., apply to any and all types of policies and annuity contracts which include a policy value feature, irrespective of the marketing method by which such policies or annuity contracts are sold.



(2) ~~Rules 69B-151.201 and 69B-151.202 This Part, Part III of Chapter 69B-151, F.A.C., shall not apply to:~~

- (a) Conversions of group or individual term policies; or
- (b) Group permanent life, group variable life, group fixed annuities and group variable annuities wherein the group master policyholder retains ownership of the contract.

(3) When exercising the following policy provisions, for a purpose other than as a funding source for the purchase of additional insurance contract(s), paragraph 69B-151.202(1) ~~(2)~~(a), F.A.C., shall not apply to:

- (a) Reduced paid-up or extended term insurance options in group life, group variable life, individual life or variable life policies;
- (b) Early annuity options of group fixed, group variable, individual fixed or individual variable annuity products; or
- (c) A living benefit settlement option of a group permanent life, group variable life, individual life or individual variable life insurance policy.

Rulemaking Authority 624.308(1), ~~626.9641(1)(aa)2, FS., Chapter 95-219, Laws of Florida. Law Implemented 624.307(1), 626.016(3), 626.9541(1)(aa) FS., Chapter 95-219, Laws of Florida. History-New 2-19-96, Formerly 4-151.201, Amended \_\_\_\_\_.~~

69B-151.202 Policy Disclosure Requirements.

(1) ~~Effective October 1, 1995, each insurer shall adopt written procedures to reasonably avoid and discourage the practice of churning, as defined in Section 626.9541(1)(aa), F.S.~~

~~(2)~~(a) Form OIR-D0-1180 shall be completed by the insurer or its licensed and appointed agent and provided to the applicant prior to or contemporaneous with the time the applicant signs any application for the purchase of an additional life insurance policy or annuity contract to be funded through the use of values accessed in an existing and in-force policy with that same insurer. Form OIR-D0-1180 shall be completed for each existing and in-force policy to be utilized as a funding source for the purchase of additional insurance contract(s). Any required replacement and sales forms must also be completed. One copy of Form OIR-D0-1180 is to be delivered to the policyowner and one copy must be maintained by the insurer.

(b) If there is a material change in the information originally disclosed to the policyowner on Form OIR-D0-1180 as a result of the underwriting and policy issuance process, an insurer may cause an amended Form OIR-D0-1180 to be reissued, delivered and executed by the agent or corporate officer and the policyowner, and such amended Form OIR-D0-1180 shall constitute the required disclosure under this rule. An insurer must maintain any and all amended versions of Form

OIR-D0-1180 in accordance with this rule.

~~(2) (3) A licensed and appointed agent~~ Insurers may reprint Form OIR-D0-1180 in its adopted format; however, reprints shall not be in a typesize smaller than the format adopted by the Office of Insurance Regulation.

~~(4) Insurers may affix their name, address and company logo or insignia on the form in a manner not prohibited by Chapter 69B-150, F.A.C., or other applicable laws and rules.~~

~~(5) In accordance with Sections 624.316 and 624.3161, F.S., insurers shall maintain executed forms in active policy files for examination purposes. Accordingly, insurers shall maintain executed forms for at least five (5) years or from examination to examination, whichever is longer. In lieu of retaining original, executed forms, Form OIR-D0-1180 may be maintained in a manner retrievable for compliance examination and investigation review purposes.~~

~~(3) (6) Policy loan request forms, surrender value request forms, dividend withdrawal request forms, or any other applicable service forms that are necessary to access the funds to be used as a funding source for the payment of premiums for the additional insurance policy shall be completed and executed in their entirety at the time of new policy application and after presentation of the completed Form OIR-D0-1180.~~

Rulemaking Authority 624.308(1), ~~626.9541(1)(aa)2, FS., Chapter 95-219, Laws of Florida. Law Implemented 624.307(1), 624.316, 624.3161, 626.016(3), 626.9541(1)(aa) FS., Chapter 95-219, Laws of Florida. History-New 2-19-96, Formerly 4-151.202, Amended \_\_\_\_\_.~~

69B-151.203 Adoption of Form OIR-D0-1180.

~~Form OIR-D0-1180 (9/95) "Policy Disclosure Form and Instructions" is hereby adopted and incorporated by reference. Copies may be obtained from the Bureau of Life and Health Solvency and Market Conduct Review, Office of Insurance Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0327.~~

Rulemaking Authority 624.308(1), 626.9541(1)(aa)2, FS., Chapter 95-219, Laws of Florida. Law Implemented 624.307(1), 626.9541(1)(aa) FS., Chapter 95-219, Laws of Florida. History-New 2-19-96, Formerly 4-151.203, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Ray Wenger  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jimmy Patronis, Chief Financial Officer  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 6, 2018  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 7, 2017

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

**AGENCY FOR HEALTH CARE ADMINISTRATION  
Hospital and Nursing Home Reporting Systems and Other  
Provisions Relating to Hospitals**

RULE NO.:           RULE TITLE:  
59E-9.010           Claims Data Collection  
                          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. 43 No. 238, December 12, 2017 issue of the Florida Administrative Register.

This change is being made to address comments received from the public and Joint Administrative Procedures Committee. The following sections of the proposed rule will be changed to read:

59E-9.010 Claims Data Collection

(1) Definitions.

(a) through (f) No change.

(g) "Payer" means health insurers as defined in Chapter ~~624~~ ~~627~~ or Health Maintenance Organizations as defined in Chapter 641, including their Affiliates, that participate in the Florida state group health insurance plan created under s. 110.123, F.S. or Medicaid managed care pursuant to Part IV of Chapter 409.

(h) through (j) No change.

(2) Claims Data Collected.

(a) No change.

(b) Payers shall be exempt from providing Claims Data from health plans covered by the Employer Retirement Income Security Act (ERISA) of 1974 when such employer(s) affirmatively elects not to share these Claims Data. ~~The Vendor shall collect Claims Data from employers with health plans covered by the Employee Retirement Income Security Act (ERISA) of 1974 held by Payers with permission from the self-insured employers.~~

(c) through (d) No change.

(3) Claims Data Submission.

(a) through (b) No change.

(c) The submission of Claims Data by Payers will be pursuant to a Data Contribution Agreement hereby incorporated by reference as Exhibit B, AHCA Form 4200-0008, November 2017, in the Submission Guide and specified by the Agency and subject to federal and state law and regulation. Payers cannot condition submission on any additional terms, conditions, or restrictions.

(4) Claims Data Audit, Resubmission, and Certification Procedures.

(a) No change.

(b) All Payers submitting data in compliance with this rule shall certify that the data submitted is accurate, complete and verifiable using the Certification of Claims Form hereby incorporated by reference in Exhibit A, AHCA Form 4200-0007, November 2017, in the Submission Guide.

(5) Requirements for Claims Data Publication.

(a) through (d) No change.

*Rulemaking Authority: s. 408.05(3)(e), F.S., Law Implemented: s. 408.05(3), F.S. New \_\_\_\_\_*

The following changes have been made to Florida Claims Data Submission Guide "AKA Submission Guide" incorporated by reference in 59E-9.010 Claims Data Collection:

On Page 4:

Payer definition will be changed to: "Payer - health insurers as defined in Chapter ~~624~~ ~~627~~, F.S., or Health Maintenance Organizations as defined in Chapter 641, F.S., including their Affiliates, that participate in the Florida state group health insurance plan created under Section 110.123, F.S. or Medicaid managed care pursuant to Part IV of Chapter 409, F.S."

On Page 5:

Revised the Payer's submission requirements of which Employer Retirement Income Security Act (ERISA) claims in "a. Which Claims": "If a Payer holds Claims Data from employers insured under the Employee Retirement Income Security Act (ERISA), Payers shall be exempt from providing Claims Data from health plans covered by the ERISA when such employer(s) affirmatively elects not to share these Claims Data. these data may be submitted pursuant to permission from the self-insured employers."

Clarified submission requirements for "b. For Which Individuals": For each Payer -- all Claims Data held for Florida Covered Lives. ~~as well as claims data held by Payers for ERISA plans as voluntarily submitted.~~

Revised submission requirements for "c. For Which Years" for initial data contribution: Initial Data Contribution: Each Payer shall provide the prior three complete calendar years (2015, 2016, and 2017 ~~2014, 2015, and 2016~~) of Member Eligibility, Medical and Pharmacy Claims Data per the File Specifications and Data Dictionary documented in the following sections.

On Page 88:

Revised delivery timetable for "Initial Year of Data Submission":

Sample file initial year of data submission: Effective Date of Final Rule and Plus 105 ~~90~~ days

Production file initial year of data submission: Effective Date of Final Rule and Plus ~~165~~ ~~120~~ days

Sample file initial year of data “Incurred Years”: ~~2015–2017~~ ~~2014–2016~~

Production file initial year of data “Incurred Years”: ~~2015–2017~~ ~~2014–2016~~

Claims Paid Date Cutoff for sample file initial year of data: ~~06/30/2018~~ ~~2017~~

Claims Paid Date Cutoff for production file initial year of data: ~~06/30/2018~~ ~~2017~~

File Type	Due Date	Incurred YRs	Claims Paid Date
Sample	Effective Date of Final Rule	<del>2015-2017</del> <del>2014</del>	<del>06/30/2018</del> <del>2017</del>
Production	Effective Date of Final Rule	<del>2015-2017</del> <del>2014</del>	<del>06/30/2018</del> <del>2017</del>

Revised delivery timetable for “Subsequent Years of Data Submission”: Removed 2017 data from timetable as the data is submitted in “Initial Year of Data Submission”:

File Type	Due Date	Incurred YR	Claims Paid Date
Sample	07/15/2018	2017	06/30/2018
Production	09/15/2018	2017	06/30/2018

On Page 92:

Added footer to Exhibit A- Certification of Claims Form 4200-0007 in Submission Guide.

On Pages 93 through 97

Added footer to Exhibit B- Data Contribution Agreement Form 4200-0008 in Submission Guide

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RULE NO.: 62-302.530  
 RULE TITLE: Table: Surface Water Quality Criteria  
 NOTICE OF WITHDRAWAL

Notice is hereby given that amendments to the above rule, as noticed in Vol. 42 No. 127, June 30, 2016 issue of the Florida Administrative Register, have been withdrawn.

The rule amendments appeared as final and effective in the Florida Administrative Code since November 16, 2016. Subsequently, both the First and Third District Courts of Appeal overturned procedural dismissals of challenges to the rule and remanded the case back to DOAH for further proceedings. See Fla. Pulp and Paper Envtl. Affairs, Inc. v. Dep’t of Envtl. Prot., 223 So. 3d 417 (Fla. 1st DCA 2017); Seminole Tribe of Fla. v. Dep’t of Envtl. Prot., 230 So. 3d 544 (Fla. 3d DCA 2017). Because of the DCAs’ orders, the proper

legal status of the rulemaking is that the rule amendments remain proposed agency action rather than being final and effective (as has been reflected in the Florida Administrative Code). To correct the inaccuracy in the Florida Administrative Code, and at the Department of Environmental Protection’s request, the Department of State has rescinded the October 28, 2016 certification package for, and associated adoption of, the amendments to Rule 62-302.530. Through this notice, the Department now is withdrawing the proposed amendments to Rule 62-302.530, F.A.C. In today’s Florida Administrative Register, the Department also is noticing a new rule development for Rule 62-302.530, F.A.C.

**Section IV  
 Emergency Rules**

NONE

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

DEPARTMENT OF LAW ENFORCEMENT  
 Criminal Justice Standards and Training Commission  
 RULE NO.:  
 RULE TITLE:

11B-30.008 State Officer Certification Examination Site Administration

On February 1, 2018, the Criminal Justice Standards and Commission (CJSTC) issued a Final Order granting a waiver of subsection 11B-30.008(1), F.A.C., to Cody J. Brentner. The Commission determined that the petitioner had demonstrated that they would suffer a substantial hardship if the waiver was not granted. The petition was published on December 19, 2017, in Vol. 43, Number 245, F.A.R.

A copy of the Final Order may be obtained by contacting Dana Kelly, Agency Clerk, by mail at Agency Clerk-Office of the General Counsel, Florida Department of Law Enforcement, P.O. Box 1489, Tallahassee, FL 32302, by email at AgencyClerk@fdle.state.fl.us, or by telephone at (850)410-7676.

DEPARTMENT OF LAW ENFORCEMENT  
 Criminal Justice Standards and Training Commission  
 RULE NO.:  
 RULE TITLE:

11B-30.008 State Officer Certification Examination Site Administration

On February 1, 2018, the Criminal Justice Standards and Commission (CJSTC) issued a Final Order granting a waiver of subsection 11B-30.008(1), F.A.C., to Darren E. Brown. The Commission determined that the petitioner had demonstrated

that they would suffer a substantial hardship if the waiver was not granted. The petition was published on December 19, 2017, in Vol. 43, Number 245, F.A.R.

A copy of the Final Order may be obtained by contacting Dana Kelly, Agency Clerk, by mail at Agency Clerk-Office of the General Counsel, Florida Department of Law Enforcement, P.O. Box 1489, Tallahassee, FL 32302, by email at AgencyClerk@fdle.state.fl.us, or by telephone at (850)410-7676.

DEPARTMENT OF LAW ENFORCEMENT  
Criminal Justice Standards and Training Commission  
RULE NO.: RULE TITLE:

11B-30.008 State Officer Certification Examination Site Administration

On February 1, 2018, the Criminal Justice Standards and Commission (CJSTC) issued a Final Order granting a waiver of subsection 11B-30.008(1), F.A.C., to Xavier R. Clayton. The Commission determined that the petitioner had demonstrated that they would suffer a substantial hardship if the waiver was not granted. The petition was published on December 19, 2017, in Vol. 43, Number 245, F.A.R.

A copy of the Final Order may be obtained by contacting Dana Kelly, Agency Clerk, by mail at Agency Clerk-Office of the General Counsel, Florida Department of Law Enforcement, P.O. Box 1489, Tallahassee, FL 32302, by email at AgencyClerk@fdle.state.fl.us, or by telephone at (850)410-7676.

DEPARTMENT OF LAW ENFORCEMENT  
Criminal Justice Standards and Training Commission  
RULE NO.: RULE TITLE:

11B-30.008 State Officer Certification Examination Site Administration

On February 1, 2018, the Criminal Justice Standards and Training Commission (CJSTC) issued a Final Order granting a waiver of subsection 11B-30.008(1), F.A.C., to Hunter B. Edwards. The Commission determined that the petitioner had demonstrated that they would suffer a substantial hardship if the waiver was not granted. The petition was published on December 19, 2017, in Vol. 43, Number 245, F.A.R.

A copy of the Final Order may be obtained by contacting Dana Kelly, Agency Clerk, by mail at Agency Clerk-Office of the General Counsel, Florida Department of Law Enforcement, P.O. Box 1489, Tallahassee, FL 32302, by email at AgencyClerk@fdle.state.fl.us, or by telephone at (850)410-7676.

DEPARTMENT OF LAW ENFORCEMENT  
Criminal Justice Standards and Training Commission  
RULE NO.: RULE TITLE:

11B-30.008 State Officer Certification Examination Site Administration

On February 1, 2018, the Criminal Justice Standards and Training Commission (CJSTC) issued a Final Order granting a waiver of subsection 11B-30.008(1), F.A.C., to Eurika C. Grubbs. The Commission determined that the petitioner had demonstrated that they would suffer a substantial hardship if the waiver was not granted. The petition was published on December 19, 2017, in Vol. 43, Number 246, F.A.R.

A copy of the Final Order may be obtained by contacting Dana Kelly, Agency Clerk, by mail at Agency Clerk-Office of the General Counsel, Florida Department of Law Enforcement, P.O. Box 1489, Tallahassee, FL 32302, by email at AgencyClerk@fdle.state.fl.us, or by telephone at (850)410-7676.

DEPARTMENT OF LAW ENFORCEMENT  
Criminal Justice Standards and Training Commission  
RULE NO.: RULE TITLE:

11B-30.008 State Officer Certification Examination Site Administration

On February 1, 2018, the Criminal Justice Standards and Training Commission (CJSTC) issued a Final Order granting a waiver of subsection 11B-30.008(1), F.A.C., to Laclinta B. Hall. The Commission determined that the petitioner had demonstrated that they would suffer a substantial hardship if the waiver was not granted. The petition was published on December 19, 2017, in Vol. 43, Number 245, F.A.R.

A copy of the Final Order may be obtained by contacting Dana Kelly, Agency Clerk, by mail at Agency Clerk-Office of the General Counsel, Florida Department of Law Enforcement, P.O. Box 1489, Tallahassee, FL 32302, by email at AgencyClerk@fdle.state.fl.us, or by telephone at (850)410-7676.

DEPARTMENT OF LAW ENFORCEMENT  
Criminal Justice Standards and Training Commission  
RULE NO.: RULE TITLE:

11B-30.008 State Officer Certification Examination Site Administration

On February 1, 2018, the Criminal Justice Standards and Commission (CJSTC) issued a Final Order granting a waiver of subsection 11B-30.008(1), F.A.C., to Christopher Harvey. The Commission determined that the petitioner had demonstrated

that they would suffer a substantial hardship if the waiver was not granted. The petition was published on January 2, 2018, in Vol. 44, Number 3, F.A.R.

A copy of the Final Order may be obtained by contacting Dana Kelly, Agency Clerk, by mail at Agency Clerk-Office of the General Counsel, Florida Department of Law Enforcement, P.O. Box 1489, Tallahassee, FL 32302, by email at AgencyClerk@fdle.state.fl.us, or by telephone at (850)410-7676.

DEPARTMENT OF LAW ENFORCEMENT  
Criminal Justice Standards and Training Commission  
RULE NO.: RULE TITLE:

11B-30.008 State Officer Certification Examination Site Administration

On February 1, 2018, the Criminal Justice Standards and Training Commission (CJSTC) issued a Final Order granting a waiver of subsection 11B-30.008(1), F.A.C., to Whitney T. Langford. The Commission determined that the petitioner had demonstrated that they would suffer a substantial hardship if the waiver was not granted. The petition was published on December 19, 2017, in Vol. 43, Number 245, F.A.R.

A copy of the Final Order may be obtained by contacting Dana Kelly, Agency Clerk, by mail at Agency Clerk-Office of the General Counsel, Florida Department of Law Enforcement, P.O. Box 1489, Tallahassee, FL 32302, by email at AgencyClerk@fdle.state.fl.us, or by telephone at (850)410-7676.

DEPARTMENT OF LAW ENFORCEMENT  
Criminal Justice Standards and Training Commission  
RULE NO.: RULE TITLE:

11B-30.008 State Officer Certification Examination Site Administration

On February 1, 2018, the Criminal Justice Standards and Training Commission (CJSTC) issued a Final Order granting a waiver of Rule 11B-30.008(1), F.A.C., to Guy Fils Michel. The Commission determined that the petitioner had demonstrated that they would suffer a substantial hardship if the waiver was not granted. The petition was published on December 1, 2017, in Vol. 43, Number 232, F.A.R.

A copy of the Final Order may be obtained by contacting Dana Kelly, Agency Clerk, by mail at Agency Clerk-Office of the General Counsel, Florida Department of Law Enforcement, P.O. Box 1489, Tallahassee, FL 32302, by email at AgencyClerk@fdle.state.fl.us, or by telephone at (850)410-7676.

DEPARTMENT OF LAW ENFORCEMENT  
Criminal Justice Standards and Training Commission  
RULE NO.: RULE TITLE:

11B-30.008 State Officer Certification Examination Site Administration

On February 1, 2018, the Criminal Justice Standards and Commission (CJSTC) issued a Final Order granting a waiver of Rule 11B-30.008(1), F.A.C., to Matthew D. Newdiger. The Commission determined that the petitioner had demonstrated that they would suffer a substantial hardship if the waiver was not granted. The petition was published on December 19, 2017, in Vol. 43, Number 244, F.A.R.

A copy of the Final Order may be obtained by contacting Dana Kelly, Agency Clerk, by mail at Agency Clerk-Office of the General Counsel, Florida Department of Law Enforcement, P.O. Box 1489, Tallahassee, FL 32302, by email at AgencyClerk@fdle.state.fl.us, or by telephone at (850)410-7676.

DEPARTMENT OF LAW ENFORCEMENT  
Criminal Justice Standards and Training Commission  
RULE NO.: RULE TITLE:

11B-30.008 State Officer Certification Examination Site Administration

On February 1, 2018, the Criminal Justice Standards and Commission (CJSTC) issued a Final Order granting a waiver of subsection 11B-30.008(1), F.A.C., to Destiny J. Campbell. The Commission determined that the petitioner had demonstrated that they would suffer a substantial hardship if the waiver was not granted. The petition was published on January 29, 2018, in Vol. 44, Number 20, F.A.R.

A copy of the Final Order may be obtained by contacting Dana Kelly, Agency Clerk, by mail at Agency Clerk-Office of the General Counsel, Florida Department of Law Enforcement, P.O. Box 1489, Tallahassee, FL 32302, by email at AgencyClerk@fdle.state.fl.us, or by telephone at (850)410-7676.

DEPARTMENT OF LAW ENFORCEMENT  
Criminal Justice Standards and Training Commission  
RULE NO.: RULE TITLE:

11B-27.002 Certification, Employment or Appointment, Reactivation, and Terminating Employment or Appointment of Officers

On February 1, 2018, the Criminal Justice Standards and Training Commission (CJSTC) issued a Final Order granting a waiver of subsection 11B-27.002(4), F.A.C., to Timothy G.

Baldwin. The Commission determined that the petitioner had demonstrated that they would suffer a substantial hardship if the waiver was not granted. The petition was published on December 12, 2017, in Vol. 43, Number 240, F.A.R.

A copy of the Final Order may be obtained by contacting Dana Kelly, Agency Clerk, by mail at Agency Clerk-Office of the General Counsel, Florida Department of Law Enforcement, P.O. Box 1489, Tallahassee, FL 32302, by email at AgencyClerk@fdle.state.fl.us, or by telephone at (850)410-7676.

DEPARTMENT OF LAW ENFORCEMENT  
Criminal Justice Standards and Training Commission  
RULE NO.: RULE TITLE:

11B-27.002 Certification, Employment or Appointment, Reactivation, and Terminating Employment or Appointment of Officers

On February 1, 2018, the Criminal Justice Standards and Training Commission (CJSTC) issued a Final Order granting a waiver of subsection 11B-27.002(4), F.A.C., to Magdiel Diaz. The Commission determined that the petitioner had demonstrated that they would suffer a substantial hardship if the waiver was not granted. The petition was published on January 2, 2018, in Vol. 44, Number 3, F.A.R.

A copy of the Final Order may be obtained by contacting Dana Kelly, Agency Clerk, by mail at Agency Clerk-Office of the General Counsel, Florida Department of Law Enforcement, P.O. Box 1489, Tallahassee, FL 32302, by email at AgencyClerk@fdle.state.fl.us, or by telephone at (850)410-7676.

DEPARTMENT OF LAW ENFORCEMENT  
Criminal Justice Standards and Training Commission  
RULE NO.: RULE TITLE:

11B-27.002 Certification, Employment or Appointment, Reactivation, and Terminating Employment or Appointment of Officers

On February 1, 2018, the Criminal Justice Standards and Training Commission (CJSTC) issued a Final Order granting a waiver of subsection 11B-27.002(4), F.A.C., to Steven John Evans. The Commission determined that the petitioner had demonstrated that they would suffer a substantial hardship if the waiver was not granted. The petition was published on December 19, 2017, in Vol. 43, Number 244, F.A.R.

A copy of the Final Order may be obtained by contacting Dana Kelly, Agency Clerk, by mail at Agency Clerk-Office of the General Counsel, Florida Department of Law Enforcement, P.O. Box 1489, Tallahassee, FL 32302, by email at AgencyClerk@fdle.state.fl.us, or by telephone at (850)410-7676.

DEPARTMENT OF LAW ENFORCEMENT  
Criminal Justice Standards and Training Commission  
RULE NO.: RULE TITLE:

11B-35.0010 eLearning Instruction

On February 1, 2018, the Criminal Justice Standards and Training Commission (CJSTC) issued a Final Order granting a waiver of subsection 11B-35.0010(1), F.A.C., to Colonel Gene S. Spaulding, Director, Florida Highway Patrol on behalf of FHP Auxiliary Officer Basic Recruits. The Commission determined that the petitioner had demonstrated that they would suffer a substantial hardship if the waiver was not granted. The petition was published on December 12, 2017, in Vol. 43, Number 240, F.A.R.

A copy of the Final Order may be obtained by contacting Dana Kelly, Agency Clerk, by mail at Agency Clerk-Office of the General Counsel, Florida Department of Law Enforcement, P.O. Box 1489, Tallahassee, FL 32302, by email at AgencyClerk@fdle.state.fl.us, or by telephone at (850)410-7676.

DEPARTMENT OF LAW ENFORCEMENT  
Criminal Justice Standards and Training Commission  
RULE NO.: RULE TITLE:

11B-27.002 Certification, Employment or Appointment, Reactivation, and Terminating Employment or Appointment of Officers

On February 1, 2018, the Criminal Justice Standards and Training Commission (CJSTC) issued a Final Order granting a waiver of subsection 11B-27.002(4), F.A.C., to Gabriela Llanes. The Commission determined that the petitioner had demonstrated that they would suffer a substantial hardship if the waiver was not granted. The petition was published on January 10, 2018, in Vol. 44, Number 9, F.A.R.

A copy of the Final Order may be obtained by contacting Dana Kelly, Agency Clerk, by mail at Agency Clerk-Office of the General Counsel, Florida Department of Law Enforcement, P.O. Box 1489, Tallahassee, FL 32302, by email at AgencyClerk@fdle.state.fl.us, or by telephone at (850)410-7676.

DEPARTMENT OF LAW ENFORCEMENT  
Criminal Justice Standards and Training Commission  
RULE NO.: RULE TITLE:

11B-27.002 Certification, Employment or Appointment, Reactivation, and Terminating Employment or Appointment of Officers

On February 1, 2018, the Criminal Justice Standards and Training Commission (CJSTC) issued a Final Order granting a waiver of subsection 11B-27.002(4), F.A.C., to Jason Prather. The Commission determined that the petitioner had

demonstrated that they would suffer a substantial hardship if the waiver was not granted. The petition was published on January 17, 2018, in Vol. 44, Number 12, F.A.R.

A copy of the Final Order may be obtained by contacting Dana Kelly, Agency Clerk, by mail at Agency Clerk-Office of the General Counsel, Florida Department of Law Enforcement, P.O. Box 1489, Tallahassee, FL 32302, by email at AgencyClerk@fdle.state.fl.us, or by telephone at (850)410-7676.

DEPARTMENT OF LAW ENFORCEMENT  
Criminal Justice Standards and Training Commission  
RULE NO.: RULE TITLE:

11B-27.002: Certification, Employment or Appointment, Reactivation, and Terminating Employment or Appointment of Officers

On February 1, 2018, the Criminal Justice Standards and Training Commission (CJSTC) issued a Final Order granting a waiver of subsection 11B-27.002(4), F.A.C., to Marcus Broadnax. The Commission determined that the petitioner had demonstrated that they would suffer a substantial hardship if the waiver was not granted. The petition was published on January 23, 2018, in Vol. 44, Number 16, F.A.R.

A copy of the Final Order may be obtained by contacting Dana Kelly, Agency Clerk, by mail at Agency Clerk-Office of the General Counsel, Florida Department of Law Enforcement, P.O. Box 1489, Tallahassee, FL 32302, by email at AgencyClerk@fdle.state.fl.us, or by telephone at (850)410-7676.

DEPARTMENT OF LAW ENFORCEMENT  
Criminal Justice Standards and Training Commission  
RULE NO.: RULE TITLE:

On February 1, 2018, the Criminal Justice Standards and Training Commission (CJSTC) issued a Final Order denying a waiver of paragraph 11B-27.00212(12)(a), F.A.C., to Derek Kirby. The Commission determined that the petitioner was seeking to waive a statutory requirement which is beyond the authority of the Commission. The petition was published on December 19, 2017, in Vol. 43, Number 244, F.A.R.

A copy of the Final Order may be obtained by contacting Dana Kelly, Agency Clerk, by mail at Agency Clerk-Office of the General Counsel, Florida Department of Law Enforcement, P.O. Box 1489, Tallahassee, FL 32302, by email at AgencyClerk@fdle.state.fl.us, or by telephone at (850)410-7676.

DEPARTMENT OF LAW ENFORCEMENT  
Criminal Justice Standards and Training Commission  
RULE NO.: RULE TITLE:

11B-30.0062 State Officer Certification Examination Assignment and Retake Eligibility Requirements

On February 1, 2018, the Criminal Justice Standards and Training Commission (CJSTC) issued a Final Order denying a waiver of Rule 11B-30.0062, F.A.C., to Abel A. Candelaria. The Commission determined that the petitioner was seeking to waive a statutory requirement which is beyond the authority of the Commission. The petition was published on December 1, 2017, in Vol. 43, Number 232, F.A.R.

A copy of the Final Order may be obtained by contacting Dana Kelly, Agency Clerk, by mail at Agency Clerk-Office of the General Counsel, Florida Department of Law Enforcement, P.O. Box 1489, Tallahassee, FL 32302, by email at AgencyClerk@fdle.state.fl.us, or by telephone at (850)410-7676.

WATER MANAGEMENT DISTRICTS  
Southwest Florida Water Management District

NOTICE IS HEREBY GIVEN that on January 26, 2018, the Southwest Florida Water Management District received a petition for a variance or waiver.

Petitioner's Name: Hillsborough River Mitigation Bank, LLC  
Rule No.: 62-342.700

Nature of the rule for which variance or waiver is sought: Variance from the stated financial requirements set forth in subsection 62-342.700(4), Florida Administrative Code, for financial responsibility for the construction and implementation of the Hillsborough River Mitigation Bank-Phase 3 under application number 749018 in Hillsborough County, Florida. The Petition has been assigned tracking No. 2017065.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Christopher Tumminia, 7601 US Highway 301 North, Tampa, Florida 33637-6759, (813)985-7481, Ext. 4658, chris.tumminia@swfwmd.state.fl.us. Any interested person or other agency may submit written comments within fourteen (14) days after the publication of this notice. A2017065-1

DEPARTMENT OF HEALTH  
Board of Podiatric Medicine  
RULE NO.: RULE TITLE:

64B18-11.002 Examination for Licensure  
NOTICE IS HEREBY GIVEN that on February 8, 2018, the Board of Podiatric Medicine, received a petition for variance or waiver filed by Dr. Dale M. Kaplan. The petition is amended. Petitioner is seeking a variance or waiver of Rule 64B18-11.002, Florida Administrative Code, that implements §461.006, Florida Statutes. The rule states that the Board adopts the national examinations administered under the auspices of the National Board of Podiatric Medical Examiners, including Part I, Part II and Part III, as the examination for licensure in Florida, provided that the applicant for licensure has taken and passed all parts of the examination.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Anthony B. Spivey, Executive Director, Board

of Podiatric Medicine, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3257. Comments on the petition should be filed with the Board of Podiatric Medicine within 14 days of publication of this notice.

**DEPARTMENT OF CHILDREN AND FAMILIES**  
**Family Safety and Preservation Program**

**RULE NO.: RULE TITLE:**

65C-13.030 Standards for Licensed Out-of-Home Caregivers  
**NOTICE IS HEREBY GIVEN** that on February 01, 2018, the Department of Children and Families, received a petition for waiver of subparagraph 65C-13.030(3)(i)1., Florida Administrative Code, from Marivelise Martinez-Mercado, assigned Case No. 18-005W. Subparagraph 65C-13.030(3)(i)1., Florida Administrative Code all sleeping areas shall be in bedrooms separate from the public areas of the house. Children’s bedrooms shall have adequate space for the number of children sleeping in the room.

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

**Section VI**

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

**DEPARTMENT OF LAW ENFORCEMENT**

The Department of Law Enforcement announces public meetings to which all persons are invited.

**DATE AND TIMES:** Wednesday, February 14, 2018, 1:00 p.m. – 2:00 p.m., Awareness and Prevention; 2:00 p.m. – 3:00 p.m., Response and Recovery; 3:00 p.m. – 4:00 p.m., Communication and Technology

**PLACE:** Conference call: toll-free: 1(877)739-5902; +1(786)535-3119; access code: 922-059-437; <https://global.gotomeeting.com/join/922059437>

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Conference call convening the committees of the MEPIC Advisory Board to discuss Advisory Board matters.

A copy of the agenda may be obtained by contacting: Craig Schroeder at 1(888)356-4774.

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: Craig Schroeder at 1(888)356-4774. 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: Craig Schroeder at 1(888)356-4774.

**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 14, 2018, 4:00 p.m.; Thursday, March 15, 2018, 8:30 a.m.; Friday, March 16, 2018, 8:30 a.m.

**PLACE:** Mission Inn Resort & Club, 10400 County Road 48, Howey-in-the-hills, FL 34737, 1(800)874-9053

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Wednesday, March 14, 2018, 4:00 p.m.: Probable Cause Panel (portions may be closed to the public); Thursday, March 15, 2018, 8:30 a.m.: Discipline and General Business; Friday, March 16, 2018, 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, Florida 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, Florida 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, Florida 32399, (850)487-1395.

**DEPARTMENT OF HEALTH**

**Board of Pharmacy**

The Florida Board of Pharmacy announces a public meeting to which all persons are invited.

**DATE AND TIME:** March 8, 2018, 9:00 a.m.

**PLACE:** Telephone conference: 1(888)670-3525, participant code 5134896685

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To review those cases on which a determination of existence of probable cause has already been made.

A copy of the agenda may be obtained by contacting: The Board of Pharmacy at (850)245-4292.



Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: The Board of Pharmacy. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact The Board of Pharmacy at (850)245-4292.

**FLORIDA WATEREUSE ASSOCIATION**

The Florida WateReuse Association announces a public meeting to which all persons are invited.

DATE AND TIME: February 16, 2018, 9:30 a.m.

PLACE: TOHO Water Authority, 951 Martin Luther King Blvd., Kissimmee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: First meeting of the Potable Reuse Commission to develop a framework for potable reuse implementation in Florida.

A copy of the agenda may be obtained by contacting: Amy Tracy, atracy@hydrosc.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: atracy@hydrosc.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**

**AGENCY FOR HEALTH CARE ADMINISTRATION**

Health Facility and Agency Licensing

NOTICE IS HEREBY GIVEN that the Agency for Health Care Administration has issued an order disposing of the petition for declaratory statement filed by Nursecore Management Services, L.L.C. on February 05, 2018. The following is a summary of the agency's disposition of the petition:

The petition was granted and the Agency declared that, under the facts presented, the Petitioner may only lawfully provide the

referenced services in counties authorized on its home health agency licenses. A copy of the petition and Final Order may be obtained by contacting: Richard J. Shoop, Agency Clerk, Agency for Health Care Administration via mail at 2727 Mahan Drive, Mail Stop #3, Tallahassee, Florida 32308, via e-mail at Richard.Shoop@ahca.myflorida.com, or via telephone at (850)412-3671.

**DEPARTMENT OF FINANCIAL SERVICES**

Division of State Fire Marshal

NOTICE IS HEREBY GIVEN that the Department of Financial Services has received the Petition for Declaratory Statement from Anthony C. Apfelbeck on February 5, 2018. The Petition seeks the Department's opinion as to: 1) Factors that differentiate the need to apply the mobile cooking operation regulations under FFPC/NFPA 1 section 50.7.2 versus the temporary cooking operation regulations under section FFPC/NFPA 1 section 50.7.3; 2) Whether cooking in a typical mobile food truck is considered a temporary cooking operation regulated under FFPC/NFPA 1 section 50.7.3?; 3) Whether cooking in a typical mobile food truck is a mobile cooking operation regulated under FFPC/NFPA 1 section 50.7.2?; 4) If FFPC/NFPA 1 section 50.7.3.4 was placed under FFPC/NFPA 1 section 50.7.3 by mistake?; and 5) If FFPC/NFPA 1 section 50.7.3.4 was not placed under FFPC/NFPA 1 section 50.7.3 by mistake, then is the intent to only apply FFPC/NFPA 1 section 50.7.3.4 to the temporary cooking operations of FFPC/NFPA 1 section 5.7.3 and not the mobile cooking operations of FFPC/NFPA 1 section 50.7.2? A copy of the Petition for Declaratory Statement may be obtained by contacting: Catherine Speidel, Senior Attorney, Office of the General Counsel, 200 E. Gaines Street, Tallahassee, Florida 32399, (850)413-4269, Catherine.Speidel@myfloridacfo.com.

Responses, motions to intervene, or requests for a hearing must be filed within 21 days of this Notice.

**Section VIII**

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

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

**NONE**

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

**NONE**

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

NONE

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

NONE

Section XI  
Notices Regarding Bids, Proposals and  
Purchasing

DEPARTMENT OF EDUCATION

Florida International University

FIU-AE Consultant

NOTICE TO PROFESSIONAL CONSULTANTS

The Florida International University Board of Trustees announces that Professional Services in the discipline of Architecture will be required for Continuing Services projects at FIU.

Project Location: Projects may be located at Modesto A. Maidique Campus (MMC), Biscayne Bay Campus (BBC), Engineering Center (EC), Wolfsonian Museum & Annex or other property managed by FIU.

Project Description: The selected firm will provide full architecture, landscape architecture and consulting engineering services as listed in (table) "3. Services to be Provided" of the Florida International University Professional Qualifications Supplement (FIUPQS). Cost Estimating service is optional. Services shall be inclusive of design, construction documents, and administration for specific projects for renovations, alterations, and additions that have a basic construction budget estimated to be \$2,000,000 or less, or studies for which the fee for professional services is \$200,000 or less.

Term of Contract: Any contract resulting from the selection of a professional consultant (or consultants) to provide these services shall require the consultant to be available on an as-needed basis for the Fiscal Year, July 1 – June 30. Four (4) contracts will be awarded to four (4) different firms. This contract will be awarded for an initial period of one-year with Owner's option to renew the contract, at its sole discretion, for additional one-year periods, however, in no event to exceed a total of five successive years.

Instructions:

Firms desiring to apply for consideration shall submit a letter of application. The letter of application should have attached:

1. A completed "Florida International University Professional Qualifications Supplement (FIUPQS)." The official FIUPQS forms must be downloaded from the project web site [http://facilities.fiu.edu/projects/AE\\_Consultant2018.htm](http://facilities.fiu.edu/projects/AE_Consultant2018.htm). Applications on any other form will not be considered.

2. A copy of the applicant's current Professional Registration Certificate from the appropriate Governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be properly chartered by the Florida Department of State to operate in Florida.

Submit twelve (12) bound copies of the required proposal data and one CD copy in Adobe Acrobat PDF format of the requested qualifications to: Selection Committee, Florida International University, Facilities Planning, Campus Support complex, 11555 S.W. 17th St., Room CSC142, Modesto A. Maidique Campus, Miami, Florida 33199.

Applications that do not comply with the above instructions will not be considered. Application material will not be returned. The University reserves the right to suspend or discontinue the selection process at any time and to return or reject any or all submissions of qualifications without obligation to the respondent.

GENERAL REQUIREMENTS: The plans and specifications prepared by the A/E are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of the threshold amount provided in Section 287.017 for CATEGORY TWO in connection with this project for a period of 36 months following the date of their being placed on the convicted vendor list.

FIU HAS CREATED STANDARD CONTRACT FORMS AND STANDARD INSURANCE REQUIREMENTS APPLICABLE TO A/E'S FOR A/E SERVICES TO PROVIDE FOR AN EFFICIENT AND EFFECTIVE PROCESS. THESE FORMS ARE AVAILABLE FOR REVIEW AND CAN BE FOUND AT <http://facilities.fiu.edu/formsandstandards.htm>.

ALL APPLICANTS SHOULD REVIEW THE APPLICABLE FIU CONTRACT FORM AND STANDARD INSURANCE REQUIREMENTS CAREFULLY PRIOR TO MAKING A DECISION AS TO WHETHER OR NOT TO RESPOND TO THIS ADVERTISEMENT.

A Project Fact Sheet, describing the selection process schedule for this Project and additional information regarding the Project scope, may be obtained from the project web site [http://facilities.fiu.edu/projects/AE\\_Consultant2018.htm](http://facilities.fiu.edu/projects/AE_Consultant2018.htm).

In order to minimize the possibility of unethical pressures or influences on the recommendations of the Selection Committee, direct contact with the committee members is not permitted. Requests for meetings by individual firms will not be granted. Committee members and selection schedule milestone dates can be found in the Project Fact Sheet.

Any question or explanation desired by an applicant regarding the project or any part of the process must be requested in writing to [griffith@fiu.edu](mailto:griffith@fiu.edu) (cc: [angpaz@fiu.edu](mailto:angpaz@fiu.edu)). Responses to questions and requests for information will be posted on the project web site. An effort will be made to respond to all applicant questions; however, the University is not obligated to and may choose not to answer every question. The last day questions or inquiries will be considered prior to final interviews for this project is Friday, April 27, 2018.

Should a change in schedule become necessary, updated information will be posted on the project web site [http://facilities.fiu.edu/projects/AE\\_Consultant2018.htm](http://facilities.fiu.edu/projects/AE_Consultant2018.htm). All future notices will be posted on the web site. Applicants should check the web site daily.

Submittals must be received between 8:30 a.m. and 12:30 p.m. or 1:30 p.m and 4:00 p.m. local time, Friday, March 9, 2018. Submittals will not be accepted before or after the times and date stated above. Facsimile (FAX) submittals are not acceptable and will not be considered.

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**DEPARTMENT OF EDUCATION**

School Districts

Road Paving and Repairs Various Schools,

Phase 3 School Nos. 142 and 80/DCSB No. M-83580/OFDC-ITB-003-18

**DUVAL COUNTY PUBLIC SCHOOLS ADVERTISEMENT FOR BIDS-Invitation to Bid For a General Contractor-Publish Date – February 9, 2018.** Sealed bids will be received by Duval County Public Schools, Division of Facilities, Room 535, 1701 Prudential Drive, Jacksonville, FL 32207 until the time and date(s) recorded below and immediately thereafter publicly opened and recorded in the Duval County Public Schools, School Board Building, located at 1701 Prudential Drive, Jacksonville, Florida, 5th Floor, Room 513D. **BIDS ARE DUE ON OR BEFORE March 13, 2018 AND WILL BE ACCEPTED UNTIL 2:00 P.M. OFFICIAL PROJECT TITLE:** Road Paving and Repairs Various Schools, Phase 3 School Nos. 142 and 80 /DCSB Project No. M-83580/OFDC-ITB-003-18. **SCOPE OF WORK:** The project consists of road paving and repairs at Chaffee Trail ES No. 142 and San Pablo ES No. 80. The estimated construction cost is not to exceed \$400,000 for

all schools. All contractors that are interested in bidding are required to attend a mandatory pre-bid conference to be held Tuesday, February 20, 2018 at 10:00 a.m. in Room 513D at DCPS Administration Building, 1701 Prudential Drive, Jacksonville, FL 32207. Failure to attend the pre-bid conference shall result in disqualification of that firm’s proposal. Attendees will be required to sign an attendance register. Project funding is subject to availability of funds as authorized by the Owner. The District reserves the right to reject any and all bids. Contract documents for bidding may be obtained at the office of: ARC Document Solutions/4613 Phillips Highway, Suite 202/Jacksonville, FL 32207, (904)399-8946. Contract documents for bidding may be examined at the Duval County Public Schools Administration Building located at 1701 Prudential Drive, Jacksonville, FL 32207. Name of A/E Firm: Waitz & Moye, Inc., 3738 Southside Blvd, Jacksonville, FL 32216, (904)642-8311. Office of Economic Opportunity (OEO) Participation Goal: 5% SBE Goal-Only those firms certified as SBE with DCPS can be used toward this Participation Goal. All Contractors submitting bids must be prequalified with Duval County Public Schools at the time of the bid opening. No bids will be accepted from Contractors who are not prequalified with Duval County Public Schools. Prequalification forms and information may be obtained at [www.duvalschools.org](http://www.duvalschools.org) under Departments/Facilities/Forms and Standards/General Documents/Contractor Prequalification Procedures. The Bid Award Recommendation will be posted on the first floor bulletin board at the Duval County School Board Building, 1701 Prudential Drive, Jacksonville, Florida 32207-8182.

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**DEPARTMENT OF EDUCATION**

School Districts

Road Paving and Repairs Various Schools

Phase 4 School Nos. 25 and 31/DCSB No. M-88380/OFDC-ITB-004-18

**DUVAL COUNTY PUBLIC SCHOOLS ADVERTISEMENT FOR BIDS-Invitation to Bid For a General Contractor. Publish Date – February 9, 2018.** Sealed bids will be received by Duval County Public Schools, Division of Facilities, Room 535, 1701 Prudential Drive, Jacksonville, FL 32207 until the time and date(s) recorded below and immediately thereafter publicly opened and recorded in the Duval County Public Schools, School Board Building, located at 1701 Prudential Drive, Jacksonville, Florida, 5th Floor, Room 513D. **BIDS ARE DUE ON OR BEFORE March 20, 2018 AND WILL BE ACCEPTED UNTIL 2:00 P.M. OFFICIAL PROJECT TITLE:** Road Paving and Repairs Various Schools, Phase 4 School Nos. 25 and 31/DCSB Project No. M-88380/OFDC-ITB-004-18. **SCOPE OF WORK:** The project consists of road paving and repairs at Kirby Smith MS No. 25 and Landon MS No. 31. The

estimated construction cost is not to exceed \$300,000 for all schools. All contractors that are interested in bidding are required to attend a mandatory pre-bid conference to be held Tuesday, February 20, 2018 at 10:00 AM in Room 513D at DCPS Administration Building, 1701 Prudential Drive, Jacksonville, FL 32207. Failure to attend the pre-bid conference shall result in disqualification of that firm’s proposal. Attendees will be required to sign an attendance register. Project funding is subject to availability of funds as authorized by the Owner. The District reserves the right to reject any and all bids. Contract documents for bidding may be obtained at the office of: ARC Document Solutions/4613 Phillips Highway, Suite 202/ Jacksonville, FL 32207, (904)399-8946. Contract documents for bidding may be examined at the Duval County Public Schools Administration Building located at 1701 Prudential Drive, Jacksonville, FL 32207. Name of A/E Firm: Waitz & Moye, Inc., 3738 Southside Blvd, Jacksonville, FL 32216/904-642-8311. Office of Economic Opportunity (OEO) Participation Goal: 5% SBE Goal- Only those firms certified as SBE with DCPS can be used toward this Participation Goal. All Contractors submitting bids must be prequalified with Duval County Public Schools at the time of the bid opening. No bids will be accepted from Contractors who are not prequalified with Duval County Public Schools. Prequalification forms and information may be obtained at www.duvalschools.org under Departments/Facilities/Forms and Standards/General Documents/Contractor Prequalification Procedures. The Bid Award Recommendation will be posted on the first floor bulletin board at the Duval County School Board Building, 1701 Prudential Drive, Jacksonville, Florida 32207-8182.

**Section XII  
Miscellaneous**

**DEPARTMENT OF STATE**

Index of Administrative Rules Filed with the Secretary of State Pursuant to Section 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 3:00 p.m., Friday, February 2, 2017 and 3:00 p.m., Thursday, February 8, 2018.

Rule No.	File Date	Effective Date
5J-18.004	2/2/2018	2/22/2018
5J-25.009	2/2/2018	2/22/2018
59A-4.1265	2/2/2018	**/**/**
61G7-5.001	2/8/2018	2/28/2018
61G7-5.0011	2/8/2018	2/28/2018

61G7-5.0033	2/8/2018	2/28/2018
61G7-5.005	2/8/2018	2/28/2018
61G20-2.001	2/2/2018	2/22/2018
64B1-9.001	2/7/2018	2/27/2018
64B5-13.001	2/7/2018	2/27/2018
64B5-16.006	2/7/2018	2/27/2018
64B8-4.009	2/6/2018	2/26/2018
64B8-11.001	2/6/2018	2/26/2018
64B8-13.005	2/6/2018	2/26/2018
64B33-4.001	2/6/2018	2/26/2018
64B33-5.001	2/6/2018	2/26/2018
65C-15.003	2/5/2018	2/25/2018

**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
40C-2.101	8/2/2017	**/**/**
59A-4.1265	2/2/2018	**/**/**
60FF1-5.009	7/21/2016	**/**/**
64B8-10.003	12/9/2015	**/**/**
69L-7.020	12/15/2017	**/**/**
69L-7.501	12/15/2017	**/**/**

**DEPARTMENT OF FINANCIAL SERVICES**

FSC - Financial Institution Regulation

Financial Institutions

**NOTICE OF FILINGS**

Financial Services Commission

Office of Financial Regulation

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received the following application. Comments may be submitted to the Division Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing. However, pursuant to provisions specified in Chapter 69U-105, Florida Administrative Code, any person may request a public hearing by filing a petition with the Agency Clerk as follows:

By Mail or Facsimile      OR By Hand Delivery  
 Agency Clerk                      Agency Clerk  
 Office of Financial Regulation      Office of Financial Regulation  
 P.O. Box 8050                      The Fletcher Building, Suite 118  
 Tallahassee, Florida 32314-8050      101 East Gaines Street  
 Phone (850) 410-9889              Tallahassee, Florida 32399-0379  
 Fax: (850) 410-9663              Phone: (850) 410-9889  
 The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., March 2, 2018).

**APPLICATION TO ACQUIRE CONTROL**  
 Financial Institution to be Acquired: Pinnacle Bank, Orange City, Florida  
 Proposed Purchasers: JOSCA LLC  
 Received: February 6, 2018

**DEPARTMENT OF ECONOMIC OPPORTUNITY**  
 Division of Community Development  
 Final Order No. DEO-18-012  
 In re: A LAND DEVELOPMENT REGULATION  
       ADOPTED BY THE CITY OF LAKE ALFRED,  
       FLORIDA ORDINANCE NO. 1266-10

**FINAL ORDER**  
**APPROVING LAKE ALFRED ORDINANCE NO. 1266-10**  
 The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to section 380.05(6), Florida Statutes, approving land development regulations adopted by the City of Lake Alfred, Florida, (the “City”) Ordinance No. 1266-10 (the “Ordinance”).

**FINDINGS OF FACT**  
 1. The Green Swamp Area is designated by section 380.0551, Florida Statutes, as an area of critical state concern. The City is a local government within the Green Swamp Area of Critical State Concern.  
 2. The Ordinance was adopted by the City on January 19, 2010, and rendered to the Department on December 29, 2017.  
 3. The Ordinance provides for the dissolution of the Belmont Ranch Community Development District pursuant to Section 190.046(9), Florida Statutes (2009), and provides for the termination of all community development services of the Belmont Ranch Community Development District.

**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. See section 380.05(6), 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’s Comprehensive Plan generally, as required by section 163.3177(1), Florida Statutes, and specifically Future Land Use Goal 1 and Future Land Use Objective 1.1.  
 7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must also be consistent with the principles for guiding development for that area. See section 380.05(6), Florida Statutes. The Principles for Guiding Development for the Green Swamp Area of Critical State Concern are set forth in rule 28-26.003(1), Florida Administrative Code.  
 8. The Ordinance is consistent with the Principles for Guiding Development as a whole and is not inconsistent with any principles.

WHEREFORE, IT IS ORDERED that the Department finds that Lake Alfred Ordinance No. 1266-10 is consistent with the City’s Comprehensive Plan and the Principles for Guiding Development for the Green Swamp 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, Bureau Chief  
 Bureau of Community Planning and Growth  
 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 7th day of February, 2018.

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

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

By Certified-U.S. Mail:  
The Honorable Charles O. Lake, Mayor  
155 East Pomelo Street  
Lake Alfred, Florida 33850

Ryan Leavengood, City Manager  
155 East Pomelo Street  
Lake Alfred, Florida 33850

Ameé Bailey-Speck, City Clerk  
120 East Pomelo Street  
Lake Alfred, Florida 33850

Frederick J. Murphy Jr., City Attorney  
245 South Central Avenue  
Bartow, Florida 33830

DEPARTMENT OF ECONOMIC OPPORTUNITY  
Division of Community Development  
DEO-18-013

In re: A LAND DEVELOPMENT REGULATION  
ADOPTED BY THE CITY OF LAKE ALFRED,  
FLORIDA ORDINANCE NO. 1233-08

FINAL ORDER

APPROVING LAKE ALFRED ORDINANCE NO. 1233-08  
The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to section 380.05(6), Florida Statutes, approving land development regulations adopted by the City of Lake Alfred, Florida, (the “City”) Ordinance No. 1233-08 (the “Ordinance”).

FINDINGS OF FACT

1. The Green Swamp Area is designated by section 380.0551, Florida Statutes, as an area of critical state concern. The City is a local government within the Green Swamp Area of Critical State Concern.
2. The Ordinance was adopted by the City on June 16, 2008, and rendered to the Department on December 29, 2017.
3. The Ordinance amends the City’s Unified Land Development Code text to modify Article 9, definitions, to modify the definition of “nonconforming use” to require that once a nonconforming use is eliminated, removed, or suspended for a period exceeding 90 consecutive days, associated land or structures shall be used only in accordance with the Comprehensive Plan.

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. See section 380.05(6), 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’s Comprehensive Plan generally, as required by section 163.3177(1), Florida Statutes, and specifically Future Land Use Objective 1.5 and Future Land Use Policy 1.5.1.
7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must also be consistent with the principles for guiding development for that area. See section 380.05(6), Florida Statutes. The Principles for Guiding Development for the Green Swamp Area of Critical State Concern are set forth in rule 28-26.003(1), Florida Administrative Code.
8. The Ordinance is consistent with the Principles for Guiding Development as a whole and is not inconsistent with any principles.

WHEREFORE, IT IS ORDERED that the Department finds that Lake Alfred Ordinance No. 1233-08 is consistent with the City’s Comprehensive Plan and the Principles for Guiding Development for the Green Swamp 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, Bureau Chief  
Bureau of Community Planning and Growth  
Department of Economic Opportunity

Tallahassee, FL 32399-4128  
By Certified-U.S. Mail:  
The Honorable Charles O. Lake, Mayor  
155 East Pomelo Street  
Lake Alfred, Florida 33850

Ryan Leavengood, City Manager  
155 East Pomelo Street  
Lake Alfred, Florida 33850

Ameé Bailey-Speck, City Clerk  
120 East Pomelo Street  
Lake Alfred, Florida 33850

Frederick J. Murphy Jr., City Attorney  
245 South Central Avenue  
Bartow, Florida 33830

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 7<sup>th</sup> day of February, 2018.

/s/  
Agency Clerk  
Department of Economic Opportunity  
107 East Madison Street, MSC 110

DEPARTMENT OF ECONOMIC OPPORTUNITY  
Division of Community Development  
Final Order No. DEO-18-014  
In re: A LAND DEVELOPMENT REGULATION  
ADOPTED BY THE CITY OF LAKE ALFRED,  
FLORIDA ORDINANCE NO. 1196-07

FINAL ORDER  
APPROVING LAKE ALFRED ORDINANCE NO. 1196-07  
The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to section 380.05(6), Florida Statutes, approving land development regulations adopted by the City of Lake Alfred, Florida, (the “City”) Ordinance No. 1196-07 (the “Ordinance”).

FINDINGS OF FACT  
1. The Green Swamp Area is designated by section 380.0551, Florida Statutes, as an area of critical state concern. The City is a local government within the Green Swamp Area of Critical State Concern.

2. The Ordinance was adopted by the City on July 16, 2007, and rendered to the Department on December 29, 2017.

3. The Ordinance amends the City’s Unified Land Development Code text to modify Section 2.05.00, relating to accessory structures and temporary storage units. The Ordinance limits the number of detached accessory structures permitted on residential parcels and sets dimensional limits based on lot size. The Ordinance also adds regulation for temporary storage units, limits these units to 120 days, and requires the issuance of a building permit.

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. See section 380.05(6), 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's Comprehensive Plan generally, as required by section 163.3177(1), Florida Statutes, and specifically Future Land Use Objective 1.3, Future Land Use Policy 1.3.1.b, and Future Land Use Policy 1.3.2.

7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must also be consistent with the principles for guiding development for that area. See section 380.05(6), Florida Statutes. The Principles for Guiding Development for the Green Swamp Area of Critical State Concern are set forth in rule 28-26.003(1), Florida Administrative Code.

8. The Ordinance is consistent with the Principles for Guiding Development as a whole and is not inconsistent with any principles.

WHEREFORE, IT IS ORDERED that the Department finds that Lake Alfred Ordinance No. 1196-07 is consistent with the City's Comprehensive Plan and the Principles for Guiding Development for the Green Swamp 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, Bureau Chief  
Bureau of Community Planning and Growth  
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 7th day of February, 2018.

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

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

By Certified-U.S. Mail:  
The Honorable Charles O. Lake, Mayor  
155 East Pomelo Street  
Lake Alfred, Florida 33850

Ryan Leavengood, City Manager  
155 East Pomelo Street  
Lake Alfred, Florida 33850

Ameé Bailey-Speck, City Clerk  
120 East Pomelo Street  
Lake Alfred, Florida 33850

Frederick J. Murphy Jr., City Attorney  
245 South Central Avenue  
Bartow, Florida 33830

DEPARTMENT OF ECONOMIC OPPORTUNITY  
Division of Community Development  
Final Order No. DEO-18-015

In re: A LAND DEVELOPMENT REGULATION  
ADOPTED BY THE CITY OF LAKE ALFRED,  
FLORIDA ORDINANCE NO. 1347-15



FINAL ORDER

APPROVING LAKE ALFRED ORDINANCE NO. 1347-15  
 The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to section 380.05(6), Florida Statutes, approving land development regulations adopted by the City of Lake Alfred, Florida, (the “City”) Ordinance No. 1347-15 (the “Ordinance”).

FINDINGS OF FACT

1. The Green Swamp Area is designated by section 380.0551, Florida Statutes, as an area of critical state concern. The City is a local government within the Green Swamp Area of Critical State Concern.
2. The Ordinance was adopted by the City on January 20, 2015, and rendered to the Department on December 29, 2017.
3. The Ordinance amends the City’s Unified Land Development Code text to delete Section 2.02.07(A), which previously limited the number of dogs permitted in residential, commercial, or industrial buildings. The Ordinance also amends Section 2.02.07(C) relating to regulation of captive wildlife.

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. See section 380.05(6), 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’s Comprehensive Plan generally, as required by section 163.3177(1), Florida Statutes, and specifically Future Land Use Goal 1.
7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must also be consistent with the principles for guiding development for that area. See section 380.05(6), Florida Statutes. The Principles for Guiding Development for the Green Swamp Area of Critical State Concern are set forth in rule 28-26.003(1), Florida Administrative Code.
8. The Ordinance is consistent with the Principles for Guiding Development and is not inconsistent with any principles.

WHEREFORE, IT IS ORDERED that the Department finds that Lake Alfred Ordinance No. 1347-15 is consistent with the City’s Comprehensive Plan and the Principles for Guiding Development for the Green Swamp 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, Bureau Chief  
 Bureau of Community Planning and Growth  
 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 7th day of February, 2018.

/s/

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

By Certified-U.S. Mail:  
 The Honorable Charles O. Lake, Mayor  
 155 East Pomelo Street

Lake Alfred, Florida 33850

Ryan Leavengood, City Manager  
155 East Pomelo Street  
Lake Alfred, Florida 33850

Ameé Bailey-Speck, City Clerk  
120 East Pomelo Street  
Lake Alfred, Florida 33850

Frederick J. Murphy Jr., City Attorney  
245 South Central Avenue  
Bartow, Florida 33830

DEPARTMENT OF ECONOMIC OPPORTUNITY  
Division of Community Development  
Small Cities CDBG FFY 2016 Subgrant Implementation  
Training Class

The Florida Department of Economic Opportunity announces its annual Small Cities Community Development Block Grant (CDBG) Subgrant Implementation Training Class in March 2018 for representatives of communities that have received Federal Fiscal Year (FFY) 2016 funding.

The three-day class will cover the following topics: subgrant requirements; changes to Chapter 73C-23, FAC; fair housing, equal employment, Section 504/Americans with Disabilities Act, and Section 3 regulations; procuring professional services and construction contracts; requesting wage decisions and enforcing labor standards; performing the environmental review; handling conflicts of interest and citizen complaints; regulations related to acquisition; financial management requirements; requesting modifications; maintaining records; filling out reimbursement requests; filing audits and other reports; on-site monitoring; and requesting administrative closeout. The training will include hands-on exercises. A copy of the agenda will be available on the Small Cities CDBG web page at [www.FloridaJobs.org/SmallCitiesCDBG](http://www.FloridaJobs.org/SmallCitiesCDBG) by February 16, 2018.

The three-day class will begin on Tuesday, March 13, 2018, at the Homewood Suites, 2987 Apalachee Parkway, Tallahassee, Florida, and end on March 15, 2018. The daily schedule will begin at 8:30 a.m. and end by 5:00 p.m. People wishing to attend the class must fill out the registration form online at [www.FloridaJobs.org/TrainingEvent](http://www.FloridaJobs.org/TrainingEvent) prior to March 9, 2018.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this class is asked to advise the agency at least seven days before the class by contacting Roger Doherty at (850)717-8417. 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 you have any questions, contact Roger Doherty at (850)717-8417 or by email at [roger.doherty@deo.myflorida.com](mailto:roger.doherty@deo.myflorida.com).

DEPARTMENT OF ECONOMIC OPPORTUNITY  
Division of Community Development  
Final Order No. DEO-18-016  
In re: A LAND DEVELOPMENT REGULATION  
ADOPTED BY THE CITY OF LAKE ALFRED,  
FLORIDA ORDINANCE NO. 1319-13

FINAL ORDER  
APPROVING LAKE ALFRED ORDINANCE NO. 1319-13  
The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to section 380.05(6), Florida Statutes, approving land development regulations adopted by the City of Lake Alfred, Florida, (the “City”) Ordinance No. 1319-13 (the “Ordinance”).

FINDINGS OF FACT

1. The Green Swamp Area is designated by section 380.0551, Florida Statutes, as an area of critical state concern. The City is a local government within the Green Swamp Area of Critical State Concern.
2. The Ordinance was adopted by the City on June 3, 2013, and rendered to the Department on December 29, 2017.
3. The Ordinance amends the City’s Unified Land Development Code text to modify Section 2.05.00 setting new height and size limitations for accessory structures on all residential properties regardless of lot size. The Ordinance also amends existing regulation of screen enclosures by permitting them in all residential districts.

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. See section 380.05(6), 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’s Comprehensive Plan generally, as required by section 163.3177(1), Florida Statutes, and specifically Future Land Use Objective 1.3.
7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must also be consistent with the principles for guiding development for that area. See section 380.05(6), Florida Statutes. The Principles for Guiding Development for the Green Swamp Area of Critical State Concern are set forth in rule 28-26.003(1), Florida Administrative Code.

8. The Ordinance is consistent with the Principles for Guiding Development as a whole and is not inconsistent with any principles.

WHEREFORE, IT IS ORDERED that the Department finds that Lake Alfred Ordinance No. 1319-13 is consistent with the City’s Comprehensive Plan and the Principles for Guiding Development for the Green Swamp 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, Bureau Chief

Bureau of Community Planning and Growth  
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 7th day of February, 2018.

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

By Certified-U.S. Mail:  
The Honorable Charles O. Lake, Mayor  
155 East Pomelo Street  
Lake Alfred, Florida 33850

Ryan Leavengood, City Manager  
155 East Pomelo Street  
Lake Alfred, Florida 33850

Ameé Bailey-Speck, City Clerk  
120 East Pomelo Street  
Lake Alfred, Florida 33850

Frederick J. Murphy Jr., City Attorney  
245 South Central Avenue  
Bartow, Florida 33830

DEPARTMENT OF ECONOMIC OPPORTUNITY  
Division of Community Development  
Final Order No. DEO-18-017  
In re: A LAND DEVELOPMENT REGULATION  
ADOPTED BY THE CITY OF LAKE ALFRED,  
FLORIDA ORDINANCE NO. 1348-15

FINAL ORDER

APPROVING LAKE ALFRED ORDINANCE NO. 1348-15  
The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to section 380.05(6), Florida Statutes, approving land development regulations adopted by the City of Lake Alfred, Florida, (the “City”) Ordinance No. 1348-15 (the “Ordinance”).

FINDINGS OF FACT

1. The Green Swamp Area is designated by section 380.0551, Florida Statutes, as an area of critical state concern. The City is a local government within the Green Swamp Area of Critical State Concern.
2. The Ordinance was adopted by the City on January 20, 2015, and rendered to the Department on December 29, 2017.
3. The Ordinance amends the City’s Unified Land Development Code text to modify Sections 4.03.00 and 4.05.02 by deleting language requiring all signs be placed on the site of the permitted business.

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. See section 380.05(6), 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's Comprehensive Plan generally, as required by section 163.3177(1), Florida Statutes, and specifically Future Land Use Objective 1.3 and Future Land Use Policy 1.3.1.

7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must also be consistent with the principles for guiding development for that area. See section 380.05(6), Florida Statutes. The Principles for Guiding Development for the Green Swamp Area of Critical State Concern are set forth in rule 28-26.003(1), Florida Administrative Code.

8. The Ordinance is consistent with the Principles for Guiding Development as a whole and is not inconsistent with any principles.

WHEREFORE, IT IS ORDERED that the Department finds that Lake Alfred Ordinance No. 1348-15 is consistent with the City's Comprehensive Plan and the Principles for Guiding Development for the Green Swamp 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, Bureau Chief  
Bureau of Community Planning and Growth  
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 7th day of February, 2018.

/s/

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

By Certified-U.S. Mail:  
The Honorable Charles O. Lake, Mayor  
155 East Pomelo Street  
Lake Alfred, Florida 33850

Ryan Leavengood, City Manager  
155 East Pomelo Street  
Lake Alfred, Florida 33850

Ameé Bailey-Speck, City Clerk  
120 East Pomelo Street  
Lake Alfred, Florida 33850

Frederick J. Murphy Jr., City Attorney  
245 South Central Avenue  
Bartow, Florida 33830

DEPARTMENT OF ECONOMIC OPPORTUNITY  
Division of Community Development  
Final Order No. DEO-18-018

In re: A LAND DEVELOPMENT REGULATION  
ADOPTED BY THE CITY OF LAKE ALFRED,  
FLORIDA ORDINANCE NO. 1202-07

FINAL ORDER

APPROVING LAKE ALFRED ORDINANCE NO. 1202-07  
The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to section 380.05(6), Florida Statutes, approving land development regulations adopted by the City of Lake Alfred, Florida, (the “City”) Ordinance No. 1202-07 (the “Ordinance”).

FINDINGS OF FACT

1. The Green Swamp Area is designated by section 380.0551, Florida Statutes, as an area of critical state concern. The City is a local government within the Green Swamp Area of Critical State Concern.
2. The Ordinance was adopted by the City on September 18, 2007, and rendered to the Department on December 29, 2017.
3. The Ordinance amends the City’s Unified Land Development Code text to modify Section 3.09.06, regulating communications towers and antennas. The Ordinance amends the maximum height of communication towers from 200 feet to 150 feet. The Ordinance also amends the required separation distance between a communication tower and an area of single family or duplex residential units or an area of vacant land zoned residential single family or duplex. Previously the Code required either 200 feet or 300% height of tower separation, whichever is greater. The Ordinance removes the 300% calculation, thereby clarifying the required separation distance is 200 feet.

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. See section 380.05(6), 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’s Comprehensive Plan generally, as required by section 163.3177(1), Florida Statutes, and specifically Future Land Use Objective 1.3 and Future Land Use Policy 1.5.3.
7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must also be consistent with the principles for guiding development for that area. See section 380.05(6), Florida Statutes. The Principles for Guiding Development for the Green Swamp Area of Critical State Concern are set forth in rule 28-26.003(1), Florida Administrative Code.

8. The Ordinance is consistent with the Principles for Guiding Development as a whole and is not inconsistent with any principles.

WHEREFORE, IT IS ORDERED that the Department finds that Lake Alfred Ordinance No. 1202-07 is consistent with the City’s Comprehensive Plan and the Principles for Guiding Development for the Green Swamp 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, Bureau Chief

Bureau of Community Planning and Growth  
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 7<sup>th</sup> day of February, 2018.

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

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

By Certified-U.S. Mail:  
The Honorable Charles O. Lake, Mayor  
155 East Pomelo Street  
Lake Alfred, Florida 33850

Ryan Leavengood, City Manager  
155 East Pomelo Street  
Lake Alfred, Florida 33850

Ameé Bailey-Speck, City Clerk  
120 East Pomelo Street  
Lake Alfred, Florida 33850

Frederick J. Murphy Jr., City Attorney  
245 South Central Avenue  
Bartow, Florida 33830

DEPARTMENT OF ECONOMIC OPPORTUNITY  
Division of Community Development  
Final Order No. DEO-18-019  
In re: A LAND DEVELOPMENT REGULATION  
ADOPTED BY THE CITY OF LAKE ALFRED,  
FLORIDA ORDINANCE NO. 1354-15

FINAL ORDER  
APPROVING LAKE ALFRED ORDINANCE NO. 1354-15  
The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to section 380.05(6), Florida Statutes, approving land development regulations adopted by the City of Lake Alfred, Florida, (the “City”) Ordinance No. 1354-15 (the “Ordinance”).

FINDINGS OF FACT  
1. The Green Swamp Area is designated by section 380.0551, Florida Statutes, as an area of critical state concern. The City is a local government within the Green Swamp Area of Critical State Concern.  
2. The Ordinance was adopted by the City on July 20, 2015, and rendered to the Department on December 29, 2017.  
3. The Ordinance amends the City’s Unified Land Development Code text to modify Section 3.02.03, relating to pavement width and road right-of-way requirements for roads within the Green Swamp Area of Critical State Concern. The Ordinance

permits a request for reduction in pavement width, provides requirements for obtaining pavement width reduction approval, and sets forth procedural requirements for review of applications for driving surface reduction requests.

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. See section 380.05(6), 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’s Comprehensive Plan generally, as required by section 163.3177(1), Florida Statutes, and specifically Future Land Use Objective 1.3 and Future Land Use Policy 2.3.7.  
7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must also be consistent with the principles for guiding development for that area. See section 380.05(6), Florida Statutes. The Principles for Guiding Development for the Green Swamp Area of Critical State Concern are set forth in rule 28-26.003(1), Florida Administrative Code.  
8. The Ordinance is consistent with the Principles for Guiding Development as a whole and is not inconsistent with any principles.

WHEREFORE, IT IS ORDERED that the Department finds that Lake Alfred Ordinance No. 1354-15 is consistent with the City’s Comprehensive Plan and the Principles for Guiding Development for the Green Swamp 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, Bureau Chief  
Bureau of Community Planning and Growth  
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 7<sup>th</sup> day of February, 2018.

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

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

By Certified-U.S. Mail:

The Honorable Charles O. Lake, Mayor  
155 East Pomelo Street  
Lake Alfred, Florida 33850

Ryan Leavengood, City Manager  
155 East Pomelo Street  
Lake Alfred, Florida 33850

Ameé Bailey-Speck, City Clerk  
120 East Pomelo Street  
Lake Alfred, Florida 33850

Frederick J. Murphy Jr., City Attorney  
245 South Central Avenue  
Bartow, Florida 33830

DEPARTMENT OF ECONOMIC OPPORTUNITY  
Division of Community Development  
Final Order No. DEO-18-022

In re: A LAND DEVELOPMENT REGULATION  
ADOPTED BY THE CITY OF LAKE ALFRED,  
FLORIDA ORDINANCE NO. 1315-12

FINAL ORDER

APPROVING LAKE ALFRED ORDINANCE NO. 1315-12  
The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to section 380.05(6), Florida Statutes, approving land development regulations adopted by the City of Lake Alfred, Florida, (the “City”) Ordinance No. 1315-12 (the “Ordinance”).

FINDINGS OF FACT

1. The Green Swamp Area is designated by section 380.0551, Florida Statutes, as an area of critical state concern. The City is a local government within the Green Swamp Area of Critical State Concern.
2. The Ordinance was adopted by the City on December 3, 2012, and rendered to the Department on December 29, 2017.
3. The Ordinance amends the City’s Unified Land Development Code text to repeal Article 5 – Resource Protection Standards, Section 5.01.00, and replace the removed language with “Floodplain Management Regulations.” The Ordinance provides regulation applicable to flood hazard areas within the City and aims to minimize damage to public and private facilities, disruptions to municipal functions, and expenses related to recovery from floods. The Ordinance intends to establish standards that reduce potential for developments to increase flood-related erosion, maintain a stable tax base in flood hazard areas, and meet the prerequisites for the sale of flood insurance as set forth in 44 C.F.R. § 59.22. The Ordinance establishes a Floodplain Administrator and sets forth their role in interpreting, performing, and enforcing his or her duties as they relate to the adopted regulations. The Ordinance require owners and authorized agents to obtain permits for development proposals within flood hazard areas, unless the proposed development is exempt from the Florida Building Code. The Ordinance establishes standards for permit applications, site plans, construction documents, subdivisions, manufactured homes, trailer parks, and provides certain local amendments to the Florida Building Code. The Ordinance also provides procedures for petitioning the Board of Adjustment for a variance from a determination.

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. See section 380.05(6), 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's Comprehensive Plan generally, as required by section 163.3177(1), Florida Statutes, and specifically Policy 1.3.1

7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must also be consistent with the principles for guiding development for that area. See section 380.05(6), Florida Statutes. The Principles for Guiding Development for the Green Swamp Area of Critical State Concern are set forth in rule 28-26.003(1), Florida Administrative Code.

8. The Ordinance is consistent with the Principles for Guiding Development as a whole and specifically with the following principles:

- (e) Protect the normal supply of ground and surface water;
- (j) Protect the natural flow regime of drainage basins; and
- (k) Protect the design capacity of flood-detention areas and the water-management objectives of these areas through the maintenance of hydrologic characteristics of drainage basins.

WHEREFORE, IT IS ORDERED that the Department finds that Lake Alfred Ordinance No. 1315-12 is consistent with the City's Comprehensive Plan and the Principles for Guiding Development for the Green Swamp 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, Bureau Chief  
Bureau of Community Planning and Growth  
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 7th day of February, 2018.

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

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

By Certified-U.S. Mail:  
The Honorable Charles O. Lake, Mayor  
155 East Pomelo Street  
Lake Alfred, Florida 33850

Ryan Leavengood, City Manager  
155 East Pomelo Street  
Lake Alfred, Florida 33850

Ameé Bailey-Speck, City Clerk  
120 East Pomelo Street  
Lake Alfred, Florida 33850

Frederick J. Murphy Jr., City Attorney  
245 South Central Avenue  
Bartow, Florida 33830

DEPARTMENT OF ECONOMIC OPPORTUNITY  
Division of Community Development  
Final Order No. DEO-18-021  
In re: A LAND DEVELOPMENT REGULATION  
ADOPTED BY THE CITY OF LAKE ALFRED,



FLORIDA ORDINANCE NO. 1318-13

FINAL ORDER

APPROVING LAKE ALFRED ORDINANCE NO. 1318-13

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to section 380.05(6), Florida Statutes, approving land development regulations adopted by the City of Lake Alfred, Florida, (the “City”) Ordinance No. 1318-13 (the “Ordinance”).

FINDINGS OF FACT

1. The Green Swamp Area is designated by section 380.0551, Florida Statutes, as an area of critical state concern. The City is a local government within the Green Swamp Area of Critical State Concern.
2. The Ordinance was adopted by the City on May 20, 2013, and rendered to the Department on December 29, 2017.
3. The Ordinance amends the City’s Unified Land Development Code text by adopting by reference Polk County Ordinance No. 13.005 relating to fertilizer management. The Ordinance provides Best Management Practices for fertilizer management including, adopting weather related restrictions, regulating fertilizer content and application rates, establishing fertilizer-free zones, providing a mode of fertilizer application, regulating grass clippings and vegetative material/debris, establishing training requirements, requiring certification of commercial applicators, providing enumerated exemptions, and adopting enforcement procedures.

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. See section 380.05(6), 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’s Comprehensive Plan generally, as required by section 163.3177(1), Florida Statutes, and specifically Infrastructure Element Objective 5, Policy 5.2, Objective 6, and Policy 6.1.
7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must also be consistent with the principles for guiding development for that area. See section 380.05(6), Florida Statutes. The Principles for Guiding Development for the Green Swamp Area of Critical State Concern are set forth in rule 28-26.003(1), Florida Administrative Code.
8. The Ordinance is consistent with the Principles for Guiding Development as a whole and specifically with the following principles:

(b) Protect the normal quantity, quality and flow of ground water and surface water which are necessary for the protection of resources of state and regional concern; and

(g) Protect or improve existing ground and surface-water quality.

WHEREFORE, IT IS ORDERED that the Department finds that Lake Alfred Ordinance No. 1318-13 is consistent with the City’s Comprehensive Plan and the Principles for Guiding Development for the Green Swamp 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, Bureau Chief  
Bureau of Community Planning and Growth  
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 7<sup>th</sup> day of February, 2018.

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

By Certified-U.S. Mail:  
The Honorable Charles O. Lake, Mayor  
155 East Pomelo Street  
Lake Alfred, Florida 33850

Ryan Leavengood, City Manager  
155 East Pomelo Street  
Lake Alfred, Florida 33850

Ameé Bailey-Speck, City Clerk  
120 East Pomelo Street  
Lake Alfred, Florida 33850

Frederick J. Murphy Jr., City Attorney  
245 South Central Avenue  
Bartow, Florida 33830

DEPARTMENT OF ECONOMIC OPPORTUNITY  
Division of Community Development  
Final Order No. DEO-18-011  
In re: A LAND DEVELOPMENT REGULATION  
ADOPTED BY THE CITY OF LAKE ALFRED,  
FLORIDA ORDINANCE NO. 1135-06

—  
FINAL ORDER  
APPROVING LAKE ALFRED ORDINANCE NO. 1135-06  
The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to section 380.05(6), Florida Statutes, approving land development regulations adopted by the City of Lake Alfred, Florida, (the “City”) Ordinance No. 1135-06 (the “Ordinance”).

FINDINGS OF FACT

1. The Green Swamp Area is designated by section 380.0551, Florida Statutes, as an area of critical state concern. The City is a local government within the Green Swamp Area of Critical State Concern.
2. The Ordinance was adopted by the City on February 6, 2006, and rendered to the Department on December 29, 2017.

3. The Ordinance amends the City’s Unified Land Development Code text to modify Section 7.06.00, regarding subdivision regulations relating to platting. The Ordinance amends procedural requirements including expanding requirements for plan submittals and adding language relating to establishment of a fee for plan review. The Ordinance expands administrative actions for minor subdivision approvals. The Ordinance deletes duplicative language from Section 7.06.05, Preliminary Subdivision Plat, and modifies criteria relating to preliminary subdivision plats. The Ordinance removes conflicting language from Section 7.06.06.01.

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. See section 380.05(6), 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’s Comprehensive Plan generally, as required by section 163.3177(1), Florida Statutes, and specifically Future Land Use Element, Policy 1.3.1.
7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must also be consistent with the principles for guiding development for that area. See section 380.05(6), Florida Statutes. The Principles for Guiding Development for the Green Swamp Area of Critical State Concern are set forth in rule 28-26.003(1), Florida Administrative Code.
8. The Ordinance is consistent with the Principles for Guiding Development as a whole and is not inconsistent with any principles.

WHEREFORE, IT IS ORDERED that the Department finds that Lake Alfred Ordinance No. 1135-06 is consistent with the City’s Comprehensive Plan and the Principles for Guiding Development for the Green Swamp 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, Bureau Chief  
Bureau of Community Planning and Growth  
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:

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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 7th day of February, 2018.

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

By Certified-U.S. Mail:  
The Honorable Charles O. Lake, Mayor  
155 East Pomelo Street  
Lake Alfred, Florida 33850

Ryan Leavengood, City Manager  
155 East Pomelo Street  
Lake Alfred, Florida 33850

Ameé Bailey-Speck, City Clerk

120 East Pomelo Street  
Lake Alfred, Florida 33850

Frederick J. Murphy Jr., City Attorney  
245 South Central Avenue  
Bartow, Florida 33830

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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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