

Section I
 Notice of Development of Proposed Rules
 and Negotiated Rulemaking

NONE

Section II
 Proposed Rules

PUBLIC SERVICE COMMISSION

RULE NO: RULE TITLE:

25-30.335 Customer Billing

PURPOSE AND EFFECT: The purpose and effect of this rulemaking is to update and clarify the water and wastewater customer billing rule requirements, including billing requirements for customers who request temporary discontinuance of service and customers who request a permanent termination of service.

Docket No. 20200119-WS

SUMMARY: The rule specifies what rates and charges a utility must bill and a customer must pay if a customer requests a temporary discontinuance of service or is out of residence and if a customer requests a permanent termination of service and subsequently requests service at the same location within 12 months of termination.

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), FS, and concluded that the rule amendment will not have an adverse impact on economic growth, business competitiveness, or small business and that there would likely be no transactional costs 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), 367.121 FS.

LAW IMPLEMENTED: 367.121, 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: Kathryn Cowdery, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6216, kcowdery@psc.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

25-30.335 Customer Billing.

(1) Except as provided in this rule, a utility ~~must shall~~ render bills to customers at regular intervals, and each bill ~~must shall~~ indicate: the billing period covered; ~~the applicable rate schedule~~; beginning and ending meter reading; the amount of the bill; the delinquent date or the date after which the bill becomes past due; and any authorized late payment charge.

(2) No change.

(a) If the utility estimates a bill, ~~the bill statement shall prominently show~~ the word “Estimated” must be prominently displayed on the face of the bill.

(b) The utility is obligated to timely correct any problems within the utility’s control causing the need to estimate bills. In no event ~~may shall~~ a utility provide an estimated bill to any one customer account more than four times in any 12-month period due to circumstances that are within the utility’s control and service obligations.

(c) Upon issuance of a second estimated bill in a 6-month period, the utility ~~must shall~~ provide the customer with an explicit written explanation for the estimation, along with the utility contact information and the Commission toll-free complaint number, 1(800) 342-3552.

(d) The utility ~~must shall~~ maintain records, for a minimum of two years, detailing the number, frequency, and causes of estimated bills, and those records must ~~which shall~~ be made available upon request to the Commission or to any party to a rate proceeding for the utility.

(3) When service is rendered for less than 50 percent of the normal billing cycle, the utility ~~must shall~~ prorate the base facility charges, flat rates, or rates that include minimum usage as though the normal billing cycle were 30 days, ~~except that~~ the utility may elect not to not issue an initial bill for service if the service is rendered for during a time period ~~which is~~ less than 50 percent of the normal billing cycle. Instead, the utility may elect to issue a single bill combining combine the amount owed for the service rendered during the initial time period with the amount owed for the next billing cycle, ~~and issue a single bill for the combined time period. For service taken under flat rate schedules, 50 percent of the normal charges may be applied.~~

(4) If a customer requests a temporary discontinuance of service or is out of residence:

(a) Utilities that have the base facility charge rate structure must continue to bill the base facility charge.

(b) Utilities that have a flat rate or a rate that includes minimum usage must bill the customer 40 percent of the flat or minimum rate contained on the applicable tariff.

(5) If a customer requests a permanent termination of service and the same customer subsequently requests service at the same location within 12 months of that termination, the utility must bill the customer the base facility charges or 40 percent of the flat rate or rates that include minimum usage for the service termination period. The customer is responsible for payment of all outstanding rates and charges for the termination period in order for service to be restored.

~~(6)~~(4) A utility may not consider a customer delinquent in paying his or her bill until the 21st day after the utility has mailed or presented the bill for payment.

~~(7)~~(5) A Each utility must shall establish each point of delivery as an independent customer account and must shall calculate the amount of the bill accordingly, except where physical conditions make it necessary to use additional meters or points of delivery for one class of service to a single customer on the same premises, or where such multiple meters or delivery points are used for the convenience of the utility.

~~(8)~~(6) A utility may not incorporate municipal or county franchise fees into the amount indicated as the cost for service on the customer's bill. Rather, the utility must shall show any such franchise fee as a separate item.

~~(9)~~(7) The utility must shall maintain a record of each customer's account for the most current 2 years so as to permit reproduction of the customer's bills during the time that the utility provided service to that customer.

~~(8) If a utility utilizes the base facility and usage charge rate structure and does not have a Commission authorized vacation rate, the utility shall bill the customer the base facility charge regardless of whether there is any usage.~~

Rulemaking Authority 350.127(2), 367.121 FS. Law Implemented ~~367.091~~, 367.121 FS. History—New 9-14-74, Amended 6-21-79, Formerly 25-10.97, 25-10.097, Amended 11-10-86, 11-30-93, 6-17-13,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Shannon Hudson

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 2, 2021

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: Volume 46, Number 5, January 8, 2020.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.:
59G-4.193

RULE TITLE:
Statewide Medicaid Managed Care Long-term Care Waiver Program Prioritization and Enrollment

PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-4.193, Florida Administrative Code (F.A.C.), is to revise the prioritization process for the Statewide Medicaid Managed Care Long-term Care (LTC) Waiver Program. The amendment will address the screening tool and the scoring methodology for inclusion and prioritization on the LTC wait list.

SUMMARY: Long-term Care Waiver Program Prioritization and Enrollment.

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: A checklist was prepared by the Agency to determine the need for a SERC. Based on this information at the time of the analysis and pursuant to section 120.541, Florida Statutes, (F.S.) the rule will not 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: 409.919, 409.961 FS.

LAW IMPLEMENTED: 409.978, 409.973 FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: March 25, 2021, 3:30 p.m. to 4:00 p.m.

PLACE: Remote Listeners: Attendees may register for the hearing at:

<https://attendee.gotowebinar.com/register/1977425896427842316>. After registering, a confirmation email will be received containing information about joining the webinar, and opportunities to offer comments and questions will be available. 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: MedicaidRuleComments@ahca.myflorida.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: MedicaidRuleComments@ahca.myflorida.com. Please note that a preliminary draft of the reference material, if available, will be posted prior to the hearing at <http://ahca.myflorida.com/Medicaid/review/index.shtml>. Official comments to be entered into the rule record will be received until 5:00 p.m. on March 26, 2021 and may be e-mailed to MedicaidRuleComments@ahca.myflorida.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.193 Statewide Medicaid Managed Care Long-term Care Waiver Program Prioritization and Enrollment.

(1) This rule applies to individuals living in their home, or a community setting, who are seeking Florida Medicaid coverage for home and community-based services (HCBS) through the Florida Medicaid Statewide Medicaid Managed Care Long-term Care (LTC) program.

(2) Definitions. The following definitions are applicable to this policy.

(a) Adult Protective Services High Risk Referral – Individuals age 60 or older who are determined by Department of Children and Families Adult Protective Services to be victims of abuse, neglect, or exploitation, who need immediate services to prevent further harm.

(b)(a) Aging Out – When an individual who is enrolled in the Department of Children and Families’ (DCF) Community Care for Disabled Adults or Home Care for Disabled Adults program reaches the maximum age for the program and is referred for screening and prioritization for the LTC program.

(c)(b) Authorized Representative – As defined in section 409.962, Florida Statutes (F.S.).

(d)(e) Enrollment – When the Agency for Health Care Administration (AHCA) places a recipient in a Florida Medicaid managed care plan.

(e) High Priority Rank – Automatically generated number indicating an individual’s assessed need for LTC services and placement on the wait list, based on priority ranks of 3, 4, 5, 6, 7, and 8.

(f)(d) Imminent Risk – When individuals living in their home or a community setting meet all of the following:

1. Unable to perform self-care because of deteriorating mental or physical health condition(s).
2. There is no capable caregiver.
3. Placement in a nursing facility is likely within a month, or very likely within three months.

(g) Low Priority Rank – Automatically generated number indicating an individual’s assessed need for LTC services, based on priority ranks of 1 or 2.

(h)(e) Priority Rank – Automatically generated number indicating an individual’s assessed need for LTC services and to determine placement on the wait list, based on the priority score.

(i)(f) Priority Score – Automatically generated number based on a Department of Elder Affairs’ (DOEA) screening completed in accordance with rule 58A-1.010, Florida Administrative Code (F.A.C.).

(j)(g) Rescreening – As defined in section 409.962, F.S.

(k)(h) Screening – As defined in section 409.962, F.S.

(l)(i) Significant Change – As defined in section 409.962, F.S.

(m)(j) Wait List – A list maintained by DOEA of individuals who have been screened and assigned a high priority rank by an Aging and Disability Resource Center (ADRC).

(3) Process.

(a) The Department of Elder Affairs will prioritize individuals determined eligible for the LTC program pursuant to section 409.979, F.S., in accordance with the priority score determined using the DOEA Priority Score Calculation (November 2014) methodology, incorporated by reference and available at http://elderaffairs.state.fl.us/doea/SMMCLTC/2014_Priority_Score_Calculation.pdf and at <http://www.flrules.org/Gateway/reference.asp?No=Ref-07525>.

(b) Priority scores are grouped into low and high priority score ranges and frailty-based levels or categories (referred to as “ranks”) as follows:

1. Low Priority Score

a. Rank 1: 0-15.

b. Rank 2: 16-29.

2. High Priority Score

a. Rank 3: 30-39.

b. Rank 4: 40-45.

c. Rank 5: Greater than or equal to 46.

d. Rank 6: Aging Out Adult Referral.

e. Rank 7: Imminent Risk.

f. Rank 8: Adult Protective Services High Risk Referral.

(c) Individuals eligible for prioritization on the wait list must live in an LTC program waiver service area.

(d) When the screening process is complete, DOEA will provide the individual, or their authorized representative, written notification of wait list placement including all of the following:

1. For individuals with a high priority rank, notification of wait list placement.

2. The individual’s priority rank.

~~3.2.~~ Contact information for the ADRCs.

~~4.3.~~ Instructions for requesting an administrative fair hearing in accordance with Title 42, Code of Federal Regulations (CFR), Section 431, Subpart E.

~~5.4.~~ Instructions for requesting a copy of the completed screening tool, which includes the priority score.

~~6.5.~~ Instructions for requesting a rescreening. The individual, or their authorized representative, may request a rescreening due to a significant change.

7. For individuals with a low priority rank, notification of ineligibility for wait list placement and information on how to find community resources available to assist them.

(e) The ADRCs will administer rescreening as follows:

1. For individuals with a low priority rank, the ADRCs may administer rescreening upon request annually or will administer rescreening upon notification of a significant change in an individual's circumstances.

2. For individuals with a high priority rank, the ADRCs will administer rescreening annually or upon notification of a significant change in an individual's circumstances.

~~(f)(e)~~ If DOEA is unable to contact the individual, or their authorized representative, to schedule an initial screening or rescreening; or if the individual does not keep an appointment for a screening or rescreening, DOEA will send written correspondence to the individual's, or to their authorized representative's, last documented address:

1. Requesting the individual, or their authorized representative, contact DOEA within 30 calendar days of the date of the notice.

2. Notifying the individual, or their authorized representative, that the individual may be removed from the initial screening process or wait list if no contact is made.

3. Providing instructions for re-initiating the screening process, requesting a rescreening, and contacting the ADRCs.

(g) The Department of Elder Affairs will maintain the last documented contact information for each individual with a low priority rank for purposes of any future rescreening.

~~(h)(f)~~ For individuals released from the wait list, tThe Department of Elder Affairs will send written notice to the individual's, or to their authorized representative's, last documented address about submission requirements for a completed and signed Medical Certification for Medicaid Long-term Care Services and Patient Transfer Form, AHCA MedServ Form 5000-3008, June 2016, incorporated by reference in rule 59G-1.045, F.A.C. The individual, or their authorized representative, must return the completed form to DOEA within 30 calendar days of the date of the notice.

~~(i)(g)~~ The Department of Elder Affairs will contact the individual, or their authorized representative, to determine clinical eligibility for the LTC program in accordance with rule 58A-1.010, F.A.C.

~~(j)(h)~~ The Agency for Health Care Administration will enroll individuals who have been released from the wait list and meet the eligibility criteria specified in section 409.979, F.S., in the LTC program.

(4) The following individuals may bypass the screening and wait list process to enroll in the LTC program if all other LTC managed care program eligibility requirements are met:

a. A Medicaid recipient who is 18, 19, or 20 years of age who has a chronic debilitating disease or condition of one or more physiological or organ systems which generally make the individual dependent upon 24-hour-per-day medical, nursing, or health supervision or intervention.

b. An individual who is referred by the Department of Children and Families pursuant to sections 415.101-415.113, F.S., as high risk and who is placed in an assisted living facility temporarily funded by the Department of Children and Families.

c. An individual who is 18 years of age or older who has been diagnosed with Cystic Fibrosis and who has a hospital level of care.

~~(5)(4)~~ Exclusion. This rule is not applicable to Institutional Care Program (ICP) applicants or ICP recipients residing in nursing facilities.

(6) This rule is effective for five years after the effective date.

Rulemaking Authority 409.919, 409.961 FS. Law Implemented 409.978, 409.979 FS. History—New 12-8-16, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Antraneise Jackson

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Shevaun L. Harris

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 15, 2021

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 28, 2020

Section III Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

| RULE NOS.: | RULE TITLES: |
|--------------|--|
| 61G15-34.002 | Definitions |
| 61G15-34.003 | Design of Heating Ventilation and Air Conditioning Systems |
| 61G15-34.007 | Design of Plumbing Systems |
| 61G15-34.010 | Design of Fuel Gas Systems |

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. 47 No. 6, January 11, 2021 issue of the Florida Administrative Register.

The changes are in response to written comments submitted by the staff of the Joint Administrative Procedures Committee, public comments and subsequent vote by the board at a public meeting held February 17, 2021.

61G15-34.002 Definitions.

As used in this rule Chapter and where the context will permit, the following terms have the following meanings:

- (1) No change.
- (2) Codes and Standards. Those nationally recognized Codes and Standards adopted directly or by reference in Florida Building Code (including Florida Energy Efficiency Code, Chapter 13) and Florida Fire Prevention Code set forth in Chapter 69A-60, F.A.C. both of which are incorporated by reference through rule 61G15-18.011, F.A.C.

(3) through (14) No change.

Rulemaking Authority 471.008, 471.033(2) FS. Law Implemented 471.033 FS. History–New 11-16-94, Amended 2-5-96, 11-13-08, ____.

61G15-34.003 Design of Heating, Ventilation, Air Conditioning, and Refrigeration Systems.

- (1) through (2) No change.
- (3) For Mechanical Engineering Documents pertaining to HVAC systems exempted by the threshold requirements for mandatory use of professional engineering services, the Engineer of Record shall determine the level of detail shown on plans for HVAC systems. All such plans must include a disclaimer stating the HVAC systems are exempt from professional engineering services and shall provide a clear understanding of the minimum system requirements expected to be installed by the contractor and permitted by the authority having jurisdiction (AHJ). In the event the Engineer of Record provides more information and direction than is minimally required, he or she shall be held responsible for the technical accuracy of the work in accordance with applicable codes, standards and sound engineering principles.

(4) through (5) No change.

Rulemaking Authority 471.008, 471.033(2) FS. Law Implemented 471.033 FS. History–New 11-16-94, Amended 11-13-08, ____.

61G15-34.007 Design of Plumbing Systems.

- (1) through (3) No change.
- (4) Mechanical Engineering Documents pertaining to Plumbing Systems that exceed the threshold requirements for

mandatory use of professional engineers services must include the following information, if applicable to the particular project:

- (a) No change.
- (b) Equipment selection schedules for each piece of plumbing equipment, ~~including but not limited to, plumbing fixtures, apparatuses, tanks, or drains.~~ All equipment must include the following information, if applicable to the particular equipment:
 - 1. through 9. No change.
- (c) through (q) No change.
- (5) No change.

Rulemaking Authority 471.008, 471.033(2) FS. Law Implemented 471.033 FS. History–New 11-16-94, Amended 11-13-08, ____.

61G15-34.010 Design of Fuel Gas Systems.

- (1) through (2) No change.
- (3) Mechanical Engineering Documents pertaining to Fuel Gas Systems must include the following information, if applicable to the particular project:

- (a) No change.
- (b) Equipment selection schedule for each piece of fuel gas equipment, ~~including but not limited to, pumps, apparatuses, or tanks.~~ All equipment must include the following information, if applicable to the particular equipment:
 - 1. through 6. No change.
- (c) through (m) No change.
- (4) No change.

Rulemaking Authority 471.008, 471.033(2) FS. Law Implemented 471.033 FS. History–New, ____.

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, or by email: zraybon@fbpe.org.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-17.021
 RULE TITLE: Definitions

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule notice in Vol. 47 No. 03, January 6, 2021 issue of the Florida Administrative Register.

The Rulemaking Authority and Law Implemented Florida Statutes are relisted here to include 403.517(1), F.S., which was inadvertently left out of the proposed rule notice.

RULEMAKING AUTHORITY: 403.504(1), ~~403.517(1)~~, F.S.
 LAW IMPLEMENTED: 403.503, 403.504(1), 403.504(8), 403.511, 403.516, 403.517, F.S.

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE NO.: RULE TITLE:
 64B17-6.008 Minimum Standards of Practice for the
 Performance of Dry Needling
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 46 No. 182, September 17, 2020 issue of the Florida Administrative Register.

A previous Notice of Change published for the rule on December 29, 2020, in Vol.46, No. 251, of the Florida Administrative Register. The changes are based upon written comments received by the staff of the Joint Administrative Procedures Committee.

64B17-6.008 Minimum Standards of Practice for the Performance of Dry Needling.

(1) For purposes of this rule only, the words and phrases listed below are defined in the following manner:

(a) "Adverse medical incident" means an event over which the physical therapist could exercise control and which is associated in whole or in part with the performance of dry needling, rather than the condition treated by dry needling, and which resulted ~~results~~ in any of the following:

1. ~~A limitation of neurological, pulmonary, vascular, integumentary, or musculoskeletal function; or~~

2. ~~Any~~ prolonged, unanticipated, and/or emergent neurological, pulmonary, vascular, or musculoskeletal condition that required the transfer of the patient to a hospital and/or referral to a physician for treatment of the resulting condition.

(b) "Supervision" means observation of the dry needling procedure by a ~~qualified~~ physical therapist licensed in any state or the District of Columbia who meets the qualifications for practicing dry needling in the state of Florida and who has a minimum of one year and 25 sessions of experience treating patients using dry needling. The observation may be in person or via synchronous telehealth as defined in s. 456.47, F.S.

(c) "Competency requirements" means proficiency in the subject areas listed in subparagraphs (2)(b)1.a.-e.

(2) The minimum standards of practice for the performance of dry needling by a physical therapist include the following:

(a) No change.

(b) Completion of 50 hours of face-to-face continuing education on the topic of dry needling from an entity accredited in accordance with s. 486.109, F.S.

1. The continuing education must include instruction in the following subject areas:

a. through b. No change.

c. General indications and contraindications for dry needling, as well as ~~to include special complex anatomical and~~

safety considerations of the cranio-facial and peripheral nervous systems for dry needling of the head, neck, and torso; ~~to include specific anatomical application and safety considerations;~~

d. Psychomotor skills needed to perform dry needling, including tissue palpation, needle insertion, and needle extraction; and

e. No change.

2. The continuing education must include a determination by the instructor, who is a licensed physical therapist meeting the qualifications set forth in (1)(b) "Supervision," ~~with a minimum of one year of dry needling experience,~~ that the physical therapist being trained in dry needling demonstrates the requisite competency and psychomotor skills to safely perform dry needling; and

(c) After completing (2)(a) and (b), completion of 25 patient sessions of dry needling under one of the following circumstances:

1. No change.

2. Under the supervision of a physical therapist who ~~has actively practiced dry needling for at least 1 year and~~ holds an active license to practiced physical therapy in any state or the District of Columbia. Such supervisor must document that the supervised therapist has met the supervision and competency requirements and needs no additional supervised sessions to perform dry needling. It is the responsibility of the supervised physical therapist to maintain all documents.

(3) through (6) No change.

Rulemaking Authority 486.025, 486.117 FS. Law Implemented 486.117 FS. History–New _____.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3252, or by email at allen.hall@flhealth.gov.

**Section IV
 Emergency Rules**

DEPARTMENT OF HEALTH

Division of Disease Control

RULE NO.: RULE TITLE:
 64DER21-3 Physician Determination of Extremely
 Vulnerable Persons for Purposes of COVID-
 19 Vaccination

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Novel Coronavirus Disease 2019 (COVID-19) is a severe acute respiratory illness that can spread among humans through respiratory transmission and presents with symptoms

similar to those of influenza. COVID-19 is a communicable disease with significant morbidity and mortality and presents a severe danger to public health. On March 1, 2020, a Public Health Emergency was declared by the Surgeon General to exist statewide in accordance with Executive Order 20-51. On March 9, 2020, Governor Ron DeSantis issued Executive Order 20-52 declaring that a state of emergency exists in the State of Florida. Therefore, there is an immediate need to adopt rules setting forth the procedures to control the spread of COVID-19 to protect the health, safety and welfare of Florida's citizens.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: COVID-19 presents a public health threat to the state of Florida. On March 1, 2021, Governor Ron DeSantis issued Executive Order 21-47 (EO 21-47), effective March 3, 2021, extending the first phase of COVID-19 vaccination to include, among others, those persons determined by a physician to be extremely vulnerable to COVID-19. As required in EO 21-47, the department must establish a form for the physician to use in making such determination.

SUMMARY: Emergency rule 64DER21-3 provides the form for use by physicians to certify a person is "extremely vulnerable" to COVID-19.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Carina Blackmore, Florida Department of Health, 4052 Bald Cypress Way, Tallahassee, Florida 32399-1703, (850)245-4732.

THE FULL TEXT OF THE EMERGENCY RULE IS:

64DER21-3 Physician Determination of Extremely Vulnerable Persons for Purposes of COVID-19 Vaccination Pursuant to Executive Order 21-47, effective on March 3, 2021, physicians licensed under chapters 458 and 459, Florida Statutes, may determine that a person is "extremely vulnerable" to COVID-19 for the purpose of eligibility for a COVID-19 vaccine. The physician determination must be made using DH8014-DCHP-03/2021, COVID-19 Determination of Extreme Vulnerability, (03/2021), which is incorporated by reference and available at http://ww11.doh.state.fl.us/comm/partners/covid19_report_archive/covid-physician-form/EO-21-47-Form.pdf. Rulemaking Authority 381.0011(2), 381.003(2), FS. Law Implemented 381.0011(2), (3), 381.003(1)(d), FS. History—New 03-02-21.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.
EFFECTIVE DATE: March 2, 2021

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF MANAGEMENT SERVICES

Public Employees Relations Commission

RULE NO.: **RULE TITLE:**

60CC-4.002 Ratification by Members of Bargaining Unit

The Public Employees Relations Commission hereby gives notice: On March 2, 2021, the Public Employees Relations Commission issued a final order in Case No. MS-2021-008 granting an unopposed emergency petition for variance from Florida Administrative Code Rule 60CC-4.002 filed by Karen Resciniti and the Martin County Education Association. The variance allows the Petitioners to conduct all aspects of a ratification election electronically. The Public Employees Relations Commission determined that the Petitioners had demonstrated an emergency existed and that they would suffer a substantial hardship if the variance was not granted. The petition was filed on February 10, 2021, and the notice of receipt of the petition was published on February 12, 2021 on the Commission's website and in Volume 47, Number 29 F.A.R. No comments were received on the petition.

A copy of the Order or additional information may be obtained by contacting: The Clerk, Public Employees Relations Commission, 4708 Capital Circle Northwest, Suite 300, Tallahassee, Florida 32303-7256.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: **RULE TITLE:**

61C-1.004 General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on March 3, 2021, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for paragraph 61C-1.004(2)(a), Florida Administrative Code, subsection 61C-4.010(7), Florida Administrative Code, subsection 61C-4.010(6), Florida Administrative Code, and Section 6-402.11, 2017 FDA Food Code from GELATO INVESTMENTS LLC located in Miami. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom on the same level be provided for use by customers and employees. They are requesting to utilize bathrooms located on a different level.

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

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on March 3, 2021, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Section 5-203.13, 2017 FDA Food Code from CURRAN JOHN J SR located in Webster. The above referenced F.A.C. addresses the requirement that at least one service sink is provided for the cleaning of mops or similar cleaning tools and the disposal of mop water. They are requesting to share the mop sink located within an adjacent business.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received before 5:00 p.m.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice: On February 19, 2021 the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code and Paragraph 5-202.11(A), 2017 FDA Food Code from RUTH MORALES located in Orlando. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater and the requirement that dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash sink and share the warewashing located on the premises of a nearby business under a different ownership.

The Petition for this variance was published in Vol. 47/35 on

February 22, 2021. The Order for this Petition was signed and approved on March 3, 2021. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the wastewater holding tank for the handwash sink is emptied at a frequency as to not create a sanitary nuisance; and potable water provided must come from an approved source and be protected from contamination during handling; ensuring the warewashing facilities located on the premises of EXLNT HOTLZ LLC (SEA5809113), is maintained in a clean and sanitary manner and is provided with hot and cold running water under pressure. If the ownership of RUTH MORALES (File: 332970) and/or EXLNT HOTLZ LLC (SEA5809113) changes, a signed agreement for use of the warewashing is required immediately. The Petitioner shall also ensure that the handwash sinks are provided with hot and cold running water under pressure, soap, an approved hand drying device and a handwashing sign.

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

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: RULE TITLE:

64B13-4.001 Examination Requirements

NOTICE IS HEREBY GIVEN that on March 2, 2021, the Board of Optometry, received a petition for variance or waiver filed by Emma Alexandra Flor. Petitioner is seeking a variance or waiver of subparagraphs 64B13-4.001(1)(d)2. and 3., F.A.C., which states in part that the licensure examination authorized in subsection 463.006(2), F.S., shall consist of four parts with one being the Florida Practical Examination. The Florida Practical Examination shall consist of three (3) tested skills and the Board requires passage of all three (3) skills on the same test attempt. The three (3) skills are Biomicroscopy, Binocular Indirect Ophthalmoscopy, Dilated Biomicroscopy and Non-Contact Fundus Lens Evaluation and are weighted equally. The passing score for each skill shall be seventy-five percent (75%) or better, and a passing score on each of the three (3) skills must be obtained on the same test attempt.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Anthony Spivey, Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257; anthony.spivey@flhealth.com. Comments on this petition should be filed with the Board of Optometry within 14 days of publication of this notice.

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

RULE NO.: RULE TITLE:

65C-45.013 Conflict of Interest for all Levels of Licensure

NOTICE IS HEREBY GIVEN that on February 3, 2021, the Department of Children and Families, received a petition for variance of subsection 65C-45.013(2), Florida Administrative Code, from Real Life Children's Ranch., assigned Case No. 21-001W. Rule 65C-45.013, Florida Administrative Code, states that the licensing of employees of the Department, county sheriff's offices, community-based care lead agencies and their subcontracted providers or their relatives who desire to become out-of-home caregivers is allowable if the following conditions are met: (2) All initial, relicensing, and ongoing maintenance of the licensed foster home activities shall be completed by a licensed child-placing agency outside of the employee's service area and submitted to the Regional Licensing Authority for approval.

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.

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

RULE NO.: RULE TITLE:

65C-22.001 General Requirements

NOTICE IS HEREBY GIVEN that on February 8, 2021, the Department of Children and Families, received a petition for variance of section 3.12.D of the Child Care Facility Handbook, which is incorporated by reference in subsection 65C-22.001(6), Florida Administrative Code, from Kid Station Childcare & Preschool, Inc., assigned Case No. 21-003W. Section 3.12.D of the Child Care Facility Handbook requires that permanent or stationary playground equipment must have a fall/use zone that extends a minimum of 6 feet in all directions from the perimeter of the equipment. All types of ground cover must be maintained to provide resilience and reduce the incidence of injuries to children in the event of falls. Subsection 65C-22.001(6), F.A.C., states in pertinent part that child care programs must follow the standards found in the "Child Care Facility Handbook," December 2019, incorporated herein by reference.

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.

DEPARTMENT OF CHILDREN AND FAMILIES

Substance Abuse Program

RULE NO.: RULE TITLE:

65D-30.0036 Licensure Application and Renewal

NOTICE IS HEREBY GIVEN that on March 1, 2021, the Department of Children and Families, received a petition for waiver of subsection 65D-30.0036(1), Florida Administrative Code, from Immersion Residential, LLC, assigned Case No. 21-004W. Subsection 65D-30.0036(1), Florida Administrative Code, requires that applications for licensing shall be submitted initially and annually thereafter to the Department along with the required licensing fee. An application for renewal of a regular license must be submitted to the Department at least 60 business days prior to the expiration of the regular license. Applications for renewal submitted less than 60 business days, but at least 30 business days before the license expires, will be processed and late fees will be applied. If the application for renewal is not received by the Department 30 business days prior to the expiration of the regular license, the application will be denied and returned to the applicant, including any fees.

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.

DEPARTMENT OF CHILDREN AND FAMILIES

Substance Abuse Program

RULE NO.: RULE TITLE:

65D-30.0042 Clinical and Medical Guidelines

NOTICE IS HEREBY GIVEN that on February 09, 2021, the Department of Children and Families, received a petition for variance of sub subparagraph 65D-30.0042(2)(a)4.a., Florida Administrative Code, from Family First Adolescent Family Services., assigned Case No. 21-003W. Sub subparagraph 65D-30.0042(2)(a)4.a., Florida Administrative Code, states individuals shall provide a sample for testing blood and urine, including a drug screen. For addictions receiving facilities, inpatient detoxification, intensive inpatient treatment, and residential treatment, all laboratory tests will be performed in accordance with the medical protocol established in subsection 65D-30.004(7), F.A.C. Further, the results of the laboratory tests shall be reviewed, signed and dated during the assessment process and in accordance with the medical protocol established in subsection 65D-30.004(7), F.A.C.

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 AGRICULTURE AND CONSUMER SERVICES

Office of Energy

The Florida Advisory Council on Climate and Energy (FACCE) announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, March 11, 2021, 2:00 p.m. – 4:00 p.m.

PLACE: Attendees may join the virtual meeting from their computer, tablet or smartphone. <https://www.gotomeet.me/OOEHolland/florida-advisory-council-on-climate-and-energy-fac>

Attendees may also join the virtual meeting using their phone. Call-in Number: 1(877)309 2073, Access Code: 550-828-469

GENERAL SUBJECT MATTER TO BE CONSIDERED: The virtual meeting of the Florida Advisory Council on Climate and Energy (FACCE) will focus on equity issues as they relate to energy and climate change within the state. FACCE members will participate in a facilitated discussion on the how these sectors can help our state modernize energy policy, diversify energy sources, increase energy efficiency, and create opportunities for our most vulnerable citizens.

A copy of the agenda may be obtained by contacting: A copy of the agenda may be obtained by contacting: The Office of Energy at (850)617-7470 or Energy@fdacs.gov.

DEPARTMENT OF EDUCATION

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

DATE AND TIME: May 4, 2021, 8:30 a.m. – 12:00 Noon or until complete

PLACE: Conference Call: 1(888)585-9008 and Code (873574258)

You may also register to attend via Go To Training. The link for Go To Training will be available at: <http://www.rehabworks.org/rehabcouncil.shtml> on and after April 27, 2021.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Rehabilitation Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 4, 2021, 8:30 a.m. – 12:00 Noon ET (or until complete)

PLACE: Conference Call 1(888)585-9008 and Code (873574258)

You may also register to attend via Go To Training. The link for Go To Training will be available at:

<http://www.rehabworks.org/rehabcouncil.shtml> on and after April 27, 2021. Please note that audio is only available by conference line.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Rehabilitation Council - General Business

A copy of the agenda may be obtained by contacting: FRC staff at: FRCCustomers@vr.fldoe.org or (850)245-3397.

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 (business) days before the workshop/meeting by contacting: FRC staff at: FRCCustomers@vr.fldoe.org or (850)245-3397. Access online real time captioning at: www.streamtext.net/player?event=FRC. 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: FRC staff at: FRCCustomers@vr.fldoe.org or (850)245-3397.

A copy of the agenda may be obtained by contacting: NA 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: 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: FRCCustomers@vr.fldoe.org or (850)245-3397.

WATER MANAGEMENT DISTRICTS

Northwest Florida Water Management District

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

DATE AND TIME: April 1, 2021, 2:00 p.m. ET

PLACE: For the opening of the bids on April 1, 2021, 2:00 p.m. ET, interested parties who would like to view the opening should click on the following link: <https://www.nwfwater.com/Contact-Us/Meetings>.

GENERAL SUBJECT MATTER TO BE CONSIDERED: In accordance with the timeframe set forth in section 120.525, Florida Statutes, the District announces the opening of sealed bids received in accordance with Invitation to Bid (ITB) 21B-002 for Well Construction and Aquifer Testing in Gulf County, Florida.

Other Meetings for ITB 21B-002

Virtual Pre-Response Meeting for Prospective Respondents:

DATE AND TIME: March 16, 2021, 2:00 p.m. – 3:00 p.m. ET

PLACE: For the virtual, pre-response meeting on March 16, 2021, 2:00 p.m. ET, interested parties who would like to

participate in the meeting should click on the following link: <https://www.nfwwater.com/Contact-Us/Meetings>.

PURPOSE: To answer any technical or administrative questions regarding the bid package and the work to be performed. Participation is not required but is highly recommended.

Any additional public meetings will be noticed on the Vendor Bid System and the District website.

A copy of the agenda may be obtained by contacting: Sarah Bateman at (850)539-5999 or Sarah.Bateman@nfwwater.com. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Division of Administration at (850)539-5999. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Sarah Bateman at (850)539-5999 or Sarah.Bateman@nfwwater.com.

SPACE FLORIDA

The Space Florida announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 23, 2021, 9:00 a.m.

PLACE: Dial: 1(866)528-2256 Access Code: 4875556

GENERAL SUBJECT MATTER TO BE CONSIDERED: Space Florida Governance & Compensation Committee Meeting

A copy of the agenda may be obtained by contacting: Elizabeth Loving at eloving@spaceflorida.gov or (321)730-5301 x241.

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: Elizabeth Loving at eloving@spaceflorida.gov or (321)730-5301 x241. 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: Elizabeth Loving at eloving@spaceflorida.gov or (321)730-5301 x241.

SPACE FLORIDA

The Space Florida announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 25, 2021, 9:00 a.m.

PLACE: Dial: 1(866)528-2256 Access Code: 4875556

GENERAL SUBJECT MATTER TO BE CONSIDERED: Space Florida Investment Committee Meeting

A copy of the agenda may be obtained by contacting: Elizabeth Loving at eloving@spaceflorida.gov or (321)730-5301 x241.

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: Elizabeth Loving at eloving@spaceflorida.gov or (321)730-5301 x241. 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: Elizabeth Loving at eloving@spaceflorida.gov or (321)730-5301 x241.

SPACE FLORIDA

The Space Florida announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 30, 2021, 9:00 a.m.

PLACE: Dial: 1(866)528-2256 Access Code: 4875556

GENERAL SUBJECT MATTER TO BE CONSIDERED: Space Florida Audit & Accountability Committee Meeting

A copy of the agenda may be obtained by contacting: Elizabeth Loving at eloving@spaceflorida.gov or (321)730-5301 x241.

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: Elizabeth Loving at eloving@spaceflorida.gov or (321)730-5301 x241. 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: Elizabeth Loving at eloving@spaceflorida.gov or (321)730-5301 x241.

SPACE FLORIDA

The Space Florida announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 13, 2021, 9:00 a.m.

PLACE: Dial: 1(866)528-2256 Access Code: 4875556

GENERAL SUBJECT MATTER TO BE CONSIDERED: Space Florida Marketing Committee Meeting

A copy of the agenda may be obtained by contacting: Elizabeth Loving at eloving@spaceflorida.gov or (321)730-5301 x241.

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: Elizabeth Loving at eloving@spaceflorida.gov or (321)730-5301 x241. 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: Elizabeth Loving at eloving@spaceflorida.gov or (321)730-5301 x241.

SPACE FLORIDA

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

DATE AND TIME: April 22, 2021, 1:30 p.m.

PLACE: DoubleTree 101 South Adams Street, TALLAHASSEE /; TELECONFERENCE: Dial: 1(866)528-2256 Access Code: 4875556

GENERAL SUBJECT MATTER TO BE CONSIDERED: Space Florida Board of Directors Meeting

A copy of the agenda may be obtained by contacting: Elizabeth Loving at eloving@spaceflorida.gov or (321)730-5301 x241.

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: Elizabeth Loving at eloving@spaceflorida.gov or (321)730-5301 x241. 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: Elizabeth Loving at eloving@spaceflorida.gov or (321)730-5301 x241.

DEPARTMENT OF ELDER AFFAIRS

The Department of Elder Affairs announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, March 15, 2021, 10:00 a.m.

PLACE: Join Zoom Meeting

GENERAL SUBJECT MATTER TO BE CONSIDERED: (Updated from our previous notice published March 2, 2021, in

volume 47/41) Conference call for the Priority Area Workgroup 9 Committee. Current programmatic items will be discussed during this call.

A copy of the agenda may be obtained by contacting: Derinda Kirkland, Department of Elder Affairs, (850)414-2180, kirklandd@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Myasha Graham, Department of Elder Affairs, (850)414-2034, grahamm@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Myasha Graham, Department of Elder Affairs, (850)414-2034, grahamm@elderaffairs.org.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:RULE TITLES:

- 62-600.100 Scope, Intent, Purpose, and Applicability
- 62-600.120 Exemptions
- 62-600.200 Definitions
- 62-600.300 General Technical Documents
- 62-600.400 Design Requirements
- 62-600.405 Planning for Wastewater Facilities Expansion
- 62-600.410 Operation and Maintenance Requirements
- 62-600.420 Minimum Treatment Standards - Technology Based Effluent Limitations (TBELs)
- 62-600.430 Additional Treatment - Water Quality -Based Effluent Limitations (WQBELs)
- 62-600.440 Disinfection Requirements
- 62-600.445 pH Requirements
- 62-600.500 General
- 62-600.510 Discharge to Surface Waters (Excluding Coastal and Open Ocean Outfalls)
- 62-600.520 Discharge to Surface Waters - (Coastal and Open Ocean)
- 62-600.540 Underground Injection
- 62-600.550 Wastewater Management Requirements for the Wekiva Study Area.
- 62-600.650 General
- 62-600.660 Treatment Facility Monitoring
- 62-600.670 Ground Water Monitoring
- 62-600.680 Reporting
- 62-600.700 General
- 62-600.720 Operation and Maintenance Manual
- 62-600.735 Operation and Maintenance Performance Report
- 62-600.740 Compliance and Enforcement

The Department of Environmental Protection announces a workshop to which all persons are invited.

DATE AND TIME: March 19, 2021, 10:00 a.m. – 1:00 p.m.

PLACE: The public workshop will be held virtually via GoToWebinar at:

<https://attendee.gotowebinar.com/register/6269419013368032782>.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive public comments on proposed amendments to Chapter 62-600, F.A.C., to update provisions, improve domestic wastewater collection and transmission, and implement the relevant requirements of Florida’s Clean Waterways Act (Chapter 2020-150, Laws of Florida).

A copy of the agenda may be obtained by contacting: Maurice Barker, Senior Program Analyst, Division of Water Resource Management, MS 3545, 2600 Blair Stone Road, Tallahassee, FL 32399, (850)245-8614 or by email at Maurice.barker@floridadep.gov. The proposed amendments, agenda, and webinar registration link may also be found on the DEP Water Resource Management Rules in Development webpage at the following link: <https://floridadep.gov/water/water/content/water-resource-management-rules-development#ww>.

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: Maurice Barker at (850)245-8614 or by email at Maurice.barker@floridadep.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Maurice Barker, Senior Program Analyst, Division of Water Resource Management, MS 3545, 2600 Blair Stone Road, Tallahassee, FL 32399, (850)245-8614 or by email at Maurice.barker@floridadep.gov.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:RULE TITLES:

- 62-604.100 Scope, Intent, Purpose, and Applicability
- 62-604.130 Prohibitions
- 62-604.200 Definitions
- 62-604.300 General Technical Guidance, Related Rules, and Forms
- 62-604.400 Design/Performance Considerations
- 62-604.500 Operation and Maintenance
- 62-604.550 Abnormal Events
- 62-604.600 Procedure to Obtain Construction Permits
- 62-604.700 Placing Collection/Transmission Systems into Operation

The Department of Environmental Protection announces a workshop to which all persons are invited.

DATE AND TIME: March 19, 2021, 10:00 a.m. – 1:00 p.m.

PLACE: The public workshop will be held virtually via GoToWebinar at:

<https://attendee.gotowebinar.com/register/6269419013368032782>.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive public comments on proposed amendments to Chapter 62-604, F.A.C., to update provisions, streamline processes, improve domestic wastewater collection and transmission, and implement the relevant requirements of Florida’s Clean Waterways Act (Chapter 2020-150, Laws of Florida).

A copy of the agenda may be obtained by contacting: Maurice Barker, Senior Program Analyst, Division of Water Resource Management, MS 3545, 2600 Blair Stone Road, Tallahassee, FL 32399, (850)245-8614 or by email at Maurice.barker@floridadep.gov. The proposed amendments, agenda, and webinar registration link may also be found on the DEP Water Resource Management Rules in Development webpage at the following link: <https://floridadep.gov/water/water/content/water-resource-management-rules-development#ww>.

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: Maurice Barker at (850)245-8614 or by email at Maurice.barker@floridadep.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Maurice Barker, Senior Program Analyst, Division of Water Resource Management, MS 3545, 2600 Blair Stone Road, Tallahassee, FL 32399, (850)245-8614 or by email at Maurice.barker@floridadep.gov.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:

- 62-620.610 General Conditions for All Permits
- The Department of Environmental Protection announces a workshop to which all persons are invited.
- DATE AND TIME: March 19, 2021, 10:00 a.m. – 1:00 p.m.
- PLACE: The public workshop will be held virtually via GoToWebinar at:
- <https://attendee.gotowebinar.com/register/6269419013368032782>.
- GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive public comments on proposed amendments to Rule 62-620.610, F.A.C., to revise the general condition for reporting noncompliance such as sanitary sewer overflows, spills, and

unauthorized discharges, including the incorporation of public notification of pollution provisions of Section 403.077, Florida Statutes.

A copy of the agenda may be obtained by contacting: Maurice Barker, Senior Program Analyst, Division of Water Resource Management, MS 3545, 2600 Blair Stone Road, Tallahassee, FL 32399, (850)245-8614 or by email at Maurice.barker@floridadep.gov. The proposed amendments, agenda, and webinar registration link may also be found on the DEP Water Resource Management Rules in Development webpage at the following link: <https://floridadep.gov/water/water/content/water-resource-management-rules-development#ww>.

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: Maurice Barker at (850)245-8614 or by email at Maurice.barker@floridadep.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Maurice Barker, Senior Program Analyst, Division of Water Resource Management, MS 3545, 2600 Blair Stone Road, Tallahassee, FL 32399, (850)245-8614 or by email at Maurice.barker@floridadep.gov.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Florida Department of Environmental Protection, Office of Resilience and Coastal Protection’s Coral Reef Conservation Program announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, April 1, 2021, 12:30 p.m. – 5:00 p.m.; Friday, April 2, 2021, 12:30 p.m. – 5:00 p.m.

PLACE: This is an online event, the link to attend is: <https://nsuoceanographic.adobeconnect.com/tacapril2021/>

GENERAL SUBJECT MATTER TO BE CONSIDERED: DEP’s Coral Reef Conservation Program is holding a biannual two-day meeting of its Technical Advisory Committee (TAC) to update committee members and facilitate discussion with team members regarding the following:

- Define scopes of work for two Local Action Strategy Projects
- MICCI 28/28b and FDOU 51
- Present research and results for local and national reef monitoring efforts, water quality issues, and coral disease
- Inform on state-wide restoration plan

A copy of the agenda may be obtained by contacting: Alycia Shatters by email: Alycia.Shatters@FloridaDEP.gov, phone: (305)795-1204, or mail: 1277 NE 79th St, Miami, FL 33138

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to

participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Alycia Shatters at Alycia.Shatters@FloridaDEP.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HEALTH

Board of Optometry

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

DATE AND TIME: March 10, 2021, 10:00 a.m.

PLACE: 1(888)585-9009, 136-103-141 participant code

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel, to conduct public disciplinary cases.

A copy of the agenda may be obtained by contacting: <https://floridasoptometry.gov/>.

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

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

For more information, you may contact: Anthony.Spivey@flhealth.gov.

DEPARTMENT OF ECONOMIC OPPORTUNITY

The DEPARTMENT OF ECONOMIC OPPORTUNITY (DEO) announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 14, 2021, 3:00 p.m. ET

PURPOSE: Reply Opening

LOCATION: Caldwell Building, 107 East Madison Street, Tallahassee, FL 32399-0950

THE REPLY OPENING WILL BE AVAILABLE TO THE PUBLIC VIA THE LINK AND CONFERENCE CALL NUMBER BELOW.

https://teams.microsoft.com/l/meetup-join/19%3ameeting_MDA3NGVhZTkZTk3OC00ZjAwLWJlMDgtNjgzMWQ3MjUzZjQ1%40thread.v2/0?context=%7b%22Tid%22%3a%22931da019-f64e-4908-b0f6-92f46f78c512%22%2c%22Oid%22%3a%22f9304709-a950-411b-8449-f5c7b85201f6%22%2c%22IsBroadcastMeeting%22%3atrue%7d

Conference Call Number: (850)988-5144, Conference ID: 461 206 312#

DATE and TIME: Thursday, April 29, 2021, 3:00 p.m. ET

PURPOSE: Notice of Intent to Negotiate

LOCATION: Caldwell Building, 107 East Madison Street, Tallahassee, FL 32399-0950

THIS PUBLIC MEETING WILL BE AVAILABLE TO THE PUBLIC VIA THE LINK AND CONFERENCE CALL NUMBER BELOW.

https://teams.microsoft.com/l/meetup-join/19%3ameeting_ZmFhMTViNTctN2M1OC00NzViLTliMjMtZjBkNmU4YTcyYWRi%40thread.v2/0?context=%7b%22Tid%22%3a%22931da019-f64e-4908-b0f6-92f46f78c512%22%2c%22Oid%22%3a%22f9304709-a950-411b-8449-f5c7b85201f6%22%2c%22IsBroadcastMeeting%22%3atrue%7d

Conference Call Number: (850)988-5144, Conference ID: 535 876 9#

DATE and TIME: Wednesday, June 2, 2021, 3:00 p.m. ET

PURPOSE: Intent to Award Recommendation

LOCATION: Caldwell Building, 107 East Madison Street, Tallahassee, FL 32399-0950

THIS PUBLIC MEETING WILL BE AVAILABLE TO THE PUBLIC VIA THE LINK AND CONFERENCE CALL NUMBER BELOW.

https://teams.microsoft.com/l/meetup-join/19%3ameeting_NDBINGY0MmMtMzA2Yi00YTYwLWIwYzctYTFhZTIxNjc3YTRm%40thread.v2/0?context=%7b%22Tid%22%3a%22931da019-f64e-4908-b0f6-92f46f78c512%22%2c%22Oid%22%3a%22f9304709-a950-411b-8449-f5c7b85201f6%22%2c%22IsBroadcastMeeting%22%3atrue%7d

Conference Call Number: (850)988-5144, Conference ID: 752 807 772#

PLACE: via teleconference

GENERAL SUBJECT MATTER TO BE CONSIDERED: In accordance with Section 120.525 Florida Statutes, public meetings for Invitation to Negotiate 21-ITN-001-TH for Hurricane Michael Oversight Monitoring are hereby noticed. DEO's Invitation to Negotiate seeks a vendor to perform quality assurance/quality control services and programmatic and fiscal monitoring services for the CDBG-DR program. These services will include quality assurance/quality control services and programmatic and fiscal monitoring services related to funding arising from Hurricane Michael. The Contractor will assist in the implementation of the quality assurance/quality control services and programmatic and fiscal monitoring under the CDBG-DR program for effectiveness and efficiency with program, statutory, and regulatory requirements. The

Department reserves the right to issue amendments, addenda, and changes to this timeline and specifically to the meeting notices listed above. Notice of any change will be posted within the Vendor Bid System (VBS) in accordance with subsection 287.042(3), Florida Statutes, and will not be re-advertised in the Florida Administrative Register (F.A.R.). The VBS can be accessed at: http://vbs.dms.state.fl.us/vbs/main_menu.

A copy of the agenda may be obtained by contacting: Tamara Harrington at (850)245-7464, Tamara.Harrington@deo.myflorida.com, or Vince McKenzie at (850)245-7463, Vincent.Mckenzie@deo.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: 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).

NORTHWEST FLORIDA AREA AGENCY ON AGING
The NORTHWEST FLORIDA AREA AGENCY ON AGING announces a public meeting to which all persons are invited.

DATE AND TIME: March 17, 2021, 10:00 a.m.
PLACE: Zoom Meeting
GENERAL SUBJECT MATTER TO BE CONSIDERED: Pre-Proposal Conference for the Community Care for the Elderly, Home Care for the Elderly, Alzheimer's Disease Initiative Request for Proposals. The conference will include a review of the RFP package, followed by a question-and-answer session. A copy of the agenda may be obtained by contacting: Anna Dyess at dyessa@nwflaaa.org.

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

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

For more information, you may contact: Anna Dyess at dyessa@nwflaaa.org.

MOFFITT CANCER CENTER & RESEARCH INSTITUTE
The Florida Cancer Control & Research Advisory Council (CCRAB) announces a public meeting to which all persons are invited.

DATE AND TIME: March 8, 2021, 2:00 p.m.

PLACE: Meeting URL:
 https://moffitt.zoom.us/j/95257572467, Dial: (312)626-6799,
 Meeting ID: 952 5757 2467
 GENERAL SUBJECT MATTER TO BE CONSIDERED: A
 CCRAB Leadership Team Meeting to discuss CCRAB
 business
 A copy of the agenda may be obtained by contacting:
 Bobbie.McKee@Moffitt.org.
 For more information, you may contact:
 Bobbie.McKee@Moffitt.org.

Section VII

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL
 REGULATION

Construction Industry Licensing Board
 NOTICE IS HEREBY GIVEN that the Construction Industry
 Licensing Board has received the petition for declaratory
 statement from David L. Taber, Jr., filed on February 25,
 2021. The petition seeks the agency's opinion as to the
 applicability of Chapter 489, Part I, Florida Statutes, as it
 applies to the petitioner.

Petitioner requests that the Board issue a Declaratory Statement
 determining whether a Civil Engineering degree with a GPA of
 3.0 or greater is considered a building construction related
 degree which allows the trade knowledge examinations to be
 waived for certified licenses. Except for good cause shown,
 motions for leave to intervene must be filed within 21 days after
 publication of this notice.

A copy of the Petition for Declaratory Statement may be
 obtained by contacting: Daniel Biggins, Executive Director,
 Construction Industry Licensing Board, 2601 Blair Stone Road,
 Tallahassee, FL 32399-1039, or telephone: (850)487-1395, or
 by electronic mail at Donald.Shaw@myfloridalicense.com.

DEPARTMENT OF FINANCIAL SERVICES

Finance
 NOTICE IS HEREBY GIVEN that the Florida Office of
 Financial Regulation has received the petition for declaratory
 statement from AJR Capital LLC. The petition seeks the
 agency's opinion as to the applicability of Chapter 560, Florida
 Statutes as it applies to the petitioner.

On 3/3/2021, the Florida Office of Financial Regulation
 (Consumer Finance) received a Petition for Declaratory
 Statement from AJR Capital LLC. The petition seeks a
 declaratory statement from the Office on whether a Florida
 bitcoin ATM operator is required to register as state money
 transmitters under the Florida Money Transmitter Statute,
 Chapter 560, Florida Statutes.

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

Section VIII

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

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

NONE

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

NONE

Section IX

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

NONE

Section X

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

NONE

Section XI

**Notices Regarding Bids, Proposals and
 Purchasing**

DEPARTMENT OF EDUCATION
 DISTRICT BOARD OF TRUSTEES
 MIAMI DADE COLLEGE
 11011 S.W. 104th STREET
 MIAMI, FL 33176-3393

Responses to the Invitation to Bid (ITB) listed below will be
 accepted ELECTRONICALLY, by 3:00 p.m. on
 March 12, 2021.

All solicitation documents, and meeting announcements, can be found at the Miami Dade College BidNet Direct website, <https://www.bidnetdirect.com/florida/miamidadecollege>
 BID NUMBER: 2021-JB-19, BID TITLE: Athletic Field Grounds Maintenance – Kendall Campus

Please direct questions regarding this solicitation to Junior Bergel at jbergel@mdc.edu.

If a person decides to appeal any decision with respect to any matter considered at the above-cited meeting, you will need a record of the proceedings, and for such purpose you may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. A copy of the agenda may be obtained by writing to: Miami Dade College, Office of the Purchasing Director, 11011 S.W. 104 Street, Miami, FL 33176 or by calling (305)237-2402.

| | | |
|---|------------------|-----------------------|
| 69A-39.003 | 2/25/2021 | 3/17/2021 |
| LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES | | |
| Rule No. | File Date | Effective Date |
| 60FF1-5.009 | 7/21/2016 | **/**/**** |
| 60P-1.003 | 11/5/2019 | **/**/**** |
| 60P-2.002 | 11/5/2019 | **/**/**** |
| 60P-2.003 | 11/5/2019 | **/**/**** |
| 64B8-10.003 | 12/9/2015 | **/**/**** |

DEPARTMENT OF ENVIRONMENTAL PROTECTION
 DEP RFQ 2021010, Professional Services for Waste Management/Waste Cleanup Programs
 The Florida Department of Environmental Protection hereby issues a Request for Qualification (RFQ) requesting Responses from qualified vendors pursuant to Sections 62-787, Florida Administrative Code for Professional Services for Waste Management/Waste Cleanup Programs on the Vendor Bid System (VBS) in accordance with subsection 287.042(3), Florida Statutes, and will not re-advertise any notice in the Florida Administrative Register (FAR). Access the VBS at: http://www.myflorida.com/apps/vbs/vbs_www.main_menu.

EXECUTIVE OFFICE OF THE GOVERNOR
 Division of Emergency Management
 Hazard Mitigation Grant Program Hurricane Dorian (DR-4468)
M E M O R A N D U M
 To: Local Governments, State and Regional Agencies, Indian Tribal Governments, Local Mitigation Strategy Working Groups, and Private Non-Profit Organizations Submitting Hazard Mitigation Grant Program Hurricane Dorian (DR-4468)
 From: Jared Moskowitz, State Coordinating Officer
 Subject: Hazard Mitigation Grant Program Notice of Funding Availability
 Date: February 23, 2021, Published FAR March 4, 2021
 Program Summary

**Section XII
 Miscellaneous**

DEPARTMENT OF STATE
 Index of Administrative Rules Filed with the Secretary of State Pursuant to subparagraph 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 3:00 p.m., Thursday, February 25, 2021 and 3:00 p.m., Wednesday, March 3, 2021.

| Rule No. | File Date | Effective Date |
|-------------|-----------|----------------|
| 40E-2.091 | 3/1/2021 | 3/21/2021 |
| 40E-10.071 | 3/1/2021 | 3/21/2021 |
| 61C-5.001 | 3/3/2021 | 3/23/2021 |
| 64B14-4.001 | 2/26/2021 | 3/18/2021 |
| 64B32-5.007 | 2/26/2021 | 3/18/2021 |
| 64DER21-3 | 3/2/2021 | 3/2/2021 |

The Florida Division of Emergency Management (Division) is pleased to announce the availability of Hazard Mitigation Grant Program (HMGP) funds as a result of the recent Presidential Disaster Declaration for Hurricane Dorian (FEMA 4468-DR-FL).

HMGP funding is authorized by Section 404 of the Robert T. Stafford Disaster Relief Act. This funding helps communities implement measures to reduce or eliminate long-term risk to people and property from natural hazards and their effects. The Division encourages all potential applicants to submit applications for projects that address eligible mitigation activities. The amount of HMGP funding available to the state is based on the total federal disaster assistance for the Presidential Disaster Declaration.

COVID-19 Update

Due to the current risk from COVID-19, the Division has set up a system for submitting applications 100% digitally to avoid the need to handle any physical items such as hard-copies, flashdrives, and/or CDs. Applications are currently being accepted through the Division’s filesharing system and would not require an additional hard-copy submission. To request

access to the filesharing system, you must email DEM_HazardMitigationGrantProgram@em.myflorida.com.

Hard-copy applications are permitted pursuant to the Florida Administrative Code 27P-22; however, the Division highly encourages all applications to solely be uploaded through the filesharing system. If an applicant chooses to submit a hard-copy of their application, a digital submission through the Division's filesharing site will still be required. Applicants should disregard any contrary language found in the State of Florida Hazard Mitigation Grant Program Application (Attachment F) regarding application submission requirements. The Division will use the requirements outlined below.

Application Timeline

The application period will close May 24, 2021. The Division encourages potential applicants to submit complete applications before the close of the application period. Applications will only be accepted from eligible applicants as defined in the Minimum Program Eligibility section of this notice.

Online Filesharing Submission: Please use the HMGP Application (Attachment G) to collect all the information necessary for your project. When you're ready to submit, use the email address below to request access to the filesharing system using the script and following the submission guidance provided in the Attachment H. If an application is submitted through the filesharing system, no hard-copies will be required. The email address to begin the submission process for the Division's filesharing system is DEM_HazardMitigationGrantProgram@em.myflorida.com.

A complete digital submission of your applications, and all necessary supporting documentation, must be uploaded to the filesharing system no later than May 24, 2021 11:59 p.m. ET. It is imperative that your access request for the filesharing system is received by the Division no later than 5:00 p.m. ET on May 24, 2021 in order to meet the application deadline.

Hard-copy Filing: If a hard-copy is filed, please provide just one original of the State of Florida Hazard Mitigation Grant Program Application and all appropriate attachments. In addition, submit a full digital copy of the completed application and all relevant documentation to the filesharing system using the directions detailed above.

Any hard-copy applications sent by mail or other carrier must be postmarked on or before May 24, 2021. Hand-delivered applications must be stamped in at the Division no later than 5:00 p.m. ET on May 24, 2021.

Any completed hard-copy applications must be sent to the following address: ATTN: Kathleen Marshall, Hazard Mitigation Grant Program, Florida Division of Emergency Management, Mitigation Bureau, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

The HMGP application and all other pertinent resources for completing the application may be obtained at the Division's

website located at <https://www.floridadisaster.org/dem/mitigation/hazard-mitigation-grant-program/> in the section HMGP Application and Resources.

Questions regarding the filesharing system may be directed to: Jared Jaworski, (850)544-8372, Jared.jaworski@em.myflorida.com

Minimum Program Eligibility

Eligible Applicants: According to the Code of Federal Regulations (CFR) 44 §206.434(a), the following parties are eligible to apply for Hazard Mitigation Grant Program funds:

- State and local governments who have an approved Local Mitigation Strategy (LMS) in accordance with 44 CFR 201.6, prior to receipt of HMGP subgrant funding for projects;
- Private non-profit organizations or institutions that own or operate a private non-profit facility as defined in §206.221(e); and
- Indian tribes or authorized tribal organizations.

However, be advised that pursuant to 27P-22 of the Florida Administrative Code, all project applications must go through the Local Mitigation Strategy Working Group (LMSWG) of the county where the project will take place. Any application sent to the Division without a signed endorsement letter, from either the Chair or Vice-Chair of an LMSWG, will be denied.

Eligible Activities: Activities include mitigation projects that will result in protection of public or private property from natural hazards. Activities for which implementation has already been initiated or completed are not eligible for funding. Eligible projects include, but are not limited to, the following:

- Acquisition or relocation of hazard-prone structures;
- Retrofitting of existing buildings and facilities that will result in increased protection from hazards;
- Elevation of flood-prone structures;
- Infrastructure protection measures;
- Stormwater management improvements;
- Minor structure flood control;
- Flood diversion and storage;
- Aquifer storage and recovery;
- Floodplain and stream restoration;
- Residential and community safe room construction;
- Generators for a critical facility, provided they are cost-effective, contribute to a long-term solution to the problem that they are intended to address, and meet other project eligibility criteria as required by 44 CFR §206.434(c); or generators that are an integral part of a larger eligible project.

Ineligible Activities: The state will not consider funding requests for the following:

- Construction of new facilities (Nevertheless, the cost associated with above-code upgrades to new facilities may be considered);

- Equipment such as emergency pumps, vehicles, and communication devices;
- Stand-alone studies, design, and planning-related activities;
- Tree removal, debris removal, and other forms of maintenance; or
- Projects already in progress (Construction may not begin until the contract between the State and subrecipient is executed and the project has met requirements of the National Environmental Policy Act).

Eligibility Criteria: All projects submitted must meet minimum criteria to be considered for funding. An eligible project must:

- Conform to the requirements stated in this Notice of Funding Availability;
- Conform to the Florida State Hazard Mitigation Plan and the respective community's LMS;
- Conform to the funding priorities for the disaster, as established in the appropriate LMS;
- Demonstrate cost-effectiveness;
- Be technically feasible;
- Benefit the designated disaster area;
- Conform to all applicable environmental laws and regulations, as well as Executive Orders;
- Solve a problem independently or constitute a functional part of a solution;
- Benefit a National Flood Insurance Program (NFIP) participating community that is not on probation or suspended from the NFIP; and
- Meet all applicable State and local codes and standards.

Cost-Share Requirements

Under the HMGP, FEMA will contribute up to 75 percent of the total amount approved under the grant award to implement eligible, cost-effective mitigation measures. The applicant must provide the remaining 25-percent non-federal share. Contributions, cash, and in-kind services are acceptable as part of the non-federal share. Requirements for in-kind contributions can be found in 2 CFR §200.306. In-kind contributions must be directly related to the eligible project cost and are those personnel, materials, equipment and supplies owned, controlled, and operated by the applicant or a third party contributor.

Applicants may use the Global Match concept as part of the 25-percent non-federal share. Global Match permits a potential applicant to meet the non-federal share match by receiving credit for state and/or local government funds that were committed to a similar type of project(s). These similar, non-federally funded projects must meet all of the HMGP eligibility requirements. This means that if Global Match is approved, the applicant may receive up to 100 percent federal share.

Pre-Award Costs

Prior to receiving a grant award, pre-award costs may be requested. Pre-award costs include items such as engineering, environmental study, permitting, and other "soft" costs associated with a construction project. *Construction activities are not considered pre-award costs.* Pre-award costs must be requested in writing. Guidelines for pre-award costs are included in *Attachment A*.

Procurement

Any procurement of property or services under a federal award must conform to 2 CFR §200 Subpart D (§§ 200.317 - 200.326). This also includes any activities performed as a part of the pre-award request.

Sub-Recipient Management Costs

Per FEMA Hazard Mitigation Grant Program Interim Policy 104-11-1, HMGP projects awarded under disasters, on or after the effective date, are eligible for sub-recipient management costs (SRMC) up to a hard cap of 5 percent of their eligible and actual project costs. SRMC is a separate pool of funding and will not be calculated as part of the benefit-cost analysis (BCA). SRMC will be reimbursed at a 100 percent federal cost share following the submission of compliant source documentation in conformance with 2 CFR 200 Subpart E. Additional information on SRMC can be found in the attached application (*Attachment F*).

County Funding Allocation

To ensure funds are distributed equitably, designated counties have been assigned a portion of the total HMGP grant. The amount is based on a calculation of the proportional share of the total federal assistance under the Public Assistance (PA), Individual Assistance (IA), and Small Business Administration (SBA) programs as of February 2021. Commitment of project funds by the Division is contingent upon receipt of appropriate Legislative Budget Authority.

These figures are shown in *Attachment B* and represent the estimated amount of HMGP funds currently available. HMGP funding is available only to those counties that have a current FEMA-approved LMS. Project applications will be considered only if:

(1) The application is accompanied by an endorsement by the LMS Chairperson or Vice-Chairperson stating that the project is included in the current LMS; and,

(2) If more than one project is submitted, the endorsement indicates the prioritization. A sample project submission letter is shown in *Attachment C*.

The Division will attempt to fund each submitted project in priority order until the county's allocation has been exhausted. In accordance with Florida Administrative Code (F.A.C.) 27P-22.006, the Division uses the following tiered allocation system up until the State application deadline with FEMA:

Tier 1 The available HMGP funds are allocated to counties included in the relevant Presidential Disaster Declaration in

proportion to each county’s share of federal disaster funding from the Public Assistance (PA), Individual Assistance (IA), and Small Business Administration (SBA) Disaster Loan Program as of 120 days after a Disaster Declaration as reported by FEMA. Eligible projects submitted by each county included in the relevant Presidential Disaster Declaration will be funded in order of priority as outlined in the LMS until the allocated funds are exhausted or all eligible projects are funded.

Tier 2 Any allocation remaining after all eligible projects in any declared county are funded shall be re-allocated to those counties included in the relevant Presidential Disaster Declaration whose allocation was not sufficient to fund all submitted eligible projects. The order of priority for re-allocating funds is detailed in *Attachment D*.

Tier 3 In the event funds remain after the Tier 1 and Tier 2 processes, any remaining funds will be offered on a statewide basis as described in *Attachment D*.

Please see *Attachment D* for a detailed explanation of funding tiers.

Funding Availability and Notification

FEMA notifies the State of HMGP funding availability at the following milestones:

1. Initial 90-Day Estimate

This is an early estimate only and not an actual commitment of funding by FEMA. Funding may increase or decrease based on actual disaster claims during the declaration period. These estimates are provided for planning purposes and to jump-start the HMGP application process.

2. Obligation prior to 12 Months

Prior to the 12-month lock-in, FEMA will only obligate funds up to 75% of any current estimate. This is to eliminate the risk over obligating funds for any given disaster in the event the 12-month lock-in is lower than initially estimated.

3. 12 Months from the Date of Declaration

This represents the State’s Lock-in Amount. It is the maximum amount available the state can expect to receive from FEMA. In rare occurrences, FEMA may conduct a subsequent review 18 months after the declaration, but only at the request of the State. The estimate from that review may cause the final lock-in to fluctuate up or down depending on the findings.

It is important for potential applicants to recognize that HMGP funds are contingent upon FEMA’s reexamination of the disaster figures at the given time intervals. A county’s funding allocation can increase or decrease after it has submitted an application.

Technical Assistance

Due to the large impact of Hurricane Dorian across the state, the Division is in the process of scheduling HMGP application development workshop webinars, as opposed to the standard in-person workshops. The webinars will focus on a handful of counties at a time so that project-specific concerns can still be

addressed by state staff. The Division is in the process of scheduling these webinars and will be in touch with each county in the next few weeks to finalize dates and times.

Please check the Division’s website www.floridadisaster.org/dem/mitigation/hazard-mitigation-grant-program for additional technical guidance. The Division will provide technical assistance throughout the application process. This includes assistance with the application process, Benefit Cost Analysis, Engineering Feasibility and Environmental/Historical Preservation Compliance. If there are any questions regarding the allocation of funds or the project review and selection criteria, please call Bureau staff at one of the following numbers:

Program Eligibility: (850)815-4537 or (850)815-4503

Environmental: (850)815-4514

Engineering and Technical Feasibility: (850)254-5737

For additional information and technical assistance, please refer to FEMA’s Hazard Mitigation Assistance Guidance document available at <https://www.fema.gov/media-library/assets/documents/103279>.

To assist you in submitting qualified project applications, the following attachments are located on the Division website <https://www.floridadisaster.org/dem/mitigation/hazard-mitigation-grant-program>:

- Attachment A: Pre-award Cost Guidance and Form*
- Attachment B: DR-4468 12-month Lock-in*
- Attachment C: Sample LMS Project Submission Letter*
- Attachment D: Florida Administrative Code 27P-22*
- Attachment E: Data Collection Worksheet Notice*
- Attachment F: HMGP Application*
- Attachment G: Filesharing System Access Request and Guidance*

If you have any questions regarding this new funding opportunity, please feel free to contact Jared Jaworski at either jared.jaworski@em.myflorida.com or (850)815-4537.

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.