

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

**DEPARTMENT OF HEALTH**

**Board of Psychology**

RULE NOS.:     RULE TITLES:

64B19-11.001    Examination.  
64B19-11.012    Application Forms.

PURPOSE AND EFFECT: To update and revise Forms DH-MQA 1187 and DH-MQA 1221.

SUBJECT AREA TO BE ADDRESSED: Forms DH-MQA 1187 and DH-MQA 1221.

RULEMAKING AUTHORITY: 456.013, (1), 456.017(1)(b), (c), 490.004(4), 490.005 FS.

LAW IMPLEMENTED: 456.013, 456.017(1)(b), (c), (6), 456.0635, (2), 490.005, 490.006, 490.007(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE IS: Allen Hall, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, (850)245-4373

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

**DEPARTMENT OF HEALTH**

**Board of Psychology**

RULE NOS.:     RULE TITLES:

64B19-12.002    Application and Examination Fee for Licensure by Examination; Review Fee.  
64B19-12.003    Reexamination Fee.

PURPOSE AND EFFECT: For Rule 64B19-12.002, F.A.C., to update and clarify requirements for application and examination fee for licensure by examination, update rule title; for Rule 64B19-12.003, F.A.C., to repeal rule.

SUBJECT AREA TO BE ADDRESSED: Application and examination fee for licensure by examination, repeal of reexamination fee.

RULEMAKING AUTHORITY: 456.013(2), 456.017(2), 490.004(4), 490.005(1)(a) FS.

LAW IMPLEMENTED: 456.013(2), 456.017(1)(c), (2), 490.005(1)(a) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE IS: Allen Hall, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, (850)245-4373

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

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RULE NOS.:     RULE TITLES:

62-772.300     Contractor Qualifications and Performance Reviews

62-772.401     Alternative Contractor Selection

PURPOSE AND EFFECT: The Department is proposing to amend Rules 62-772.300 and 62-772.401, F.A.C., to incorporate improvements that were identified based on experience gained implementing competitively procured petroleum contamination site rehabilitation procedures during the past year. These rules were initially adopted with effective dates of June 13, 2014, and January 16, 2014, respectively. Amendments to these rules are being made to modify the contractor performance evaluation forms referenced in the rule to be more streamlined and objective, and to provide more options for owners and responsible parties of petroleum contaminated sites in the selection of competitively procured petroleum cleanup contractors.

SUMMARY: Rule 62-772.300, F.A.C., is being amended to modify the contractor performance evaluation forms referenced in this rule to focus on task assignment/purchase order completion, to be more streamlined and objective, to include an owner responsible party contractor performance survey form to more formally solicit their input, and to eliminate the annual performance evaluation which was recognized as being a redundant process. Rule 62-772.401, F.A.C., is being amended to add an option for owners and responsible parties of sites with eligibility types that do not require a cost share, including the Early Detection Incentive Program under Section 376.3071(10), F.S., Petroleum Liability and Restoration Insurance Program under Section

376.3072, F.S., Abandoned Tank Restoration Program under Section 376.305(6), F.S., and Innocent Victim Petroleum Storage System Restoration Program under Section 376.30715, F.S., to select one of the competitively procured agency term contractors to work on their sites if they voluntarily enter into a cost share agreement that provides for them to pay 25% or more of the cleanup costs, or agree to a conditional closure in accordance with Chapter 62-780, F.A.C., with a demonstrated cost savings of 25% or more compared to an unconditional closure using current agency term contractor rates, or any combination of the two.

**OTHER RULES INCORPORATING THIS RULE:** 62-771.300, F.A.C.

**EFFECT ON THOSE OTHER RULES:** Amendments to Chapter 62-772, F.A.C., in this Notice of Proposed Rule, are not expected to have any significant impact on Rule 62-771.300, F.A.C.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST AND LEGISLATIVE RATIFICATION:** The agency has determined that this rule will not have an impact on small business or likely increase directly or indirectly regulatory cost in excess of \$200,000 in the aggregate within one year after 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: As described above the amendments to Rule 62-772.300, F.A.C., modify and streamline the contractor evaluation forms that will be utilized by the Department to evaluate contractor performance and therefore will not have any adverse impact or regulatory costs. The amendments to Rule 62-772.400, F.A.C., allowing responsible parties the option to select a contractor to perform remediation at their site is completely voluntary and the site will be remediated regardless of the proposed amendment. Therefore the amendments will not have an adverse impact or regulatory cost.

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

**RULEMAKING AUTHORITY:** 287.0595, 376.303, 376.3071, F.S.

**LAW IMPLEMENTED:** 287.0595, 376.30, 376.301, 376.303, 376.305, 376.3071, 376.3071(12)(b), 376.30713, 376.30713(3)(a), 376.3071(13)(c), 376.30714, 376.30714(4), 376.30715, 376.30716, 376.3072, F.S.

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

**DATE AND TIME:** September 3, 2015, 9:00 a.m.

**PLACE:** Florida Department of Environmental Protection, Bob Martinez Center, 2600 Blair Stone Road, Conference Room 609, Tallahassee, Florida 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting: Charles Williams, Environmental Manager, Florida Department of Environmental Protection, charles.williams@dep.state.fl.us, (850)245-8863. 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:** Charles Williams, Department of Environmental Protection, 2600 Blair Stone Road, MS 4545, Tallahassee, Florida 32399-2400, telephone: (850)245-8863, email: charles.williams@dep.state.fl.us.

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

62-772.300 Contractor Qualifications and Performance Reviews.

(1) Minimum Qualifications. All contractors performing site assessment and remediation activities for state-funded sites under this Chapter must meet the following minimum qualifications:

(a) Demonstrate that the contractor meets all certification and license requirements imposed by law. The contractor shall possess and maintain or contract with firms which possess and maintain: a valid certificate of authorization (firm) to practice Professional Geology from the Florida Department of Business and Professional Regulation (DBPR) pursuant to Section 492.111, F.S.; and a valid certificate of authorization (firm) to practice Professional Engineering from the Florida Board of Professional Engineers (FBPE) pursuant to Sections 471.023, F.S., or demonstrate that they are doing business under their own given name and are not subject to the certificate of authorization requirement.

(b) Each contractor shall certify to the Department that the contractor: (This certification must be in writing and submitted to the Department's Petroleum Restoration Program, Attn.: Contactor Qualification Coordinator, 2600 Blair Stone Road ~~Blairstone Rd.~~, Mail Station 4575, Tallahassee, Florida 32399-2400. Documentation submitted under Section 376.30711(2)(c), F.S., may be used to satisfy this requirement.)

1. through 5. No change.

(2) Procedures for Determining Qualified Vendors to Participate in Procurement Opportunities. Only qualified vendors can submit responses on a competitive solicitation for work. The following procedures apply to the competitive procurement of contracts under this Chapter in order to qualify potential vendors to respond to a competitive solicitation for work.

(a) Interested vendors shall submit documentation to the Department verifying that the vendor meets the minimum qualifications specified in subsection (1). This documentation must be in writing and submitted to the Department's Petroleum Restoration Program, Attn.: Contactor Qualification Coordinator, 2600 Blair Stone Road ~~Blairstone Rd.~~, Mail Station 4575, Tallahassee, Florida 32399-2400. The Department will review the qualification documentation and notify each vendor of its determination regarding their qualification status. Only vendors that meet the minimum qualifications on the date of opening a response to a competitive solicitation for work shall be considered in the procurement process. Those vendors not meeting the minimum qualifications on the date of opening responses shall be determined unqualified and rejected from further consideration for that solicitation. The Department will indicate those vendors that were rejected in the posting of the Department's decision for that solicitation as required in Rule 60A-1.021, F.A.C., (8-22-04) <http://www.flrules.org/Gateway/reference.asp?No=Ref-03557> hereby adopted and incorporated by reference.

(b) through (c) No change.

(3) through (5) No change.

(6) Contractor Performance Review. The Department shall evaluate, with input from the responsible party and/or site owner, contractor performance at least after completion of each task assignment or purchase order under a term contract or completion of other non-term contracts using the ~~Interim~~ Contractor Performance Evaluation form number 01, dated \_\_\_\_\_ (~~6-13-14~~), (<https://www.flrules.org/Gateway/reference.asp?No=Ref-05720>) hereby adopted and incorporated by reference- and the Site Owner/Responsible Party Contractor Performance Survey Annually, the Department shall complete a review of each contractor on the work performed under a term contract during the state fiscal year using the Annual Contractor Performance Evaluation form, number 02, dated \_\_\_\_\_ (~~6-13-14~~), (<https://www.flrules.org/Gateway/reference.asp?No=Ref-05721>) hereby adopted and incorporated by reference. A copy of these forms can be obtained from the Division of Waste Management at its web site at [www.dep.state.fl.us/waste](http://www.dep.state.fl.us/waste) or at 2600 Blair Stone Road ~~Blairstone Rd.~~, Tallahassee, Florida 32399. Contractor performance shall be considered prior to

assignment of rehabilitation tasks, authorizing any contract renewals and determining retainage (and its release) pursuant to Section ~~376.3071(6)~~ ~~376.30711(5)(e)~~, F.S.

Rulemaking Authority 287.0595, 376.303, 376.3071 FS. Law Implemented 287.0595, 376.30, 376.301, 376.303, 376.305, 376.3071, ~~376.30711~~, ~~376.30711(2)(b)~~, (e), ~~376.30711(5)(e)~~, (h), (i), 376.30713, 376.30714, 376.30715, 376.30716, 376.3072 FS. History--New 6-13-14, Amended \_\_\_\_\_.

62-772.401 Alternative Contractor Selection.

(1) Low Scored Site Initiative (LSSI). For a site participating in the LSSI program under Section ~~376.3071(12)(b)~~ ~~376.3071(11)(b)~~, F.S., a participant will:

(a) through (b) No change.

(c) Agree to an informal quote process (using a request for written or electronic quote) administered by the Department in accordance with Rule 60A-1.002, F.A.C., using contractors that meet the minimum qualifications specified in Rule 62-772.300, F.A.C.

For the purpose of LSSI work, one contractor working on several site assessments shall not be considered circumvention as described in Section 287.057(9), F.S., since each site assessment is a single project, which is capped at \$30,000 in accordance with Section ~~376.3071(12)(b)~~ ~~376.3071(11)(b)~~, F.S.

(2) The selection of the contractor for ~~Preapproved~~ Advanced Cleanup under Section 376.30713, F.S., the Petroleum Cleanup Participation Program under Section 376.3071(13), F.S., and Site Rehabilitation Funding Allocation Agreements under Section 376.30714, F.S., will be negotiated between the Department and the participant or applicant along with the terms and conditions of the contract or agreement. If the participant or applicant is providing 25% or more of the cleanup cost, or the site will reach a funding cap under Section 376.3072(2)(a)3., or (2)(d)2.c., or d., F.S., then the participant or applicant may select any agency term contractor. If the participant or applicant is providing less than 25% of the cleanup cost, the Department will follow subsections 62-772.400(3) through (5), F.A.C., for contractor selection.

(3) Voluntary Cost Share Agreements. For sites eligible for the Early Detection Incentive Program under Section 376.3071(10), F.S., Petroleum Liability and Restoration Insurance Program under Section 376.3072. F.S., Abandoned Tank Restoration Program under Section 376.305(6), F.S., or Innocent Victim Petroleum Storage System Restoration Program under Section 376.30715, F.S., the participant may select any agency term contractor for petroleum contaminated site response actions at sites where the Department and its agents have been granted site access, and where the participant enters into and complies with a voluntary cost share agreement that:

(a) Provides for the participant to pay 25% or more of the cleanup cost, or

(b) Incorporates agreement by the participant, and by the current real property owner(s) of the subject property if different from the participant, with a conditional closure in accordance with Rule 62-780.680(2) or 62-780.680(3), F.A.C., for which a cost savings of 25% or more was demonstrated based on site specific information compared to an unconditional closure using current agency term contractor rates, or

(c) Would result in any combination of options (a) and (b) above with a total cost savings of 25% or more of the expected cleanup costs.

(4) Voluntary Cost Share Agreements for Advanced Cleanup Sites. For sites eligible for consideration for advanced cleanup pursuant to Section 376.30713, F.S., and where the Department and its agents have been granted site access, a qualified applicant under Section 376.30713(2), F.S., may enter into a Voluntary Cost Share Agreement that identifies those sites which the applicant commits to include in future advanced cleanup applications to be submitted in accordance with Section 376.30713(2), F.S. The voluntary cost share agreement shall include a commitment for the qualified applicant to pay a cost share amount equal or greater than the amount specified under Section 376.30713(2)(a), F.S. The cost share agreement shall specify that the Department may terminate the voluntary cost share agreement where the qualified applicant fails to submit an application to bundle any listed sites, not already covered by an advance cleanup contract, within a subsequent open application period in which the qualified applicant is eligible to participate.

(5) Sites for which a participant or a qualified applicant have submitted a written request to enter into a voluntary cost share agreement and are negotiating with the Department in accordance with this subsection, shall not be subject to contractor assignment pursuant to subsections 62-772.400(3), (4) and (5), F.A.C., during the review and negotiation period, and while the participant or qualified applicant complies with the agreement once effective. The Department reserves the right to terminate negotiations if the participant or qualified applicant does not respond to requests for additional supporting documentation within 30 days of that person's receipt of such a written request, or if a voluntary cost share agreement is not effective within 60 days of the date such a written agreement is sent to the participant or qualified applicant for execution. This provision does not change the requirement for cleanup funding based on the site priority ranking established pursuant to Section 376.3071(5)(a), F.S., except as otherwise provided for advanced cleanup sites under Section 376.30713, F.S.

(6) Sites submitted for a voluntary cost share agreement under paragraphs (3) or (4), and already subject to assignment to another qualified contractor for state-funded petroleum site rehabilitation under this chapter, shall continue under such assignment until the period of performance therein expires.

Rulemaking Authority 287.0595, 376.303, 376.3071 FS. Law Implemented 287.0595, 376.30, 376.301, 376.303, 376.305, 376.3071, ~~376.3071(12)(b)~~ ~~376.3071(11)(b)~~, 376.3071(13)(c), ~~376.30714~~, 376.30713, 376.30713(3)(a), 376.30714, 376.30714(4), 376.30715, 376.30716, 376.3072 FS. History—New 1-16-14, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Charles T. Williams, Environmental Manager

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jonathan P. Steverson, Interim Secretary, Florida Department of Environmental Protection

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 24, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 29, 2014

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE NOS.:	RULE TITLES:
68B-2.001	General Definitions
68B-2.010	Saltwater Game Fish and Sport Fish Designations

PURPOSE AND EFFECT: The purpose of the proposed rule and rule amendment is to create a permit that meets federal requirements for king and Spanish mackerel tournaments that donate tournament-caught king and Spanish mackerel to wholesale dealers, who then sell the fish and give the proceeds to a charity on the tournament's behalf.

Recent changes to federal rules require king and Spanish mackerel tournaments to obtain a state-issued tournament permit to continue a common practice of donating tournament-caught king and Spanish mackerel to wholesale dealers, who then sell the fish and give the proceeds to a charity on the tournament's behalf. These federal rule changes are intended to address concerns that tournament-caught fish sold by wholesale dealers are "double counted" toward both recreational and commercial quotas, even though they are recreationally-caught.

The effect of the proposed rule and rule amendment is that tournaments would be able to comply with federal requirements while continuing the common practice of donating their fish to wholesale dealers for a charitable donation on behalf of the tournament. This practice has the added benefit of minimizing waste of mackerel, which are not always kept by tournament anglers for consumption.

SUMMARY: A new rule, 68B-2.010, F.A.C. (Tournament Permits), would outline the conditions for issuance of a new mackerel tournament donation permit. This permit would be issued to tournament directors to allow tournament-caught king and Spanish mackerel to be donated to a licensed wholesale dealer in exchange for a donation to charity. Additionally, the proposed rule would state that the tournament organizer cannot also be the wholesale dealer accepting the donated tournament fish. This would help ensure seafood safety and reporting regulations are followed.

Definitions relevant to the proposed rule 68B-2.010, F.A.C. would be added to 68B-2.001, F.A.C. (General Definitions).

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

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

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

RULEMAKING AUTHORITY: Article IV, Section 9, Florida Constitution

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATES AND TIMES: September 2-3, 2015, 8:30 a.m. – 5:00 p.m., each day, During the Commission’s regular meeting

PLACE: Hilton Fort Lauderdale Marina, 1881 Southeast 17th Street, Fort Lauderdale, FL 33316

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the ADA Coordinator, at (850)488-6411. 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: Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301 and (850)487-0554

THE FULL TEXT OF THE PROPOSED RULE IS:

68B-2.001 General Definitions

As used in Division 68B, F.A.C.:

(1) through (15) No change

(16) “Monetary value” means sale price or cash equivalent of value received for landings.

~~(17)~~(16) “Nearshore and inshore Florida waters” means all Florida waters inside a line three nautical miles seaward of the coastline along the Gulf of Mexico and inside a line one nautical mile seaward of the coastline along the Atlantic Ocean.

(18) “Organized tournament” means a fishing competition that involves ten or more registered participants, has written rules and regulations, requires an entry fee, and awards prizes to competitors.

(17) through (26) renumbered (19) through (28) No change.

Rulemaking Authority Article IV, Section 9, Florida Constitution.  
Law Implemented Article IV, Section 9, Florida Constitution.  
History–New 9-1-13, \_\_\_\_\_.

68B-2.010 Tournament Permits.

King and Spanish Mackerel –

A permit is required to meet the requirements of 50 C.F.R. § 622.386(e) (as of January 9, 2015) for tournament-caught king and Spanish mackerel to be donated and sold. Upon request and submission of the information required in subsection (1), the Executive Director, or his designee, shall issue a mackerel tournament donation permit to the director of an organized tournament to allow tournament-caught king and Spanish mackerel to be donated to a licensed wholesale seafood dealer.

(1) The tournament organizer shall supply the following:

(a) The tournament organizer’s name, mailing address, phone number, and email address; the name of the tournament/organization; the number of tournament participants; the dates and times of the tournament; the name and address of the tournament landing and weigh-in location. The tournament organizer shall also indicate whether participants are charged an entry fee and if prizes are awarded.

(b) The name of the wholesale seafood dealer accepting donated fish, their wholesale seafood dealer license number, contact person, business address, and phone number.

(c) The name, address, phone number, and tax identification number of the charitable organization.

(2) Permits shall only be issued to the director of an organized tournament.

(3) King or Spanish mackerel caught in an organized tournament permitted pursuant to this subsection may be donated to a licensed wholesale seafood dealer. Donation of tournament fish as authorized by this permit does not constitute a sale.

(4) Wholesale dealers must donate the monetary value of tournament-caught king and Spanish mackerel directly to a charitable organization designated by the permittee. The monetary value received for tournament-caught fish may not be donated or returned to the tournament or used to pay for tournament expenses or prizes.

(5) The tournament organizer may not also be the licensed wholesale seafood dealer accepting donated fish from the tournament.

(6) Tournament organizers must ensure that donated fish are handled and iced to ensure product safety pursuant to Rule 68E-27.022, F.A.C.

(7) Wholesale dealers accepting tournament-caught king or Spanish mackerel shall be present at the tournament check-in location to accept the donated fish.

(8) Wholesale dealers shall report donated fish pursuant to Rules 68E-5.002(1) and (2), F.A.C. Wholesale dealers shall identify the donated fish as tournament catch on Marine Fisheries Trip Tickets.

(9) Violations of this rule or of the terms of the permit may result in the revocation of the permit and the denial of future permit applications pursuant to Rule 68-1.010, F.A.C. Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New\_\_\_\_\_.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.R.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 24, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 28, 2015

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE NOS.:	RULE TITLES:
68B-12.0046	Commercial Fishing Season for King Mackerel in the Gulf-Atlantic Fishery; Commercial Season Segments, Vessel and Landing Limits
68B-12.006	Other Prohibitions

PURPOSE AND EFFECT: Since 2013, the South Atlantic Fishery Management Council and Gulf of Mexico Fishery Management Council have made several modifications to the management of the commercial king mackerel fishery in federal waters adjacent to Florida that resulted in different regulations for adjacent state and federal waters. The proposed state rule changes are consistent with recent changes in adjacent federal waters. Specifically, these changes would make commercial king mackerel vessel limits in the Gulf-Atlantic fishery equal to commercial vessel limits in adjacent federal waters and establish a transit provision that would allow transport of legal commercial king mackerel harvest through closed areas for landing. The proposed rule amendment would also clarify existing rule language that closes state waters of the Gulf-Atlantic fishery to commercial king mackerel harvest when adjacent federal waters are closed.

The proposed rule amendment would also eliminate unnecessary language specifying commercial fishing seasons for king mackerel in the Gulf-Atlantic fishery. This rule was originally intended to give the Commission the ability to close state waters to commercial harvest of these species when adjacent federal waters were closed due to federal quotas being met or exceeded. However, state rules that specify commercial fishing seasons for king mackerel are no longer necessary to enforce commercial closures and can be removed. Florida’s king mackerel regulations for the Gulf-Atlantic fishery (68B-12, F.A.C.) now requires commercial fishermen harvesting king mackerel to abide by federal season closures in adjacent state waters, so listing these commercial fishing seasons in state rules is no longer necessary.

Finally, the proposed rule amendment would create a reference in existing state king mackerel rule to proposed rules in 68B-2, F.A.C. establishing a mackerel tournament permit. This permit would meet federal requirements for king and Spanish mackerel tournaments that donate tournament-caught king and Spanish mackerel to wholesale dealers, who then sell the fish and give the proceeds to a charity on the tournament’s behalf.

The effect of these rule changes is that commercial king mackerel trip limits, transit allowances, and closures are consistent in adjacent state and federal waters off Florida for the Gulf-Atlantic fishery. Removal of unnecessary and confusing language will make commercial regulations easier to understand. These changes will improve enforceability of state rules and provide flexibility for fishermen operating in multiple regions and reduces the likelihood of early season closures in some regions. Also, mackerel tournament permit regulations would be referenced in relevant state mackerel regulations, and thus would be easier for the public to find.

**SUMMARY:** The proposed rule changes for the Gulf-Atlantic fishery: 1) set king mackerel commercial vessel trip limits in state waters equal to commercial vessel trip limits in adjacent federal waters, 2) establish a transit provision to allow transport of legally-harvested king mackerel through closed areas and permits the landing of these fish in closed areas, 3) clarify that state waters are closed to commercial harvest of king mackerel when adjacent federal waters are closed, and 4) remove references to commercial king mackerel fishing season dates in FWC rule. The proposed rule would also create a reference in 68B-12.006, FAC (Other Prohibitions) to the proposed mackerel tournament donation permit, outlined in 68B-2.010.

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

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

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

**RULEMAKING AUTHORITY:** Article IV, Section 9, Florida Constitution

**LAW IMPLEMENTED:** Article IV, Section 9, Florida Constitution

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

**DATES AND TIMES:** During the Commission's regular meeting September 2-3, 2015, 8:30 a.m. – 5:00 p.m., each day  
**PLACE:** Hilton Fort Lauderdale Marine, 1881 SE 17th Street, Fort Lauderdale, Florida 33316

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the ADA Coordinator, at (850)488-6411. 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:** Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, and (850)487-0554

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

68B-12.0046 Commercial Fishing Season for King Mackerel in the Gulf-Atlantic Fishery; Commercial Seasons ~~Segments~~, Vessel and Landing Limits.

(1) Any person harvesting or possessing king mackerel in excess of the bag and possession limits specified in Rule 68B-12.004, F.A.C. in the Gulf-Atlantic fishery shall also possess a valid saltwater products license with a restricted species endorsement and a federal commercial permit to harvest king mackerel ~~from the Gulf Migratory Group~~.

(2) No change.

(3) Eastern Region – Persons harvesting king mackerel for commercial purposes from waters of the Eastern Region shall be subject to commercial vessel limits in adjacent federal waters pursuant to 50 C.F.R. § 622.385(a)(2)(i) (as of May 4, 2015) unless adjacent federal Exclusive Economic Zone (EEZ) waters are closed to commercial harvest of king mackerel have a season that begins on November 1 of each year and continues through March 31 of the following year, unless closed sooner by operation of this subsection.

~~(a) These persons shall be subject to a commercial vessel limit of 50 king mackerel per vessel per day unless adjacent federal Exclusive Economic Zone (EEZ) waters are closed to commercial harvest of king mackerel. During this time, no person shall possess while in or on the waters of the region or land from a single vessel in any one day within this region more than 50 king mackerel.~~

~~(b) Should adjacent federal Exclusive Economic Zone (EEZ) waters be closed to commercial harvest, commercial harvest within this region shall be prohibited from the date the 50 king mackerel season ends pursuant to paragraph (a) until the next season begins on the following November 1. During this closed season, no person shall possess while in or on the waters of the region or land within the region any king mackerel harvested for commercial purposes.~~

~~(4) Western Region – Persons harvesting king mackerel for commercial purposes from waters of the Western Region shall be subject to a commercial vessel limit of 1250 pounds of fish per vessel per day unless adjacent federal Exclusive Economic Zone (EEZ) waters are closed to commercial harvest of king mackerel. have a season that begins on July 1 of each year and continues through June 30 of the following year, unless closed sooner by operation of this subsection. These persons shall be subject to commercial vessel limits effective during segments of the season as follows:~~

~~(a) Harvest of king mackerel shall be limited to 1250 pounds of fish per vessel per day from July 1 until the date the daily commercial vessel limit in adjacent federal Exclusive Economic Zone (EEZ) waters is reduced to 500 pounds of king mackerel.~~

~~(b) A limit of 500 pounds of king mackerel per vessel per day shall apply from the date the 1250 pounds of fish per vessel per day season segment ends pursuant to paragraph (a) until the adjacent federal Exclusive Economic Zone (EEZ) waters are closed to commercial harvest of king mackerel. During this season segment, no person shall possess while in or on the waters of the region or land from a single vessel in any one day within this region more than 500 pounds of king mackerel.~~

~~(c) Harvest of king mackerel for commercial purposes within this region shall be prohibited from the date the 500 pound season segment ends pursuant to paragraph (b) until the next season begins on the following July 1. During this closed season, no person shall land within the region any king mackerel harvested for commercial purposes.~~

~~(d) Notwithstanding paragraphs (a) and (b), if at any time during the season adjacent federal Exclusive Economic Zone (EEZ) waters are closed to commercial harvest of king mackerel, the season for the commercial harvest of king mackerel in the region shall close pursuant to paragraph (c).~~

~~(e) King mackerel may be landed from April 1 through June 30 in Collier County when the Western Region of the Gulf Atlantic Fishery has been closed, under the following conditions:~~

~~1. The king mackerel have been legally harvested from adjacent state or federal waters off Monroe County pursuant to Chapter 68B-30, F.A.C., or pursuant to Part 622 of the Code of Federal Regulations (CFR) for Atlantic migratory group king mackerel;~~

~~2. The king mackerel have been harvested pursuant to a Florida saltwater products license and restricted species endorsement (Section 379.362, F.S.) and a federal king mackerel permit (Part 622 CFR);~~

~~3. The transport of king mackerel through the closed state waters off Collier County is continuous and direct from the area open to harvest to the place of landing; and~~

~~4. All fishing gear must be stowed during transit through the closed area.~~

~~(5) Season closures - If at any time adjacent federal Exclusive Economic Zone (EEZ) waters are closed to commercial harvest of king mackerel, corresponding state waters shall also be closed to commercial harvest of king mackerel, beginning from the date of such closure until federal waters are reopened to commercial harvest of king mackerel.~~

~~(6) Transit provisions – A vessel that has onboard king mackerel harvested from an open area in either state or federal waters may transit through and land king mackerel in state waters that are closed to the harvest of king mackerel pursuant to subsections (3) and (4), under the following conditions:~~

~~(a) The king mackerel have been legally harvested from state or federal waters pursuant to Chapter 68B-12 and 68B-30, F.A.C., or pursuant to Part 622 C.F.R. for king mackerel.~~

~~(b) The king mackerel have been harvested pursuant to a Florida saltwater products license and restricted species endorsement (Section 379.362, F.S.) and a federal king mackerel permit (Part 622 C.F.R.).~~

~~(c) The transport of king mackerel through the closed state waters is direct, continuous and expeditious from the area open to harvest to the place where the vessel is regularly docked, moored, or otherwise stored or to the place of the licensed wholesale dealer where the catch is to be sold; and~~

~~(d) All fishing gear must be stowed during transit through the closed area. For the purpose of this section appropriately stowed means a rod and reel must be stowed securely. Terminal gear (i.e., hooks, leaders, sinkers, flashers, or baits) must be disconnected and stowed separately from the fishing apparatus. Sinkers must be disconnected from the down rigger and stowed separately. Gillnets must be rolled, folded, or otherwise properly and securely stowed in sealed containers or compartments so as to make their immediate use as fishing implements impracticable.~~

~~(7) Notice of the closure of each season segment described in subsections (5)(3) and (4) of this rule shall be given by the Commission in the manner provided in Section 120.81(5), F.S.~~



Rulemaking Authority Art. IV, Sec. 9, Fla Const. Law Implemented Art. IV, Sec. 9, Fla Const. History—New 10-1-90, Amended 12-4-91, 11-29-93, 12-28-95, 1-1-97, 1-1-98, Formerly 46-12.0046, Amended 4-1-12, \_\_\_\_\_.

68B-12.006 Other Prohibitions.

(1) No change.

(2) The Commission shall issue a permit pursuant to Rule 68B-2.010, F.A.C., to authorize king mackerel caught in an organized tournament to be donated to a licensed wholesale dealer.

~~(3)~~(2) The prohibitions of this chapter apply as well to any and all persons operating a vessel in the Gulf-Atlantic fishery, who shall be deemed to have violated any prohibition which has been violated by another person aboard such vessel. Rulemaking Authority Art. IV, Sec. 9, Fla Const. Law Implemented Art. IV, Sec. 9, Fla Const. History—New 11-13-86, Formerly 46-12.006, Amended \_\_\_\_\_.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.R.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, and (850)487-0554

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 24, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 8, 2015

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE NO.: RULE TITLE:

68B-23.006 Other Prohibitions

PURPOSE AND EFFECT: The purpose of this proposed rule amendment is to create a reference in existing state Spanish mackerel rule to proposed rules in 68B-2, F.A.C. establishing a mackerel tournament permit. This permit would meet federal requirements for king and Spanish mackerel tournaments that donate tournament-caught king and Spanish mackerel to wholesale dealers, who then sell the fish and give the proceeds to a charity on the tournament’s behalf.

The effect of the rule amendment is that mackerel tournament permit regulations would be referenced in relevant state mackerel regulations, and thus would be easier for the public to find.

SUMMARY: The proposed rule would create a reference in 68B-23.006, F.A.C. (Other Prohibitions) to the proposed mackerel tournament donation permit, outlined in 68B-2.010, F.A.C.

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

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

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

RULEMAKING AUTHORITY: Article IV, Section 9, Florida Constitution

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: September 2-3, 2015, 8:30 a.m. – 5:00 p.m., each day, During the Commission’s regular meeting

PLACE: Hilton Fort Lauderdale Marina, 1881 Southeast 17th Street, Fort Lauderdale, FL 33316

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the ADA Coordinator, at (850)488-6411. 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: Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554

THE FULL TEXT OF THE PROPOSED RULE IS:

68B-23.006 Other Prohibitions.

(1) No change.

(2) The Commission shall issue a permit pursuant to Rule 68B-2.010, F.A.C., to authorize Spanish mackerel caught in an organized tournament to be donated to a licensed wholesale dealer.

~~(3)(2)~~ The prohibitions of this chapter apply as well to any and all persons operating a vessel in state waters, who shall be deemed to have violated any prohibition which has been violated by another person aboard such vessel.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 10-30-86, Amended 10-1-88, Formerly 46-23.006, Amended 6-1-99,\_\_\_\_\_.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.R.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 24, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 28, 2015

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE NOS.:	RULE TITLES:
68B-30.003	Commercial Harvest Limits; Recreational Bag Limit; Gear Specifications
68B-30.004	Seasons
68B-30.006	Other Prohibitions

PURPOSE AND EFFECT: Since 2013, the South Atlantic Fishery Management Council and Gulf of Mexico Fishery Management Council have made several modifications to the management of the commercial king mackerel fishery in federal waters adjacent to Florida that resulted in different regulations for adjacent state and federal waters. The proposed

state rule changes are consistent with recent changes in adjacent federal waters. Specifically, these changes would clarify existing rule language that closes state waters of the Atlantic fishery to commercial king mackerel harvest when adjacent federal waters are closed.

The proposed rule amendment would also eliminate unnecessary language specifying commercial fishing seasons for king mackerel in the Atlantic fishery. This rule was originally intended to give the Commission the ability to close state waters to commercial harvest of these species when adjacent federal waters were closed due to federal quotas being met or exceeded. However, state rules that specify commercial fishing seasons for king mackerel are no longer necessary to enforce commercial closures and can be removed. Florida’s king mackerel regulations for the Atlantic fishery (68B-30, F.A.C.) now require commercial fishermen harvesting king mackerel to abide by federal season closures in adjacent state waters, so listing these commercial fishing seasons in state rules is no longer necessary.

Finally, the proposed rule amendment would create a reference in existing state king mackerel rule to proposed rules in 68B-2, F.A.C. establishing a mackerel tournament permit. This permit would meet federal requirements for king and Spanish mackerel tournaments that donate tournament-caught king and Spanish mackerel to wholesale dealers, who then sell the fish and give the proceeds to a charity on the tournament’s behalf.

The effect of these rule changes is that commercial king mackerel transit allowances and closures are consistent in adjacent state and federal waters off Florida’s east coast. Removal of unnecessary and confusing language will make commercial regulations easier to understand. These changes will improve enforceability of state rules and provide flexibility for fishermen operating in multiple regions and reduces the likelihood of early season closures in some regions. Also, mackerel tournament permit regulations would be referenced in relevant state mackerel regulations, and thus would be easier for the public to find.

SUMMARY: The proposed rule changes: 1) establish a transit provision to allow transport of legally-harvested king mackerel through closed areas and permits the landing of these fish in closed areas, 2) clarify that state waters for the king mackerel Atlantic fishery are closed to commercial harvest of king mackerel when adjacent federal waters are closed, and 3) remove references to commercial king mackerel fishing season dates for the Atlantic fishery in FWC rule. Additionally, the proposed rule would create a reference in 68B-30.006, F.A.C. (Other Prohibitions) to the proposed mackerel tournament donation permit, outlined in 68B-2.010, F.A.C.

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

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

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

**RULEMAKING AUTHORITY:** Article IV, Section 9, Florida Constitution

**LAW IMPLEMENTED:** Article IV, Section 9, Florida Constitution

**IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:**

**DATES AND TIMES:** September 2-3, 2015, 8:30 a.m. – 5:00 p.m., each day, During the Commission’s regular meeting

**PLACE:** Hilton Fort Lauderdale Marine, 1881 SE 17th Street, Fort Lauderdale, Florida 33316

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the ADA Coordinator, at (850)488-6411. 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:** Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554

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

68B-30.003 Commercial Harvest Limits; Recreational Bag Limit; Gear Specifications

(1) Commercial Harvest Limits. Persons holding a Florida resident, nonresident, or alien saltwater products license with a restricted species endorsement and a federal commercial permit to harvest king mackerel from the Atlantic Migratory Group, may harvest king mackerel from the Atlantic fishery upon the following conditions:

~~(a) The king mackerel so harvested may not be possessed in, on, or above state waters outside the Atlantic fishery; and~~

~~(a)(b)~~ The season for harvest of king mackerel from the Atlantic fishery has not been closed pursuant to Rule 68B-30.004, F.A.C.; and

~~(b)(c)~~ The following commercial daily vessel harvest limits shall apply in the indicated counties. During the specified periods, no more than the applicable commercial daily vessel harvest limit shall be possessed aboard any vessel subject to this subsection.

1. through 4. No change.

(2) through (4) No change.

(5) Transit provisions – A vessel that has onboard king mackerel harvested from an open area in either state or federal waters may transit through and land king mackerel in state waters that are closed to the harvest of king mackerel pursuant to Rule 68B-30.004, F.A.C., under the following conditions:

(a) The king mackerel have been legally harvested from state or federal waters pursuant to Chapter 68B-12 and 68B-30, F.A.C., or pursuant to Part 622 CFR for king mackerel.

(b) The king mackerel have been harvested pursuant to a Florida saltwater products license and restricted species endorsement (Section 379.362, F.S.) and a federal king mackerel permit (Part 622 CFR).

(c) The transport of king mackerel through the closed state waters is direct, continuous and expeditious from the area open to harvest to the place where the vessel is regularly docked, moored, or otherwise stored or to the place of the licensed wholesale dealer where the catch is to be sold, and

(d) All fishing gear must be stowed during transit through the closed area. For the purpose of this section appropriately stowed means a rod and reel must be stowed securely. Terminal gear (i.e., hooks, leaders, sinkers, flashers, or baits) must be disconnected and stowed separately from the fishing apparatus. Sinkers must be disconnected from the down rigger and stowed separately. Gillnets must be rolled, folded, or otherwise properly and securely stowed in sealed containers or compartments so as to make their immediate use as fishing implements impracticable.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 3-15-87, Amended 11-1-88, 1-1-97, 1-1-98, Formerly 46-30.003, Amended 12-21-00,\_\_\_\_\_.

68B-30.004 Commercial Seasons Closures.

~~(1) The king mackerel fishing season for harvesters subject to either bag limit established in Rule 68B-30.003, F.A.C., in the Atlantic fishery shall be April 1 of each year through March 31 of the following year, unless the season is closed earlier pursuant to subsection (2).~~

~~(2) If at any time federal Exclusive Economic Zone (EEZ) waters adjacent to the Atlantic fishery are closed to commercial harvest of king mackerel, corresponding state waters shall also be closed to commercial harvest of king mackerel, beginning from the date of such closure until federal waters are reopened to commercial harvest of king mackerel. the commercial season for harvest of king mackerel in federal Exclusive Economic Zone (EEZ) waters adjacent to the Atlantic fishery is closed prior to the end of the season specified in subsection (1), the season for harvest of king mackerel under the special bag limit established in subsection 68B-30.003(1), F.A.C., in the Atlantic fishery shall also close, upon notice Notice of the closure shall be given by the Fish and Wildlife Conservation Commission, in the manner provided in Section 120.81(5), Florida Statutes. In case of such early season closure, all harvesters shall be subject to the bag limit for other harvesters established in subsection 68B-30.003(2), F.A.C. Once the season for harvest of king mackerel under the special bag limit closes, harvest under that bag limit shall not resume until the season is reopened on the following April 1.~~

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 3-15-87, Amended 11-1-88, Formerly 46-30.004, Amended.

68B-30.006 Other Prohibitions.

(1) No change.

(2) The Commission shall issue a permit pursuant to Rule 68B-2.010, F.A.C., to authorize king mackerel caught in an organized tournament to be donated to a licensed wholesale dealer.

~~(3)(2) The prohibitions of this chapter apply as well to any and all persons operating a vessel in the Atlantic fishery, who shall be deemed to have violated any prohibition which has been violated by another person aboard.~~

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 3-15-87, Formerly 46-30.006, Amended.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.R.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 24, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 8, 2015

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

**DEPARTMENT OF TRANSPORTATION**

RULE NO.:           RULE TITLE:  
14-40.003           Highway Landscape Projects  
                          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. 41 No. 126, June 30, 2015 issue of the Florida Administrative Register.

Subsection (3)(b)(3) of Rule 14-40.003 is eliminated as follows:

~~3. The limits of the screening prohibition may be adjusted pursuant to a written agreement between the sign permittee and a local governmental entity.~~

### Section IV Emergency Rules

NONE

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

**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 July 13, 2015, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurant, received a petition for an Emergency Variance for paragraph 61C-1.004(1)(a), F.A.C., and Paragraph 5-202.11(A), 2009 FDA Food Code from French Quarter Restaurant located in Hallandale Beach. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the portable handwash sink at the carving/serving station.

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

A copy of the Petition for Variance or Waiver may be obtained by contacting: Bianca.Kirkland@myfloridalicense.com, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Construction Industry Licensing Board

The Construction Industry Licensing Board hereby gives notice:

Of the issuance of an Order regarding the Petition for Variance or Waiver, filed on May 1, 2015, by Jonathan Jasiewicz. The Notice of Petition for Waiver or Variance was published in Vol. 41, No. 94, of the May 14, 2015, Florida Administrative Register. Petitioner sought a waiver or variance of Rule 62G4-16.005, F.A.C., which requires, for the purpose of certification, a passing grade shall be valid only for a period of four (4) years from the date the list of successful candidates is approved by the Board. The Board considered the instant Petition at a duly-noticed public meeting held on June 12, 2015, in Celebration, Florida.

The Board’s Order, filed on July 22, 2015, hereby denies the request for a waiver because Petitioner did not demonstrate that the purpose of the underlying statute will be or has been achieved by other means or how application of the rule creates a substantial hardship or violates principles of fairness.

A copy of the Order or additional information may be obtained by contacting: Daniel Biggins, Executive Director, Construction Industry Licensing Board, Northwood Center, 1940 North Monroe Street, Tallahassee, Florida 32399, telephone: (850)487-1395 or by electronic mail: Amanda.Wynn@myfloridalicense.com.

**DEPARTMENT OF HEALTH**

Division of Environmental Health

RULE NOS.:RULE TITLES:

64E-9.004 Operational Requirements

64E-9.006 Construction Plan Approval Standards

64E-9.007 Recirculation and Treatment System Requirements

64E-9.008 Supervision and Safety

The Florida Department of Health hereby gives notice:

On July 24, 2015, the Department of Health issued an order in response to a petition for a variance filed on March 25, 2015, by Bob Dapper, representing Royal Spa Corp., Indianapolis, IN. Petitioner sought a variance from various provisions of Rules 64E-9.004, 64E-9.006, 64E-9.007, and 64E-9.008, F.A.C., which require public swimming pools to: maintain a disinfectant residual, operate a recirculation system when in use, have minimum lighting for indoors, have a water line tile marker, be equipped with access by ladder or stairs, have a clear wet deck width and slope, have a 3 ft. x 6 ft. opening on the equipment enclosure, have minimal equipment area lighting, have a urinal in unisex restroom, have treatment equipment that meets national standard ANSI-NSF50, have a tile line of 6" width, have filters that meet ANSI-NSF50, have a collector tank and gravity drainage, have automatic water makeup, have bypass and valving on heater, have automatic feeders for treatment chemicals, have ANSI-NSF50 certification and an air flow meter on the ozone system, USEPA method validation of UV system, and a pool rules sign. Notice of the petition was published in the April 12, 2015, edition of the Florida Administrative Register.

The Department found that the Petitioner demonstrated that the underlying intent of the statute could be achieved by alternative means and that strict application of the rules would create a substantial hardship in the Petitioner’s particular circumstance. Therefore, pursuant to the requirements of Section 120.542(2), Florida Statutes, the Department GRANTED WITH CONDITIONS Petitioner’s request for a variance.

A copy of the Order or additional information may be obtained by contacting: Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin A02, Tallahassee, Florida 32399-1703.

## Section VI Notice of Meetings, Workshops and Public Hearings

### DEPARTMENT OF LEGAL AFFAIRS

The Department of Legal Affairs, the Florida Statewide Council on Human Trafficking Legislative & Special Initiatives Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, August 17, 2015, 1:00 p.m.

PLACE: UCF Fairwinds Alumni Center, Ballroom A, 12676 Gemini Boulevard North, Orlando, Florida 32816, Telephone: 1(800)330-2586

Please be advised that meeting rooms maybe subject to change. For updates please visit <http://myfloridalegal.com/pages.nsf/Main/8AEA5858B1253D0D85257D34005AFA72>

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This will be the second meeting of the Legislative & Special Initiatives Committee of the Council. The Committee will hear from the public, discuss potential human trafficking legislation, and develop recommendations relating to increasing awareness of human trafficking. Additionally, the Committee will discuss hosting a statewide policy summit on human trafficking.

A copy of the agenda may be obtained by contacting: Jason Rodriguez at [jason.rodriguez@myfloridalegal.com](mailto:jason.rodriguez@myfloridalegal.com) or by visiting

<http://myfloridalegal.com/pages.nsf/Main/8AEA5858B1253D0D85257D34005AFA72>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: the Office of Attorney General Pam Bondi at (850)414-3300. 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: Jason Rodriguez at [jason.rodriguez@myfloridalegal.com](mailto:jason.rodriguez@myfloridalegal.com).

### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

The Board of Professional Surveyors and Mappers announces a public meeting to which all persons are invited.

**DATES AND TIMES:** August 10, 2015, 1:00 p.m., Board Member Process Training, followed by meeting of Probable Cause Panel. The Probable Cause Panel meeting is closed to the public except for portions, if any, which deal with disciplinary cases that have already become public.

August 11, 2015, 8:00 a.m., Committee Meetings and General Business Session if time allows;

August 12, 2015, 8:00 a.m., General Business Session.

**PLACE:** Hilton Cocoa Beach Oceanfront, Seashore Ballroom, 1550 North Atlantic Avenue, Cocoa Beach, FL 32931

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Board of Professional Surveyors and Mappers Committee Meetings and General Business Meeting.

A copy of the agenda may be obtained by contacting: Jenna Harper, Executive Director, Board of Professional Surveyors and Mappers, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, (850)410-3674.

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: Jenna Harper at (850)410-3674. 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: Jenna Harper, Executive Director, Board of Professional Surveyors and Mappers, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, (850)410-3674.

### DEPARTMENT OF EDUCATION

State Board of Education

The State Board of Education announces a workshop to which all persons are invited.

**DATE AND TIME:** August 5, 2015, 9:00 a.m.

**PLACE:** Hyatt Regency Orlando Airport, 9300 Jeff Fuqua Boulevard, Mirabel and Kai Tak Room, Orlando, Florida 32827

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
The workshop was originally noticed on 7/29/2015 Vol. 41/146 but since then the start time has been changed to 9:00 a.m. from 10:00 a.m.

The State Board of Education will participate in a workshop to discuss potential policy and legislative issues for 2016.

A copy of the agenda may be obtained by contacting: Cathy Schroeder at (850)245-9661 or [cathy.schroeder@fldoe.org](mailto:cathy.schroeder@fldoe.org) or by visiting the Department's website at: <http://www.fldoe.org/policy/state-board-of-edu/meetings>.

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 seven days before the workshop/meeting by contacting: Cathy Schroeder at (850)245-9661 or [cathy.schroeder@fldoe.org](mailto:cathy.schroeder@fldoe.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: Cathy Schroeder at (850)245-9661 or [cathy.schroeder@fldoe.org](mailto:cathy.schroeder@fldoe.org).

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**DEPARTMENT OF EDUCATION**

Division of Florida Colleges

The Florida State College at Jacksonville District Board of Trustees announces the following meetings for Tuesday, August 11, 2015, which are open to the public. All meetings of the Board will be held at the College's Administrative Offices, 501 West State Street, Jacksonville, FL 32202.

**DATE AND TIME:** Tuesday, August 11, 2015, 12:00 Noon – 1:00 p.m., Board Workshop

**PLACE:** College's Administrative Offices, 501 West State Street, Room 403A, Jacksonville, FL 32202

**GENERAL SUBJECT MATTERS TO BE CONSIDERED:** Informational Review of 2015-16 College Organizational Structure and Discussion of 2015-16 District Board of Trustees Governance Structure.

**DATE AND TIME:** Tuesday, August 11, 2015, 1:00 p.m. – 2:00 p.m., Regular Monthly Board Meeting

**PLACE:** College's Administrative Offices, 501 West State Street, Board Room 405, Jacksonville, FL 32202

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Regular meeting.

Copies of the agenda for the regular monthly Board meeting will be available for inspection beginning Tuesday, August 4, 2015, and copies will be provided upon written request and the payment of approved duplicating charges. Any person requesting to address agenda items at the Board of Trustees meeting will be provided an opportunity to do so by appearing

before the Board at the meeting. Any person requesting to appeal a decision made by the Board with respect to any matter considered at this meeting will need a record of the proceeding for such an appeal and may, therefore, need to ensure that a verbatim record is made.

If special accommodations are required, please advise the Office of the College President twenty-four (24) hours in advance of the meetings by contacting District Board of Trustees Project Coordinator Kimberli Sodek at (904)632-3205 or [Kim.Sodek@fscj.edu](mailto:Kim.Sodek@fscj.edu).

Florida State College at Jacksonville, hereby reaffirms the principle of equal opportunity for all persons regardless of race, disability, color, ethnicity, national origin, religion, gender, age, marital status, veteran status, sexual orientation/ expression or genetic information. Equal opportunity principle applies with regard to employment, delivery of educational programs and services, and all other appropriate areas in which the College is involved.

Florida State College at Jacksonville, Dr. Cynthia A. Bioteau, College President

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**DEPARTMENT OF TRANSPORTATION**

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

**DATE AND TIME:** Tuesday, August 11, 2015, 1:00 p.m.

**PLACE:** Gulf Coast State College, Student Union East Conference Room, 5230 West U.S. 98, Panama City, Florida 32401

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Florida Transportation Plan, Strategic Intermodal System Plan and the Freight Mobility and Trade Plan updates. Public outreach.

A copy of the agenda may be obtained by contacting: Paula San Gregorio at (850)414-4811.

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: Paula San Gregorio at (850)414-4800. 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).

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**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

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

**DATE AND TIME:** August 28, 2015, 10:00 a.m. – 11:30 a.m., ET

**PLACE:** ONLINE: GoToMeeting (Call-in information below)

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

The FloridaNet Technical Committee is meeting to create a mechanism for Florida first responders to work with the Federal agency, FirstNet, in the design of the public safety broadband network.

Agenda (tentative):

1. Roll call
2. Update on FirstNet
3. Contract Vehicle Survey
4. Data Collection
5. Project Plan
6. Around the table
7. Adjourn

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/611508797>

You can also dial in using your phone.

United States: +1 (224)501-3318

United States (Toll-free): 1(866)899-4679

Access Code: 611-508-797

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Larry Gowen, 2900 Apalachee Parkway, MS-60, Room B310, Tallahassee, FL 32399-0500, (850)617-2117, [larrygowen@flhsmv.gov](mailto:larrygowen@flhsmv.gov). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

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

DATE AND TIME: August 28, 2015, 1:00 p.m. – 3:00 p.m., ET

PLACE: ONLINE: GoToMeeting (Call-in information below)

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

The FloridaNet Executive Committee is meeting to create a mechanism for Florida first responders to work with the Federal agency, FirstNet, in the design of the public safety broadband network.

Agenda:

1. Roll call
2. Update on FirstNet
3. Contract Vehicle Survey
4. Data Collection
5. Project Plan
6. Around the table
7. Adjourn

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/440239789>

You can also dial in using your phone.

United States : +1(646)749-3129

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

Access Code: 440-239-789

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Larry Gowen, 2900 Apalachee Parkway, MS-60, Room B310, Tallahassee, FL 32399-0500, (850)617-2117, [larrygowen@flhsmv.gov](mailto:larrygowen@flhsmv.gov). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**EXECUTIVE OFFICE OF THE GOVERNOR**

The Florida Faith-Based and Community-Based Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: August 11, 2015, 8:30 a.m. – 1:00 p.m.

PLACE: La Catedral Del Pueblo, 190 NW 79th Avenue, Miami, FL 33126

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

Advisory Council members will meet to conduct regular business of the Florida Faith-Based and Community-Based Advisory Council.

A copy of the agenda may be obtained by contacting: Frenchie Yon, Office of Adoption and Child Protection, (850)717-9261 or [frenchie.yon@eog.myflorida.com](mailto:frenchie.yon@eog.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 3 days before the workshop/meeting by contacting: Frenchie Yon, Office of Adoption and Child Protection, (850)717-9261 or [frenchie.yon@eog.myflorida.com](mailto:frenchie.yon@eog.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).



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: Frenchie Yon, Office of Adoption and Child Protection, (850)717-9261 or frenchie.yon@eog.myflorida.com.

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

The South Florida Water Management District announces public meetings to which all persons are invited.

**DATE AND TIME:** Wednesday, August 12, 2015, 2:00 p.m., Project and Lands Committee Meeting

**PLACE:** SFWMD Headquarters, B-1 Building, 3301 Gun Club Road, West Palm Beach, Florida 33406

**DATE AND TIME:** Thursday, August 13, 2015, 9:00 a.m., Governing Board Regular Business Meeting

**PLACE:** SFWMD Headquarters, B-1 Building, 3301 Gun Club Road, West Palm Beach, Florida 33406

All or part of these meetings may be conducted as a teleconference in order to permit maximum participation by Governing Board members. The Governing Board may take official action at the meeting on any item appearing on the agenda and on any item that is added to the agenda as a result of a change to the agenda approved by the presiding officer of the meeting pursuant to Section 120.525, Florida Statutes.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Governing Board to discuss and consider District business, including regulatory and non-regulatory matters.

A copy of the agenda may be obtained by contacting: Brenda Low, (561)682-6805 or at [www.sfwmd.gov](http://www.sfwmd.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: Brenda Low, (561)682-6805. 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: Brenda Low at [BLow@sfwmd.gov](mailto:BLow@sfwmd.gov).

**DEPARTMENT OF MANAGEMENT SERVICES**

**Commission on Human Relations**

The Florida Commission on Human Relations announces a public meeting to which all persons are invited.

**DATE AND TIME:** Thursday, August 13, 2015, 10:00 a.m., EST

**PLACE:** Call 1(888)670-3525 and when prompted, enter passcode: 9988442611, followed by the # key

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Florida Commission on will discuss messaging strategies.

A copy of the agenda may be obtained by contacting: Casey Snipes at (850)907-6785 or [Casey.Snipes@fchr.myflorida.com](mailto:Casey.Snipes@fchr.myflorida.com)

**ACCESS POINT:** The FCHR office at 4075 Esplanade Way, Room 110, Tallahassee, FL 32399, will serve as an access point for this meeting. Interested persons wishing to attend this meeting may also do so by appearing in person at this designated access point, at which location telephonic access to the meeting will be provided.

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: Casey Snipes at (850)907-6785 or [Casey.Snipes@fchr.myflorida.com](mailto:Casey.Snipes@fchr.myflorida.com).

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Pari-Mutuel Wagering**

**RULE NOS.:RULE TITLES:**

- 61D-11.001 Definitions
- 61D-11.002 Cardroom Games
- 61D-11.0025 Notification in Writing
- 61D-11.003 Card-Play Hands
- 61D-11.004 Dealer Responsibilities
- 61D-11.005 Prohibitions
- 61D-11.006 Inspection of Premises, Records
- 61D-11.007 Cardroom Operator License
- 61D-11.008 Cardroom Business Occupational License
- 61D-11.009 Cardroom Employee Occupational License and Pari-Mutuel/Cardroom Combination License
- 61D-11.011 Notification of Criminal Conviction or Charge
- 61D-11.012 Duties of Cardroom Operators
- 61D-11.013 Display of Identification and Possession of Occupational Licenses
- 61D-11.014 Cards
- 61D-11.0145 Dominoes

- 61D-11.0149 Dominoes Supervisors
- 61D-11.015 Chips and Tokens
- 61D-11.016 Card and Domino Tables
- 61D-11.0175 Cardroom Drop, Count Rooms, and Count Procedures
- 61D-11.018 Reporting Requirements to Determine Net Proceeds or Gross Revenues
- 61D-11.019 Internal Controls
- 61D-11.020 Drop Box and Key Control Procedures
- 61D-11.021 Tip Box Procedures
- 61D-11.022 Cardroom Imprest Tray
- 61D-11.024 Rake Procedures
- 61D-11.025 Cardroom Electronic Surveillance
- 61D-11.0251 Security Plans
- 61D-11.0275 Tournaments
- 61D-11.0279 Jackpots, Prizes, and Giveaways
- 61D-11.031 Cashiers' Cage

The Division announces a workshop to which all persons are invited.

DATES AND TIMES: August 18, 2015, 2:00 p.m. – Recess (To occur between 5:00 & 7:00 p.m.), August 19, 2015, 9:00 a.m. – 5:00 p.m.

PLACE: Division of Pari-Mutuel Wagering, North Broward Regional Service Center, 1400 W. Commercial Blvd., Suite. 165-Room 195, Ft. Lauderdale, FL 33309

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Hearing regarding language for Rules 61D-11.001, 61D-11.002, 61D-11.0025, 61D-11.003, 61D-11.0004, and 61D-11.005, 61D-11.006, 61D-11.007, 61D-11.008, 61D-11.009, 61D-11.011, 61D-11.012, 61D-11.013, 61D-11.014, 61D-11.0145, 61D-11.0149, 61D-11.015, 61D-11.016, 61D-11.0175, 61D-11.018, 61D-11.019, 61D-11.020, 61D-11.021, 61D-11.022, 61D-11.024, 61D-11.025, 61D-11.0251, 61D-11.0275, 61D-11.0279, 61D-11.031 F.A.C.

A copy of the agenda may be obtained by contacting: Bryan Barber, Rules Coordinator for the Division, 1940 North Monroe Street, Tallahassee, Florida 32399, bryan.barber@myfloridalicense.com, (850)717-1761

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: Bryan Barber, 1940 North Monroe Street, Tallahassee, Florida 32399, bryan.barber@myfloridalicense.com, (850)717-1761. 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: Bryan Barber, 1940 North Monroe Street, Tallahassee, Florida 32399, bryan.barber@myfloridalicense.com, (850)717-1761.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NOS.:RULE TITLES:

- 61D-6.002 General Duties and Responsibilities
- 61D-6.006 Procedures Relating to Split Samples
- 61D-6.008 Permitted Medications for Horses
- 61D-6.009 Veterinarians
- 61D-6.011 Penalty Guidelines for Class I-V Drug Violations in Horses
- 61D-6.012 Penalty Guidelines for Class I-V Drug Violations in Greyhounds

The Division announces a workshop to which all persons are invited.

DATE AND TIME: August 18, 2015, 9:00 a.m. – 12:00 Noon

PLACE: Division of Pari-Mutuel Wagering, North Broward Regional Service Center, 1400 W. Commercial Blvd., Suite. 165-Room 195, Ft. Lauderdale, FL 33309

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Hearing regarding language for Rules 61D-6.002, 61D-6.006, 61D-6.008, 61D-6.009, 61D-6.011, and 61D-6.012, F.A.C.

A copy of the agenda may be obtained by contacting: Bryan Barber, Rules Coordinator for the Division, 1940 North Monroe Street, Tallahassee, Florida 32399, bryan.barber@myfloridalicense.com, (850)717-1761.

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: Bryan Barber, 1940 North Monroe Street, Tallahassee, Florida 32399, bryan.barber@myfloridalicense.com, (850)717-1761. 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: Bryan Barber, 1940 North Monroe Street, Tallahassee, Florida 32399, bryan.barber@myfloridalicense.com, (850)717-1761.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection announces two public meetings to which all persons are invited.

DATE AND TIME: August 20, 2015, 9:30 a.m., ET

PLACE: Department of Environmental Protection, Marjory Stoneman Douglas Building, Conference Rooms A and B, 3900 Commonwealth Blvd., Tallahassee, FL 32399

This meeting will also be broadcast via webinar where comments will be accepted. Parties can register to attend the webinar via their personal computers with audio by telephone (regular long distance telephone charges will apply) or by speakers connected to their computer (no telephone charges will apply). Webinar registration is via <https://attendee.gotowebinar.com/register/5508455766377959681>. Advanced registration is strongly recommended.

DATE AND TIME: August 25, 2015, 1:00 p.m., ET

PLACE: St. Johns River Water Management District, 601 South Lake Destiny Road, Suite 200, Maitland, FL 32751

This meeting is not available by webinar.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

The Department will present the same information at the two meetings. Senate Bill 536, passed in the 2014 Legislative session, requires the Department of Environmental Protection to conduct a study on the expansion of use of reclaimed water, stormwater, and excess surface water in the state. The purpose of the meeting is to provide an overview of the draft study report, and to solicit input from interested parties.

A copy of the agenda and the draft report will be available by August 14 at:

<http://www.dep.state.fl.us/water/waterpolicy/index.htm> or may be obtained by contacting: Janet Llewellyn, at (850)245-3139 or [Janet.Llewellyn@dep.state.fl.us](mailto:Janet.Llewellyn@dep.state.fl.us).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Janet Llewellyn at (850)245-3139. 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**

Division of Family Health Services

The Florida Department of Health, Bureau of Chronic Disease Prevention announces a public meeting to which all persons are invited.

DATE AND TIME: August 25, 2015; 9:00 a.m. – 4:30 p.m.

PLACE: 2585 Merchants Row, Room 310A, Tallahassee, FL 32399

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

Diabetes Advisory Council (DAC) Legislatively Mandated Report: Organizational Meeting. The DAC, Departments of Health and Management Systems, and the Agency for Health Care Administration are required to produce a biennial report on the impact of diabetes in Florida. These partners will meet to discuss data needs, existing data sources, and other aspects of the report.

The meeting may be accessed via Conference Call: 1(888)670-3525; Participant Code: 621.874.5338#.

A copy of the agenda may be obtained by contacting: M.R. Street, Florida Department of Health, (850)245-4444, Extension 2842, Email: [m.street@flhealth.gov](mailto:m.street@flhealth.gov).

**DEPARTMENT OF HEALTH**

Office of Statewide Research

The Florida Department of Health Institutional Review Board announces a public meeting to which all persons are invited.

DATE AND TIME: August 19, 2015, 1:30 p.m. – 3:30 p.m.

PLACE: Florida Department of Health, 2585 Merchants Row Blvd., Conference Room 310A, Tallahassee, Florida 32311

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

To conduct review of new research studies involving human participants, modifications to existing studies, and continuing review of ongoing research to make sure research studies comply with regulations and the Department's ethical standards.

A copy of the agenda may be obtained by contacting: Public Health Research Unit, Division of Community Health Promotion, (850)245-4585.

For more information, you may contact: Public Health Research Unit, Division of Community Health Promotion, (850)245-4585.

**DEPARTMENT OF FINANCIAL SERVICES**

Division of Funeral, Cemetery, and Consumer Services

The Board of Funeral, Cemetery and Consumer Services, Probable Cause Panel B announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, August 18, 2015, 10:00 a.m.

PLACE: 111 West Madison Street, Claude Denson Pepper Building, Room 336J, Tallahassee, Florida 32399

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

To conduct a public meeting to reconsider the following disciplinary cases with prior findings of probable cause: Carey, Royal, Ram'n Mortuary (164269-14-FC), Jeannette Royal (164613-14-FC), James West (166110-14-FC and 165112-14-FC), and Sonya Rumph (167363-15-FC).

A copy of the agenda may be obtained by contacting: LaTonya Bryant at (850)413-3039 or email: [LaTonya.Bryant@myfloridacfo.com](mailto:LaTonya.Bryant@myfloridacfo.com).

**HARDEE COUNTY ECONOMIC DEVELOPMENT AUTHORITY**

The Hardee County Economic Development Authority announces a public meeting to which all persons are invited.

DATE AND TIME: August 25, 2015, 8:30 a.m.

PLACE: 412 West Orange Street, Room 102, Wauchula, FL 33873

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
Approving Amended Applications and General Business  
A copy of the agenda may be obtained by contacting: Sandy Meeks, (863)773-9430.

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: Sandy Meeks, (863)773-9430. 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: Sandy Meeks, (863)773-9430.

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ENTERPRISE FLORIDA, INC.

The Florida Opportunity Fund/FOF PA II Joint Board of Directors announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, August 10, 2015, 10:00 a.m. – 12:00 Noon

PLACE: South Conference Room, Enterprise Florida, Inc., 800 North Magnolia Avenue, Suite 1100, Orlando, FL 32803

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
This meeting will discuss on-going issues, developing issues and other matters.

A copy of the agenda may be obtained by contacting: Bill Spivey at (407)956-5695.

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 1 day before the workshop/meeting by contacting: Bill Spivey at (407)956-5695. 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: Bill Spivey at (407)956-5695.

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FLORIDA WORKERS’ COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC.

The FWCJUA Investment Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 12, 2015, 10:00 a.m., Eastern Time

PLACE: Contact Kathy Coyne at (941)378-7408 to participate in the teleconference meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
Agenda topics shall include investment marketplace update; portfolio compliance review; investment policy & guidelines review; and Investment Manager engagement.

A copy of the agenda may be obtained by contacting: Kathy Coyne or at [www.fwcjua.com](http://www.fwcjua.com).

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FLORIDA WORKERS’ COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC.

The FWCJUA Audit Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 13, 2015, 10:00 a.m., Eastern Time

PLACE: Contact Kathy Coyne at (941)378-7408 to participate in the teleconference meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
Agenda items shall include approval of minutes and the Audit Committee Charter procedures checklist.

A copy of the agenda may be obtained by contacting: Kathy Coyne or at [www.fwcjua.com](http://www.fwcjua.com).

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Section VII  
Notice of Petitions and Dispositions  
Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that the Department of Business and Professional Regulation has received the petition for declaratory statement from Manuel Blanco on July 25, 2015. The petition seeks the agency’s opinion as to the applicability of Section 455.255(9), F.S., as it applies to the petitioner.

The petition seeks the agency’s opinion as to the Department’s interpretation of the word “periodically” within Section 455.255(9), F.S.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Department of Business and Professional Regulation, Agency Clerk’s Office, 1940 North Monroe Street, Suite 92, Tallahassee, Florida 32399-2202, (850)921-0342, [AGC.Filing@myfloridalicense.com](mailto:AGC.Filing@myfloridalicense.com).

Please refer all comments to: Chevonne Christian, Assistant General Counsel, 1940 North Monroe Street, Suite 42, Tallahassee, Florida 32399-2202, (850)488-0062.

Except for good cause shown, motions for leave to intervene must be filed within 21 days of this notice.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

NOTICE IS HEREBY GIVEN that on July 21, 2015, the Construction Industry Licensing Board received a Petition for Declaratory Statement from James Borst. The petitioner seeks a declaratory statement as to whether he, a certified roofing contractor, may pull a permit to re-roof an existing clear span metal building with a 24 gauge PBR metal roof panel to be removed and the same panel and profile installed over open metal perlins when the roof is part of the structural envelope of the building. Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice. Copies of the Petition may be obtained from Dan Biggins, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0783.

Section VIII

Notice of Petitions and Dispositions Regarding the Validity of Rules

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

NONE

Notice of Disposition of Petition for Administrative Determination has been filled 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 MANAGEMENT SERVICES

Division of Building Construction

SFM-14021000-Low Bid

ADVERTISEMENT TO BID CONSTRUCTION

STATE OF FLORIDA DEPARTMENT OF MANAGEMENT SERVICES

DIVISION OF REAL ESTATE DEVELOPMENT AND MANAGEMENT

PUBLIC ANNOUNCEMENT REQUESTING BIDS FROM QUALIFIED GENERAL OR BUILDING CONTRACTORS

PROPOSALS ARE REQUESTED FROM QUALIFIED GENERAL OR BUILDING CONTRACTORS BY THE DEPARTMENT OF MANAGEMENT SERVICES.

PROJECT NUMBER: SFM-14021000

PROJECT NAME: New Security System and Interior and Exterior Lighting, State Fire College Campus

PROJECT LOCATION: Ocala, Florida

MANDATORY PRE-BID MEETING: August 14, 2015

BID OPENING: September 1, 2015

ESTIMATED CONSTRUCTION BUDGET: \$250,000.00

PREQUALIFIED BIDDERS: Refer to DMS website (below) for further details

The award will be made in accordance with Section 255.29, Florida Statutes, and the procedures and criteria of the Departments Division of Real Estate Development and Management.

Please visit the Department's website [http://www.myflorida.com/apps/vbs/vbs\\_www.main\\_menu](http://www.myflorida.com/apps/vbs/vbs_www.main_menu) and click on "Search Advertisements" - "Division of Real Estate Development and Management" Look for "Opportunities for Design and Construction Firms" and click on link.

DEPARTMENT OF MANAGEMENT SERVICES

Division of Building Construction

SFM-14021010-Low Bid

ADVERTISEMENT TO BID CONSTRUCTION

STATE OF FLORIDA DEPARTMENT OF MANAGEMENT SERVICES

DIVISION OF REAL ESTATE DEVELOPMENT AND MANAGEMENT

**PUBLIC ANNOUNCEMENT REQUESTING BIDS  
FROM QUALIFIED GENERAL OR BUILDING  
CONTRACTORS**

PROPOSALS ARE REQUESTED FROM QUALIFIED  
GENERAL OR BUILDING CONTRACTORS BY THE  
DEPARTMENT OF MANAGEMENT SERVICES.

PROJECT NUMBER: SFM-14021010

PROJECT NAME: Interior and Exterior Lighting, State Fire  
College Campus

PROJECT LOCATION: Ocala, Florida

MANDATORY PRE-BID MEETING: August 14, 2015

BID OPENING: September 1, 2015

ESTIMATED CONSTRUCTION BUDGET: \$200,000.00

PREQUALIFIED BIDDERS: Refer to DMS website (below)  
for further details

The award will be made in accordance with Section 255.29,  
Florida Statutes, and the procedures and criteria of the  
Departments Division of Real Estate Development and  
Management.

Please visit the Department's website  
[http://www.myflorida.com/apps/vbs/vbs\\_www.main\\_menu](http://www.myflorida.com/apps/vbs/vbs_www.main_menu)  
and click on "Search Advertisements" – "Division of Real  
Estate Development and Management" Look for  
"Opportunities for Design and Construction Firms" and click  
on link.

**DEPARTMENT OF MANAGEMENT SERVICES**

Division of Building Construction

SFM-14034000-Low Bid

**ADVERTISEMENT TO BID CONSTRUCTION  
STATE OF FLORIDA DEPARTMENT OF MANAGEMENT  
SERVICES**

**DIVISION OF REAL ESTATE DEVELOPMENT AND  
MANAGEMENT**

**PUBLIC ANNOUNCEMENT REQUESTING BIDS  
FROM QUALIFIED GENERAL OR BUILDING  
CONTRACTORS**

PROPOSALS ARE REQUESTED FROM QUALIFIED  
GENERAL OR BUILDING CONTRACTORS BY THE  
DEPARTMENT OF MANAGEMENT SERVICES.

PROJECT NUMBER: SFM-14034000

PROJECT NAME: Replacement of Skylight in Lobby, State  
Fire College

PROJECT LOCATION: Ocala, Florida

MANDATORY PRE-BID MEETING: August 14, 2015

BID OPENING: September 1, 2015

ESTIMATED CONSTRUCTION BUDGET: Up to  
\$200,000.00

PREQUALIFIED BIDDERS: Refer to DMS website (below)  
for further details

The award will be made in accordance with Section 255.29,  
Florida Statutes, and the procedures and criteria of the  
Departments Division of Real Estate Development and  
Management.

Please visit the Department's website  
[http://www.myflorida.com/apps/vbs/vbs\\_www.main\\_menu](http://www.myflorida.com/apps/vbs/vbs_www.main_menu)  
and click on "Search Advertisements" – "Division of Real  
Estate Development and Management" Look for  
"Opportunities for Design and Construction Firms" and click  
on link.

**DEPARTMENT OF MILITARY AFFAIRS**

**DMA-ITB-189-Band Room Furniture - Calendar of Events  
CALENDAR OF EVENTS**

The following time schedule will be strictly adhered to in all  
actions relative to the ITB, unless modified by the Department  
by addendum to this ITB.

Date	Time	Action	Location
7/31/15	C.O.B.	Release of Solicitation	MyFlorida.com web site, Vendor Bid System
8/18/15	2:00 p.m.	Notice of Intent to Participate	Send to: Rannah.E.Lewis.nfg@mail.mil or fax to (904) 823-0153
8/11/15	*11:30 a.m.	*Site Visit- Not Mandatory	11701 SW 55th Street, Miramar, Florida 33015 entrance at the Intersection of NW 67th Avenue & Somersset Blvd., Miramar, FL 33025
8/18/15	2:00 p.m.	Final date and time for written question submission. Questions may be submitted earlier.	Send to: John.D.Connor2.nfg@mail.mil and Rannah.E.Lewis.nfg@mail.mil or fax to (904)823-0153
8/19/15	C.O.B.	Anticipated date that questions and response will be posted on the vendor bid system.	MyFlorida.com web site, Vendor Bid System
8/19/15	C.O.B.	Anticipated date that solicitation amendment may be posted as a result of questions submissions, omissions, changes or clarifications.	MyFlorida.com web site, Vendor Bid System
8/27/15	*2:00 PM	*All Proposals/Bids Due - Public Proposal/Bid Opening	Dept. of Military Affairs 82 Marine Street, SQM P & C Saint Augustine, Florida 32084 Attn: Erin Lewis
9/1/15	C.O.B.	Anticipated Date of Posting Bid Tab & Notice of Intended Award	MyFlorida.com web site, Vendor Bid System

FLORIDA DEVELOPMENTAL DISABILITIES COUNCIL

RFP 2015-HC-13500 Community Health and Wellness  
 REQUEST FOR PROPOSALS (FDDC #RFP#2015-HC-13500)

2 COMMUNITY HEALTH AND WELLNESS

The Florida Developmental Disabilities Council, Inc. (FDDC) is pleased to announce that this request for proposals (RFP #2015-HC-13500) is released to improve access to inclusive community health and wellness activities for adults age 22-59 with developmental disabilities who are on the DD HCBS waiting list for services.

The Council is only seeking proposals from community organizations or businesses in Florida that are currently providing health and wellness services to adults and who are interested in including adults with developmental disabilities in their programs. Community organizations or businesses include, but are not limited to, city or county parks and recreation departments, YMCA organizations, gyms or other fitness studios (including yoga and Pilates), martial arts instruction, and dance studios. The Council is not seeking proposals from organizations who primarily provide services to individuals with intellectual or developmental disabilities.

FDDC has set aside a maximum of \$80,000 federal funds (\$40,000 each for up to two sites) for a period not to exceed one (1) year for fiscal support of this RFP. The exact amount of this contract will be developed during contract negotiations.

Copies of this RFP can be downloaded from the FDDC website ([www.fddc.org](http://www.fddc.org)) or copies may be requested by writing FDDC at 124 Marriott Drive, Suite 203, Tallahassee, FL 32301 or calling (850)488-4180 or Toll Free 1(800)580-7801 or TDD Toll Free: 1(888)488-8633.

The deadline for submitting written questions and letters of intent for this RFP is August 18, 2015 by 4:00 p.m. (EDT). Letters of intent are encouraged but not mandatory. Letters of Intent will only be accepted by fax, mail, or hand delivery. Letters of Intent by email will not be accepted. All answers to written questions will be posted on the FDDC website during the week of August 24, 2015. The deadline for submitting proposals for this RFP to FDDC is September 28, 2015 by 2:00 p.m. (EDT).

THE ABOVE ANNOUNCEMENT WILL APPEAR IN THE FLORIDA ADMINISTRATIVE REGISTER AND ON THE FDDC WEB PAGE ([fddc.org](http://fddc.org)) ON AUGUST 4, 2015.

PLEASE FORWARD ALL REQUESTS FOR COPIES OF THIS RFP TO CAROLYN WILLIAMS.

QUESTIONS ARE TO BE SUBMITTED IN WRITTEN FORMAT ONLY. THIS IS A LEGAL PROCESS AND WE CANNOT ANSWER QUESTIONS VERBALLY.

Section XII  
 Miscellaneous

DEPARTMENT OF EDUCATION

Unsolicited Proposal - 2016-UP-1 - Nader Art Museum  
 DISTRICT BOARD OF TRUSTEES  
 MIAMI DADE COLLEGE  
 11011 S.W. 104th STREET  
 MIAMI, FL 33176-3393

Miami Dade College’s Purchasing Department has received an Unsolicited Public/Private Partnership (P3) Proposal submitted to Miami Dade College pursuant to State of Florida Statute 287.05712 Public-Private Partnerships. Miami Dade College intends to review the submitted Unsolicited Proposal, and then plans to proceed with a public procurement process in accordance with Florida law to solicit a development partner.

A copy of the Unsolicited Proposal is available at ([www.mdc.edu/purchasing](http://www.mdc.edu/purchasing)). As a key stakeholder in the revitalization of downtown Miami, Miami Dade College recognizes that this Unsolicited Proposal's development program is consistent with College's mission and goals. The Unsolicited Proposal involves the development of a 2.6 +/- acre parcel of real property at 520 Biscayne Boulevard, Miami, Florida 33121-2204 (“Property”) one of the last undeveloped sites on Biscayne Boulevard in the heart of Miami’s central business district.

Please note that this Notice is NOT the advertisement referenced in Florida Statute 287.05712(4)(b) that would require interested developers to submit proposals. Rather, this is a courtesy advertisement, which will serve, among other things, to provide the development community with advance notice that the College is considering seeking proposals to develop the Property and that an Unsolicited Proposal submitted pursuant to Florida Statute 287.05712 initiated the College’s consideration of this opportunity.

All inquiries about this project shall be addressed to the College’s Purchasing Department as follows:

Miami Dade College Purchasing Department  
 Roman Martinez, MPA, CPPO, CPPB, Group Director –  
 Purchasing  
 11011 SW 104 Street, Room 9254  
 Miami, Florida 33176  
 Phone: (305)237-0012  
 Fax: (305)237-0737  
 E-mail: rmartin9@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.

**DEPARTMENT OF HEALTH**

Division of Family Health Services

Request for Public Comments on Florida’s WIC Program  
 The WIC Program (the Special Supplemental Nutrition Program for Women, Infants, and Children) is soliciting comments and suggestions about its program and how service delivery can be improved to better meet the clients’ needs. WIC is federally funded by the United States Department of Agriculture, and serves low- and moderate-income pregnant, breastfeeding, and postpartum women; infants; and children up to age 5. The program provides a combination of nutritious foods, nutrition education, breastfeeding support, and referrals for health care. WIC is available in all 67 counties in Florida. If you have any comments or suggestions, please direct them to Mariwilla Tindall, Department of Health, WIC Program Services, BIN #A-16, 4052 Bald Cypress Way, Tallahassee, FL 32399-1726 or by fax: (850)922-3936. Your feedback is essential and is appreciated by August 14, 2015.

The U.S. Department of Agriculture prohibits discrimination against its customers, employees, and applicants for employment on the bases of race, color, national origin, age, disability, sex, gender identity, religion, reprisal, and where applicable, political beliefs, marital status, familial or parental status, sexual orientation, or all or part of an individual's income is derived from any public assistance program, or protected genetic information in employment or in any program or activity conducted or funded by the Department. (Not all prohibited bases will apply to all programs and/or employment activities.)

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), or at any USDA office or call 1(866)632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax: (202)690-7442 or email at [program.intake@usda.gov](mailto:program.intake@usda.gov). Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at 1(800)877-8339 or 1(800)845-6136 (Spanish). USDA is an equal opportunity provider and employer.

**DEPARTMENT OF ECONOMIC OPPORTUNITY**

Division of Community Development

Final Order No.: DEO-15-119

In re: A LAND DEVELOPMENT REGULATION  
 ADOPTED BY ISLAMORADA, VILLAGE OF  
 ISLANDS, FLORIDA, ORDINANCE NO. 2015-06

**FINAL ORDER**

**APPROVING ISLAMORADA ORDINANCE NO. 2015-06**

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to §§ 380.05(6) and 380.0552(9), Florida Statutes, approving land development regulations adopted by the Islamorada, Village of Islands, Florida, Ordinance No. 2015-06 (the “Ordinance.”)

**FINDINGS OF FACT**

1. The Florida Keys Area is designated by § 380.0552, Florida Statutes, as an area of critical state concern. Islamorada, Village of Islands, is a local government within the Florida Keys Area.

2. The Ordinance was adopted by Islamorada, Village of Islands, on May 28, 2015, and rendered to the Department on June 29, 2015.

3. The Ordinance amends the Islamorada, Village of Islands, Code of Ordinances, Chapter 30, “Land Development Regulations,” Article IV, “Administrative Procedures,” Division 3, “Quasijudicial Procedures, Sections 30-252, 30-253, 30-255, and 30-256. These changes: 1) add administrative relief and beneficial use review to the list of applications that are considered quasijudicial, 2) adds to and amends the definition of “Application” to mean applications for a number of new permits, including beneficial use proceedings, administrative relief, and vested rights



determinations, 3) increases the number of days that the staff report is to be available, 4) increases the number of days that a request for a continuance must be submitted before a meeting, and 5) creates a maximum length of 180 days for a continuance.

CONCLUSIONS OF LAW

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

5. Islamorada, Village of Islands, is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Florida Statutes, and Florida Administrative Code Chapter 28-26.

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

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

8. The Ordinance is consistent with the Islamorada, Village of Islands, Comprehensive Plan generally, and specifically Policy 1-4.2.1 (Implement Comprehensive Plan through Land Development Regulations).

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

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

WHEREFORE, IT IS ORDERED that the Department finds that the Islamorada, Village of Islands Ordinance No. 2015-06 is consistent with the Principles for Guiding Development for the Florida Keys Area of Critical State Concern and is hereby APPROVED.

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

DONE AND ORDERED in Tallahassee, Florida.

/s/

William B. Killingsworth, Director  
Division of Community Development  
Department of Economic Opportunity

NOTICE OF ADMINISTRATIVE RIGHTS

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

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

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

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

AGENCY CLERK

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

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

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 31<sup>st</sup> day of July, 2015.

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

By Certified U.S. Mail:

The Honorable Mike Forster, Mayor  
Islamorada, Village of Islands Council  
86800 Overseas Highway  
Islamorada, FL 33036

Kelly Toth, Clerk  
Islamorada, Village of Islands  
86800 Overseas Highway  
Islamorada, FL 33036

Cheryl Cioffari  
Director of Planning  
86800 Overseas Highway  
Islamorada, FL 33036

DEPARTMENT OF ECONOMIC OPPORTUNITY  
Division of Community Development  
Final Order No.: DEO-15-120  
In re: A LAND DEVELOPMENT REGULATION  
ADOPTED BY ISLAMORADA, VILLAGE OF  
ISLANDS, FLORIDA, ORDINANCE NO. 15-07

FINAL ORDER  
APPROVING ISLAMORADA ORDINANCE NO. 15-07

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to §§ 380.05(6) and 380.0552(9), Florida Statutes, approving land development regulations adopted by the Islamorada, Village of Islands, Florida, Ordinance No. 15-07 (the “Ordinance.”)

FINDINGS OF FACT

1. The Florida Keys Area is designated by § 380.0552, Florida Statutes, as an area of critical state concern. Islamorada, Village of Islands, is a local government within the Florida Keys Area.

2. The Ordinance was adopted by Islamorada, Village of Islands, on May 28, 2015, and rendered to the Department on June 29, 2015.

3. The Ordinance amends the Islamorada, Village of Islands, Code of Ordinances at: Chapter 30, “Land Development Regulations,” Article II, “Rules of Construction and Definition,” Section 30-32, “Specific Definitions” and Article V, “Schedule of District Use and Development Standards,” Division 2 “Zoning Districts,” Sections 30-692, 30-693, 30-694, 30-695, 30-696, 30-697, and 30-698. These

changes: 1) allow the establishment of brewpubs and microbreweries within the village, 2) provides definitions for both brewpubs and microbreweries, 3) establishes what zoning districts brewpubs and microbreweries are allowed in, and 4) increases the threshold for minor and major conditional uses in the industrial zoning category when the use is permitted by right at a lesser square footage.

CONCLUSIONS OF LAW

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

5. Islamorada, Village of Islands, is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Florida Statutes, and Florida Administrative Code Chapter 28-26.

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

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

8. The Ordinance is consistent with the Islamorada, Village of Islands, Comprehensive Plan generally, and specifically Policy 1-2.1.8 (Establish Gross Floor Area) and Policy 1-2.1.9 (Promote Low and Medium Intensity and Varied Commercial Designations).

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

(d) Ensuring the maximum well-being of the Florida Keys and its citizens through sound economic development;

(n) Protecting the public health, safety, and welfare of the citizens of the Florida Keys and maintaining the Florida Keys as a unique Florida resource.

WHEREFORE, IT IS ORDERED that the Department finds that the Islamorada, Village of Islands Ordinance No. 15-07 is consistent with the Principles for Guiding Development for the Florida Keys Area of Critical State Concern and is hereby APPROVED.

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

DONE AND ORDERED in Tallahassee, Florida.

/s/
William B. Killingsworth, Director
Division of Community Development
Department of Economic Opportunity

NOTICE OF ADMINISTRATIVE RIGHTS

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

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

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

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

AGENCY CLERK

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

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

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 31st day of July, 2015.

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

By Certified U.S. Mail:

The Honorable Mike Forster, Mayor
Islamorada, Village of Islands Council
86800 Overseas Highway
Islamorada, FL 33036

Kelly Toth, Clerk
Islamorada, Village of Islands
86800 Overseas Highway
Islamorada, FL 33036

Cheryl Cioffari
Director of Planning
86800 Overseas Highway
Islamorada, FL 33036

DEPARTMENT OF ECONOMIC OPPORTUNITY
Division of Community Development

Final Order No.: DEO-15-121

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-15-121 on August 3, 2015, in response to an application submitted by Mainlands Section Four Civic and Recreation Association, Inc. for covenant revitalization under Chapter 720, Part III, Florida Statutes.

The Department's Final Order granted the application for covenant revitalization after determining that the application met the statutory requirements for covenant revitalization.

Copies of the final order may be obtained by writing to the Agency Clerk, Department of Economic Opportunity, 107 E. Madison Street, MSC 110, Tallahassee, Florida 32399-4128 or Katie.Zimmer@DEO.MyFlorida.com.

**Section XIII**  
**Index to Rules Filed During Preceding**  
**Week**

**INDEX TO RULES FILED BETWEEN JULY 27, 2015**  
**AND JULY 31, 2015**

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Plant Industry**

5B-40.001	7/31/2015	8/20/2015	41/71	41/117
5B-40.003	7/31/2015	8/20/2015	41/71	41/117
5B-40.004	7/31/2015	8/20/2015	41/71	41/117
5B-40.005	7/31/2015	8/20/2015	41/71	41/117
5B-40.0055	7/31/2015	8/20/2015	41/71	41/117
5B-40.0056	7/31/2015	8/20/2015	41/71	41/117
5B-40.008	7/31/2015	8/20/2015	41/71	41/117
5B-40.010	7/31/2015	8/20/2015	41/71	41/117

**DEPARTMENT OF REVENUE**

**Sales and Use Tax**

12AER15-02	7/30/2015	8/7/2015	41/148	
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**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

59G-4.040	7/27/2015	8/16/2015	41/46	41/120
59G-8.100	7/29/2015	8/18/2015	41/87	
59G-8.400	7/29/2015	8/18/2015	41/87	

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Architecture and Interior Design**

61G1-12.007	7/30/2015	8/19/2015	41/83	41/129
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**DEPARTMENT OF HEALTH**

**Board of Chiropractic**

64B2-11.0015	7/29/2015	8/18/2015	41/120	
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**Division of Health Access and Tobacco**

64I-4.001	7/30/2015	8/19/2015	41/109	41/128
64I-4.002	7/30/2015	8/19/2015	41/109	
64I-4.003	7/30/2015	8/19/2015	41/109	
64I-4.004	7/30/2015	8/19/2015	41/109	
64I-4.005	7/30/2015	8/19/2015	41/109	41/128
64I-4.006	7/30/2015	8/19/2015	41/109	

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Funeral, Cemetery, and Consumer Services**

69K-33.002	7/30/2015	8/19/2015	41/110	
69K-33.003	7/30/2015	8/19/2015	41/110	
69K-33.004	7/30/2015	8/19/2015	41/110	
69K-33.005	7/30/2015	8/19/2015	41/110	
69K-33.006	7/30/2015	8/19/2015	41/110	

**LIST OF RULES AWAITING LEGISLATIVE**  
**APPROVAL PURSUANT TO SECTION 120.541(3),**  
**FLORIDA STATUTES**

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Worker's Compensation**

69L-7.020	7/20/2015	****41/21	41/72	
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