

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

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Office of Energy**

RULE NO.:       RULE TITLE:

50-4.001        Natural Gas Fuel Fleet Vehicle Rebate

**PURPOSE AND EFFECT:** The purpose of this rule is to provide guidance to interested taxpayers for the application process, review, and administration of the Natural Gas Fuel Fleet Vehicle Rebate.

**SUBJECT AREA TO BE ADDRESSED:** The proposed rule revises the existing rule which describes the application process and the Department’s review and administrative process for the Natural Gas Fuel Fleet Vehicle Rebate program.

**RULEMAKING AUTHORITY:** 377.810, 570.07(23), FS.

**LAW IMPLEMENTED:** 377.810, FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: April Groover Combs, 600 South Calhoun Street, Suite B04, Tallahassee, Florida 32399-0001 or telephone: (850)617-7470  
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.:       RULE TITLE:

6A-3.0141       Employment of School Bus Operators

**PURPOSE AND EFFECT:** To remove the duplicative requirement for the Commissioner to provide a certification of training to be issued by the district for school bus operator training. The requirement for school bus operators to complete forty hours of preservice training is retained. The amendment will also specify that a person with a medical variance, exemption, or waiver issued by the Federal Motor Carrier Safety Administration will be recognized as physically capable of operating a school bus.

**SUBJECT AREA TO BE ADDRESSED:** Employment of school bus operators.

**RULEMAKING AUTHORITY:** 316.615(3), 1001.02(1), 1012.45, FS.

**LAW IMPLEMENTED:** 316.615, 1006.22, 1012.32(2)(a), 1012.45, FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mark Eggers, Assistant Deputy Commissioner, Finance and Operations, Florida Department of Education, 325 West Gaines Street, Room 814, Tallahassee, Florida 32399, (850)245-0405. To request a rule development workshop, please contact: Cathy Schroeder, Agency Clerk, Florida Department of Education, (850)245-9661, email: cathy.schroeder@fldoe.org or go to <https://app1.fldoe.org/rules/default.aspx>.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT: <https://app1.fldoe.org/rules/default.aspx>.

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NOS.:     RULE TITLES:

6A-4.002        General Provisions

6A-4.004        Florida Educator’s Certificates with Academic, Administrative, Degreed Career and Technical, and Specialty Class Coverages

**PURPOSE AND EFFECT:** To provide detailed requirements of a standard, professional certificate and be consistent with recent changes by the Florida Legislature to certification requirements for world language and science, technology, engineering, and mathematics (STEM) subject coverages.

**SUBJECT AREA TO BE ADDRESSED:** Educator Certification.

**RULEMAKING AUTHORITY:** 1001.02, 1012.55, 1012.56, FS.

**LAW IMPLEMENTED:** 1001.10(5)(b), 1012.55, 1012.56, FS.  
**A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:**

**DATE AND TIME:** September 21, 2016, 11:00 a.m. – 12:00 Noon and 2:00 p.m. – 3:00 p.m.

**PLACE:** The following conference call information will be used: Conference Call 1(888)670-3525, Conference Code: 4667615653#. Florida Department of Education, Room 244B, 325 West Gaines Street, Tallahassee, FL 32399-0400

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: David LaJeunesse, Chief of Educator Certification, 325 W. Gaines St, Suite 201, Tallahassee, FL 32399, (850)245-0431. To comment on this rule development workshop, please contact: Cathy Schroeder, Agency Clerk, Department of Education, (850)245-9661 or e-mail: cathy.schroeder@fldoe.org or go to <https://app1.fldoe.org/rules/default.aspx>. THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF EDUCATION**

**Florida’s Office of Early Learning**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
6M-4.200	School Readiness Eligibility Provisions
6M-4.208	Verification of Employment and Income
6M-4.209	Redetermination of Eligibility for Financial Assistance

**PURPOSE AND EFFECT:** The purpose of the revised rule is to revise the school readiness program eligibility requirements to comply with federal and statutory mandate.

**SUBJECT AREA TO BE ADDRESSED:** School Readiness Program Eligibility

**RULEMAKING AUTHORITY:** 1001.213(2), FS.

**LAW IMPLEMENTED:** 1002.81, 1002.82(2)(f),(x), 1002.84(7), 1002.87,FS.

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

**DATE AND TIME:** Thursday, September 15, 2016, 4:00 p.m. – 5:30 p.m., EST or until business is concluded, whichever is earlier.

**PLACE:** via GoToWebinar only. To register for the webinar, please visit:

[http://www.floridaearlylearning.com/oel\\_resources/rules\\_guidance\\_technical\\_assistance/proposed\\_rules.aspx](http://www.floridaearlylearning.com/oel_resources/rules_guidance_technical_assistance/proposed_rules.aspx)

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: Katerina Maroney, School Readiness Policy Supervisor, (850)717-8614. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Katerina Maroney, 250 Marriott Drive, Tallahassee, FL

32399, (850)717-8614 or email: Katerina.Maroney@oel.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE AT THIS TIME. However, it will be made available on the Office of Early Learning website prior to the date of the rule development workshop:

[http://www.floridaearlylearning.com/oel\\_resources/rules\\_guidance\\_technical\\_assistance/proposed\\_rules.aspx](http://www.floridaearlylearning.com/oel_resources/rules_guidance_technical_assistance/proposed_rules.aspx)

**DEPARTMENT OF EDUCATION**

**Florida’s Office of Early Learning**

<b>RULE NO.:</b>	<b>RULE TITLE:</b>
6M-4.400	Required Parent Co-payment

**PURPOSE AND EFFECT:** The purpose of the revised rule is to revise the school readiness program parent co-payment requirements to comply with federal and statutory mandate.

**SUBJECT AREA TO BE ADDRESSED:** School Readiness Program Parent Co-Payment Requirements

**RULEMAKING AUTHORITY:** 1001.213(2), FS.

**LAW IMPLEMENTED:** 1002.84(8) , FS.

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

**DATE AND TIME:** Friday, September 16, 2016, 11:00 a.m. – 12:00 p.m., ET or until business is concluded, whichever is earlier.

**PLACE:** via GoToWebinar only. To register for the webinar, please visit:

[http://www.floridaearlylearning.com/oel\\_resources/rules\\_guidance\\_technical\\_assistance/proposed\\_rules.aspx](http://www.floridaearlylearning.com/oel_resources/rules_guidance_technical_assistance/proposed_rules.aspx)

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: Katerina Maroney, School Readiness Policy Supervisor, (850)717-8614. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Katerina Maroney, 250 Marriott Drive, Tallahassee, FL 32399, (850)717-8614 or email Katerina.Maroney@oel.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

Not available at this time. However, it will be made available on the Office of Early Learning website prior to the date of the rule development workshop:  
[http://www.floridaearlylearning.com/oel\\_resources/rules\\_guidance\\_technical\\_assistance/proposed\\_rules.aspx](http://www.floridaearlylearning.com/oel_resources/rules_guidance_technical_assistance/proposed_rules.aspx)

**DEPARTMENT OF CHILDREN AND FAMILIES**

**Economic Self-Sufficiency Program**

RULE NO.: RULE TITLE:

65A-1.206 Lifeline Service

PURPOSE AND EFFECT: The Department is amending the rule text by removing Temporary Cash Assistance as a Qualifying Program for Lifeline services and removing the text in reference to the Department’s participation in eligibility determination for automatic Lifeline service enrollment.

SUBJECT AREA TO BE ADDRESSED: This rule addresses Department’s participation in eligibility determination for automatic Lifeline service enrollment.

RULEMAKING AUTHORITY: 364.10(2)(g)2. FS.

LAW IMPLEMENTED: 364.10 FS.

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

DATE AND TIME: September 14, 2016, 10:00 a.m. – 11:00 a.m.

PLACE: 1317 Winewood Blvd., Bldg. 3, Rm 455, Tallahassee, FL 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Victor Walker, (850)717-4141. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Victor Walker, Economic Self-Sufficiency Program, (850)717-4141, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700, victor.walker@myflfamilies.com

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

**DEPARTMENT OF CHILDREN AND FAMILIES**

**Economic Self-Sufficiency Program**

RULE NO.: RULE TITLE:

65A-1.602 Food Assistance Program Case Processing

PURPOSE AND EFFECT: The proposed administrative rule amends the language in the Food Assistance Work Registration Notice form CF-ES 2095 by revising the non-discrimination and fair hearing statements and making technical changes

SUBJECT AREA TO BE ADDRESSED: This rule addresses food assistance program case processing within the context of food assistance program eligibility determinations.

RULEMAKING AUTHORITY: 414.45 FS.

LAW IMPLEMENTED: 402.82, 414.31, 414.32 FS.

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

DATE AND TIME: September 21, 2016, 10:00 a.m. – 11:00 a.m.

PLACE: 1317 Winewood Boulevard, Building 3, Room 455, Tallahassee, Florida 32399-0700

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: Victor Walker. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Victor Walker, Economic Self-Sufficiency Program, (850)717-4141, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700, victor.walker@myflfamilies.com

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 EDUCATION**

**Florida’s Office of Early Learning**

RULE NO.: RULE TITLE:

6M-8.301 Standard Statewide Provider Contract for the VPK Program

PURPOSE AND EFFECT: The proposed rule revision updates the Statewide Provider Contract.

SUMMARY: The revised rule will update the components of the Contract.

**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: This rule is required by statute to establish a contract that all VPK providers must sign. By signing the contract and offering services, the providers will be paid for VPK services rendered through the program.

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:** 1001.213(2), 1002.75(1), 1002.79 FS.

**LAW IMPLEMENTED:** 1002.55(3)(i), 1002.61(3)(b), 1002.63(3)(b), 1002.75(1) FS.

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

**DATE AND TIME:** September 26, 2016, 3:00 p.m. – 4:00 p.m. or at the conclusion of business whichever is earlier

**PLACE:** Via GoToWebinar; Information regarding the webinar is available at: [http://www.floridaearlylearning.com/oel\\_resources/rules\\_guidance\\_technical\\_assistance/proposed\\_rules.aspx](http://www.floridaearlylearning.com/oel_resources/rules_guidance_technical_assistance/proposed_rules.aspx)

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: Tara Huls, Bureau Chief, Voluntary Prekindergarten Education Program; 250 Marriott Drive, Tallahassee, FL 32399; (850)717-8550; tara.huls@oel.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Tara Huls, Bureau Chief, Voluntary Prekindergarten Education Program; 250 Marriott Drive, Tallahassee, FL 32399; (850)717-8550; tara.huls@oel.myflorida.com

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

6M-8.301 Standard Statewide Provider Contract for the VPK Program.

(1) Early learning coalitions may not execute a provider contract with a VPK provider before the VPK provider has registered with the coalition and the coalition has determined the VPK provider's eligibility to offer VPK services in accordance with Rule 6M-8.300, F.A.C.

(2) Beginning with the ~~2015~~ 2017-2018 ~~Summer~~ VPK Program Year, ~~a~~ All VPK providers which register to offer the VPK program must execute Form OEL-VPK 20, including either Form OEL-VPK 20PP or Form OEL-VPK 20PS as appropriate. A coalition must be a party to a provider agreement. A school district may sign a single provider agreement on behalf of all public school VPK providers in the district. The owner or manager of multiple private VPK providers may sign a single provider agreement on behalf of all of his or her private VPK providers.

(3) The "State of Florida Statewide Voluntary Prekindergarten Provider Contract (Form OEL-VPK 20)" dated ~~October 2016~~ August 2014, is hereby adopted and incorporated by reference. All VPK providers, private or public school, must execute this document to deliver the VPK program. The incorporated form is available from the Office of Early Learning, 250 Marriott Drive, Tallahassee, FL 32399 or at <http://www.flrules.org/Gateway/reference.asp?No=Ref-05192>.

(4) The "State of Florida Statewide Voluntary Prekindergarten Provider Contract Private Provider Attachment (Form OEL-VPK 20PP)" dated ~~October 2016~~ August 2014, is hereby adopted and incorporated by reference. This attachment becomes part of the contract for all private providers that execute the contract adopted in subsection (3). The incorporated form is available from the Office of Early Learning, 250 Marriott Drive, Tallahassee, FL 32399 or at: <http://www.flrules.org/Gateway/reference.asp?No=Ref-05192>.

(5) The "State of Florida Statewide Voluntary Prekindergarten Provider Contract Public School Attachment (Form OEL-VPK 20PS)", dated ~~October 2016~~ August 2014, is hereby adopted and incorporated by reference. This attachment becomes part of the contract for all public schools that execute the contract adopted in subsection (3). The incorporated form is available from the Office of Early Learning, 250 Marriott Drive, Tallahassee, FL 32399 or at: <http://www.flrules.org/Gateway/reference.asp?No=Ref-05192>.

(6) Before VPK services are delivered by a provider, the VPK provider and the coalition shall keep a fully executed copy of a the Provider eContract and the appropriate private or public provider attachment in the coalition's records on the

~~VPK provider.~~ A coalition ~~shall may~~ execute and retain this Contract electronically in compliance with Section 668.50, F.S., The Uniform Electronic Transaction Act.

(7) Neither a coalition nor a VPK provider may omit, supplement, or amend the terms and conditions of the ~~Voluntary Prekindergarten Provider Contract or.~~ ~~Neither a coalition nor a VPK provider may~~ include any attachments, addenda, or exhibits to the ~~Voluntary Prekindergarten Provider Contract~~ ~~except described in this subsection.~~ ~~"State of Florida Statewide Voluntary Prekindergarten Provider Contract Private Provider Attachment (Form OEL-VPK 20PP)"~~ and ~~"State of Florida Statewide Voluntary Prekindergarten Provider Contract Public School Attachment (Form OEL-VPK 20PS)"~~ are approved attachments to the provider contract. The coalition and VPK provider may agree to amend the provider contract if the specific type of amendment is identified on Form OEL-VPK 20A (October 2016), titled Amendment to Statewide Voluntary Prekindergarten Provider Contract, which is hereby incorporated by reference. The incorporated form is available from the Office of Early Learning, 250 Marriott Drive, Tallahassee, FL 32399 or at \_\_\_\_\_. Form OEL-VPK 20A shall be executed by both the coalition and the VPK provider.

(8) For the purpose of this subsection "individual associated with a provider" means an individual or family member of an individual who, regardless of compensation, holds a management position, oversees the operations of a provider, or is an officer, shareholder, beneficial owner or member of the board of directors of a provider. A provider shall not be eligible to contract to offer the VPK program if any of the following circumstances apply:

(a) The provider is on the United States Department of Agriculture National Disqualified List;

(b) An individual associated with the provider was or is associated with another provider that is on the United States Department of Agriculture National Disqualified List;

(c) The provider has been terminated from participation in the program due to fraud and is currently not eligible to participate in the VPK program; or

(d) An individual associated with the provider was or is associated with another provider that has been terminated from participation in the program due to fraud and is currently not eligible to participate in the VPK program.

(9) Transfer of ownership. In the event of a change of ownership, sale, sale of assets, conveyance of ownership or other transfer of ownership interest, the provider shall notify the coalition no later than 30 calendar days prior to the transfer of ownership. The coalition and the new owner shall execute a new contract for VPK services, provided the new owner

meets the eligibility requirements of Sections 1002.55, 1002.61, and 1002.63, F.S., and is not disqualified from contracting pursuant to subsection (8) of this rule.

(10) Form OEL-VPK 20B (October 2016), titled VPK Logotype Usage and Brand Guidelines, is hereby incorporated by reference. The incorporated form is available from the Office of Early Learning, 250 Marriott Drive, Tallahassee, FL 32399 or at \_\_\_\_\_.

Rulemaking Authority 1001.213, 1002.75, 1002.79 FS. Law Implemented 1002.55(3)(i), 1002.61(3)(b), 1002.63(3)(b), 1002.75(1), 1002.91(5), (7) FS. History--New 8-17-06, Amended 5-24-07, 12-21-10, Formerly 60BB-8.301, Amended 4-9-15,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Tara Huls, Bureau Chief, Voluntary Prekindergarten Education Program

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Rodney J. MacKinnon, Executive Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 29, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 8, 2016

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Division of Air Resource Management

RULE NOS.: RULE TITLES:

62-204.340 Designation of Attainment, Nonattainment, and Maintenance Areas

62-204.500 Conformity

62-204.800 Federal Regulations Adopted by Reference

PURPOSE AND EFFECT: Pursuant to Executive Orders 11-01, 11-72 and 11-211, which require the Department to identify and revise rules that are unnecessary, unnecessarily burdensome, or duplicative, the Department is proposing to revise Rules 62-204.340, 62-204.500, and 62-204.800, F.A.C. The revisions will clarify and update references to area designations for National Ambient Air Quality Standards, update citations to the Code of Federal Regulations relating to conformity, amend Florida's Commercial Industrial Solid Waste Incinerator (CISWI) regulations to provide for an equivalent alternative production-based emission limit, and incorporate by reference the conformity regulations cited in Rule 62-204.500, F.A.C.

SUMMARY: The proposed rule amendments address air pollution control general provisions.

OTHER RULES INCORPORATING RULE 62-204.340, F.A.C.: 62-210.200, 62-212.500, 62-252.300, 62-296.418, and 62-296.500, F.A.C.

OTHER RULES INCORPORATING RULE 62-204.500, F.A.C.: None.

OTHER RULES INCORPORATING RULE 62-204.800, F.A.C.: 62-204.500, 62-210.200, 62-210.300, 62-210.310, 62-310.350, 62-210.360, 62-210.370, 62-212.300, 62-212.400, 62-212.500, 62-212.720, 62-213.412, 62-213.420, 62-213.440, 62-214.100, 62-214.320, 62-214.330, 62-214.350, 62-214.360, 62-214.370, 62-214.420, 62-214.430, 62-256.700, 62-257.200, 62-257.301, 62-285.421, 62-296.100, 62-296.320, 62-296.340, 62-296.401, 62-296.402, 62-296.403, 62-296.404, 62-296.405, 62-296.408, 62-296.409, 62-296.410, 62-296.412, 62-296.414, 62-296.415, 62-296.416, 62-296.470, 62-296.501, 62-296.502, 62-296.503, 62-296.504, 62-296.505, 62-296.506, 62-296.507, 62-296.508, 62-296.510, 62-296.511, 62-296.512, 62-296.513, 62-296.514, 62-296.515, 62-296.516, 62-296.570, 62-296.600, 62-296.602, 62-296.603, 62-296.604, 62-296.701, 62-296.702, 62-296.703, 62-296.704, 62-296.705, 62-296.706, 62-296.707, 62-296.708, 62-296.709, 62-296.710, 62-296.711, 62-296.712, 62-297.310, 62-297.320, and 62-297.450, F.A.C.

EFFECT ON THOSE OTHER RULES: The revisions to Rule 62-204.340, F.A.C., will affect the applicability of Rule 62-212.500, F.A.C., in specified areas of the state designated as nonattainment in 40 CFR Part 81, §81.310, as adopted and incorporated by reference in Rule 62-204.800, F.A.C. The revisions to Rule 62-204.800, F.A.C., will have no effect on any of the other rules that reference it.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The Department has determined that amendment of this rule will not have an adverse impact on small business or likely increase regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. The Department has not prepared a statement of estimated regulatory costs (SERC). The Department has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs, or, if no SERC is required, the information expressly relied upon and described herein: The Department has determined that the amendments to these rules update and clarify obsolete or unnecessary rule language and will not increase regulatory costs for any entity. Additionally, the establishment of an equivalent alternative emission limit in Florida's CISWI rules will not increase regulatory costs. Any person who wishes to provide a proposal for a lower cost regulatory alternative, must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 403.061, FS.

LAW IMPLEMENTED: 403.021, 403.031, 403.061, 403.087, 403.0872, FS.

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

DATE AND TIME: SEPTEMBER 26, 2016, 10:00 a.m.

PLACE: Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida, Conference Room 609

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: Terri Long, (850)717-9023, E-mail: Terri.Long@dep.state.fl.us.

If you are hearing or speech impaired, please contact the agency by 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: Cindy Phillips, Florida Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400, Telephone: (850)717-9098, E-mail: Cindy.Phillips@dep.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

62-204.340 Designation of Attainment, Nonattainment, Unclassifiable, and Maintenance Areas.

(1) Designation of Areas Meeting Ambient Air Quality Standards (Attainment Areas). As designated in 40 CFR Part 81, §81.310, and as adopted and incorporated by reference in Rule 62-204.800, F.A.C.

~~(a) All of the state except those areas designated as nonattainment under paragraph 62-204.340(2)(a), F.A.C., is designated as attainment for the air pollutant ozone.~~

~~(b) All of the state except those areas designated as nonattainment under paragraph 62-204.340(2)(b), F.A.C., or as unclassifiable under paragraph 62-204.340(3)(a), F.A.C., is designated as attainment for the air pollutant PM<sub>10</sub>.~~

~~(c) All of the state except those areas designated as nonattainment under paragraph 62-204.340(2)(c), F.A.C., or as unclassifiable under paragraph 62-204.340(3)(b), F.A.C., is designated as attainment for the air pollutant sulfur dioxide.~~

~~(d) All of the state except those areas designated as nonattainment under paragraph 62-204.340(2)(d), F.A.C., is designated as attainment for the air pollutant carbon monoxide.~~

~~(e) All of the state except those areas designated as nonattainment under paragraph 62-204.340(2)(e), F.A.C., is designated as attainment for the air pollutant nitrogen dioxide.~~

(2) Designation of Areas Not Meeting Ambient Air Quality Standards (Nonattainment Areas). As designated in 40 CFR Part 81, §81.310, and as adopted and incorporated by reference in Rule 62-204.800, F.A.C.

(a) Ozone Nonattainment Areas. (Reserved).

(b) PM<sub>10</sub> Nonattainment Areas. (Reserved).

- ~~(c) Sulfur Dioxide Nonattainment Areas. (Reserved).~~
- ~~(d) Carbon Monoxide Nonattainment Areas. (Reserved).~~
- ~~(e) Nitrogen Dioxide Nonattainment Areas. (Reserved).~~
- ~~(f) Lead nonattainment Areas. (Reserved).~~

~~(g) As soon as practicable after notice of redesignation is published by the U. S. Environmental Protection Agency in the Federal Register, the Department shall publish notice of the effective date of redesignation in the Florida Administrative Register Weekly and a newspaper of general circulation in each county affected by the redesignation.~~

~~(3) Designation of Areas Which Cannot Be Classified as Attainment or Nonattainment (Unclassifiable Areas). As designated in 40 CFR Part 81, §81.310, and as adopted and incorporated by reference in Rule 62-204.800, F.A.C.~~

~~(a) All of the state except those areas designated as nonattainment under paragraph 62-204.340(2)(b), F.A.C., is designated as unclassifiable for the air pollutant PM<sub>10</sub>.~~

~~(b) The following areas are designated as unclassifiable for the pollutant sulfur dioxide.~~

- ~~1. Duval County.~~
- ~~2. Escambia County.~~
- ~~3. Hillsborough County.~~
- ~~4. The Southwest corner of Pasco County.~~

~~(c) All of the state except those areas designated as nonattainment under Rule 62-204.340, F.A.C., is designated as unclassifiable for the air pollutant lead.~~

~~(4) No change.~~

~~Rulemaking Authority 403.061 FS. Law Implemented 403.021, 403.031, 403.061, 403.087 FS. History--New 3-13-96, Amended - \_\_\_\_\_.~~

62-204.500 Conformity.

(1) General Conformity. The provisions of this rule apply to state review of all federal general conformity determinations submitted to the state pursuant to 40 C.F.R. Part ~~9354~~, Subpart ~~BW~~, adopted and incorporated by reference at Rule 62-204.800, F.A.C. Pursuant to 40 C.F.R. Part ~~9354~~, Subpart ~~BW~~, federal agencies are required to make conformity determinations to ensure that certain federal actions are consistent with the State Implementation Plan.

(a) Definitions. ~~In addition to the definitions in Rule 62-204.200, F.A.C.,~~ the definitions used in reviewing federal general conformity determinations shall be the definitions in 40 C.F.R. Part 93, §93.152, adopted and incorporated by reference at Rule 62-204.800, F.A.C. ~~51-852.~~

(b) Criteria. The criteria for reviewing federal general conformity determinations shall be the criteria in 40 C.F.R. Part 93, §93.158, adopted and incorporated by reference at Rule 62-204.800, F.A.C. ~~51-858.~~

(c) Procedures. The procedures for reviewing federal general conformity determinations shall be the procedures in

40 C.F.R. Part 93, §93.159, adopted and incorporated by reference at Rule 62-204.800, F.A.C. ~~51-859.~~

- (d) No change.
- (2) No change.

Rulemaking Authority 403.061 FS. Law Implemented 403.031, 403.061 FS. History--New 11-30-94, Amended 3-13-96, 3-23-97, 9-1-98, \_\_\_\_\_.

62-204.800 Federal Regulations Adopted by Reference.

All federal regulations cited throughout the air pollution rules of the Department are adopted and incorporated by reference in this rule. The purpose and effect of each such federal regulation is determined by the context in which it is cited. Procedural and substantive requirements in the incorporated federal regulations are binding as a matter of state law only where the context so provides.

- (1) through (8) No change.
- (9) Title 40, Code of Federal Regulations, Part 60, Emission Guidelines and Compliance Times.

(a) through (e) No change.

(f) Commercial and Industrial Solid Waste Incineration (CISWI) Units. 40 C.F.R. Part 60, Subpart DDDD, Emission Guidelines and Compliance Times for Commercial and Industrial Solid Waste Incineration Units that Commenced Construction on or Before June 4, 2010, revised as of July 1, 2009, amended February 7, 2013, at 78 FR 9112 (<https://www.flrules.org/gateway/reference.asp?No=Ref-03695>), amended June 23, 2016, at 81 FR 40956 ([link](#)), is hereby adopted and incorporated by reference subject to the following provisions (all cross-references to 40 CFR 63 Subpart LLL [40 C.F.R. 63.1340 through 1359], as amended February 12, 2013, at 78 FR 10005, as amended July 27, 2015, at 80 FR 44771, are adopted and incorporated by reference at Paragraph 62-204.800(11)(b), F.A.C.):

- 1. through 4. No change.
- 5. Emission Limitations and Operating Limits. The emission limitations and operating limits applicable to each CISWI unit subject to paragraph 62-204.800(9)(f), F.A.C., shall be the same as set forth in 40 C.F.R. §§ 60.2670 through 60.2685, except that a unit in the waste-burning kiln subcategory may instead comply with an alternative production-based mercury emission limit of 58 pounds of mercury per million tons of clinker as specified in Table 4 as published February 7, 2013 at 78 FR 9112, 9122 (<https://www.flrules.org/gateway/reference.asp?No=Ref-03695>).
- 6. Performance Testing. The performance testing requirements applicable to each CISWI unit subject to paragraph 62-204.800(9)(f), F.A.C., shall be the same as set forth in 40 C.F.R. §§ 60.2690 and through 60.2695.

7. Initial Compliance Requirements. The initial compliance requirements applicable to each CISWI unit subject to paragraph 62-204.800(9)(f), F.A.C., shall be the same as set forth in 40 C.F.R. §§ 60.2700 through 60.2706, except that a waste-burning kiln complying with the alternative production-based mercury emission limit in subparagraph 62-204.800(9)(f)5., F.A.C., must demonstrate initial compliance pursuant to 40 C.F.R. § 63.1348(a)(5). The initial compliance test must begin on the first operating day following completion of the field testing and data collection that demonstrates that the continuous emissions monitoring system has satisfied the relevant performance acceptance criteria of Performance Specifications 12A or 12B in 40 C.F.R. 60 Appendix B. The notification required by 40 C.F.R. § 60.2760 shall also include notification of whether an owner or operator of a unit in the waste-burning kiln subcategory intends to comply with the alternative production-based mercury emission limit in subparagraph 62-204.800(9)(f)5., F.A.C.

8. Continuous Compliance Requirements. The continuous compliance requirements applicable to each CISWI unit subject to paragraph 62-204.800(9)(f), F.A.C., shall be the same as set forth in 40 C.F.R. §§ 60.2710 through 60.2725, except that a waste-burning kiln complying with the alternative production-based mercury emission limit in subparagraph 62-204.800(9)(f)5., F.A.C., must demonstrate continuous compliance with this alternative limit pursuant to the procedures of 40 C.F.R. § 63.1348(b)(7), and 40 C.F.R. § 63.1349(b)(5).

9. Monitoring. The monitoring requirements applicable to each CISWI unit subject to paragraph 62-204.800(8)(f), F.A.C., shall be the same as set forth in 40 C.F.R. §§ 60.2730 and through 60.2735. A unit in the waste-burning kiln subcategory complying with the alternative production-based mercury emission limit in subparagraph 62-204.800(9)(f)5., F.A.C., must also monitor mercury pursuant to 40 C.F.R. 63.1350(k), the clinker production rate pursuant to 40 C.F.R. § 63.1350(d), and the flow rate pursuant to 40 C.F.R. § 63.1350(n). An owner of a waste burning kiln is not required to develop an emissions monitoring plan pursuant to 40 C.F.R. § 63.1350(p)(1) through (p)(4) if the owner prepares the emissions monitoring plan required pursuant to 40 CFR § 60.2710(k) and (l).

10. Recordkeeping and Reporting Requirements. The recordkeeping and reporting requirements applicable to each CISWI unit subject to paragraph 62-204.800(9)(f), F.A.C., shall be the same as set forth in 40 C.F.R. §§ 60.2740 through 60.2800. Units in the waste-burning kiln subcategory complying with the alternative production-based mercury emission limit in subparagraph 62-204.800(9)(f)5., F.A.C., must also keep records of all data collected from the

continuous flow rate monitoring system required by 40 C.F.R. § 63.1350(n), all data collected from the clinker production monitoring system required by 40 C.F.R. § 63.1350(d), and all calculated 30-operating day rolling average values derived from the mercury monitoring system. Units in the waste-burning kiln subcategory complying with the alternative production-based mercury emission limit in subparagraph 62-204.800(9)(f)5., F.A.C., must also report all deviations from the alternative production-based mercury limit in accordance with 40 C.F.R. §§ 60.2740 through 60.2800.

11. through 12. No change.

13. Definitions. The definitions applicable to each CISWI unit subject to paragraph 62-204.800(9)(f), F.A.C., shall be the same as set forth in 40 C.F.R. §60.2875. For purposes of paragraph 62-204.800(9)(f), F.A.C., the definition of the term administrator means the department, except that the EPA is the administrator for purposes of 40 C.F.R. § 60.2030(c). The terms used but not defined in 40 C.F.R. Part 60, Subpart DDDD, have the meaning given to them in the Clean Air Act and in 40 C.F.R. Part 60, Subparts A, B, and CCCC. For units in the waste-burning kiln subcategory complying with the alternative production-based mercury emission limit in subparagraph 62-204.800(9)(f)5., F.A.C., the term operating day in 40 C.F.R. § 63.1348(a)(5), 40 C.F.R. § 63.1348(b)(7) and 40 C.F.R. § 63.1349(b)(5) means any 24-hour period beginning at 12:00 midnight during which the kiln produces any amount of clinker.

(g) through (h) No change.

(10) through (25) No change.

(26) Title 40, Code of Federal Regulations, Part 93, Determining Conformity of Federal Actions to State or Federal Implementation Plans. The following subparts of 40 C.F.R. Part 93, revised as of July 1, 2015 (link), or later as specifically indicated, are adopted and incorporated by reference. The provisions of 40 C.F.R. 93, Subpart A, Conformity to State or Federal Implementation Plans of Transportation Plans, Programs, and Projects Developed, Funded or Approved Under Title 23 U.S.C. or the Federal Transit Laws, revised as of July 1, 2001; amended August 6, 2002, at 67 FR 50808, are adopted and incorporated by reference.

(a) 40 C.F.R. 93, Subpart A, Conformity to State or Federal Implementation Plans of Transportation Plans, Programs, and Projects Developed, Funded or Approved Under Title 23 U.S.C. or the Federal Transit Laws.

(b) 40 C.F.R. Part 93, Subpart B, Determining Conformity of General Federal Actions to State or Federal Implementation Plans.

(27) No change.

Rulemaking Authority 403.061, 403.8055 FS. Law Implemented 403.031, 403.061, 403.087, 403.0872, 403.8055 FS. History—New 3-



13-96, Amended 6-25-96, 10-7-96, 10-17-96, 12-20-96, 4-18-97, 6-18-97, 7-7-97, 10-3-97, 12-10-97, 3-2-98, 4-7-98, 5-20-98, 6-8-98, 10-19-98, 4-1-99, 7-1-99, 9-1-99, 10-1-99, 4-1-00, 10-1-00, 1-1-01, 8-1-01, 10-1-01, 4-1-02, 7-1-02, 10-1-02, 1-1-03, 4-1-03, 10-1-03, 1-1-04, 4-1-04, 7-1-04, 10-1-04, 1-1-05, 4-1-05, 7-1-05, 10-1-05, 1-1-06, 4-1-06, 7-1-06, 9-4-06, 9-6-06, 1-8-07, 1-31-07, 4-2-07, 5-31-07, 7-2-07, 10-1-07, 2-1-08, 7-1-08, 10-1-08, 10-6-08, 12-1-08, 11-18-09, 6-11-10, 7-1-10, 10-1-10, 12-30-10, 12-1-11, 12-1-12, 5-22-13, 12-17-13, 1-24-14, 1-14-15, 1-7-16,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Cindy Phillips, Division of Air Resource Management  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jonathan P. Steverson, Secretary  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 22, 2016  
DATE OF NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 8, 2016

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**Division of Air Resource Management**

RULE NOS.: RULE TITLES:  
62-210.700 Excess Emissions  
62-210.710 Emission Limits During Transient Modes of Operation

PURPOSE AND EFFECT: The purpose of this proposed rule is to add a new rule section to Chapter 62-210, F.A.C., and to revise specified provisions of Rule 62-210.700, F.A.C. Promulgation of these rules is intended to meet the legal requirements of the United States Environmental Protection Agency’s Notice of Final Rule published in the Federal Register on June 12, 2015 (80 FR 33840). EPA’s Final Rule has been challenged in the D.C. Circuit Court of Appeals by multiple states, including the State of Florida, in *Walter Coke, Inc. v. U.S. EPA*, USCA Case No. 15-1166.

SUMMARY: The proposed rule amendments address emission limitations during transient operating conditions at regulated facilities, including periods of startup, shutdown, and malfunction.

OTHER RULES INCORPORATING RULE 62-210.700 F.A.C: 62-110.107, 62-212.720, 62-213.440, 62-296.401, 62-296.404, 62-296.570, 62-296.702, and 62-297.310, F.A.C.

OTHER RULES INCORPORATING RULE 62-210.710, F.A.C: None

EFFECT ON THOSE OTHER RULES: The effect of the revisions in Rule 62-210.700, F.A.C., will be to incorporate those changes as intended by the cross reference.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The Department has determined that this rulemaking will not have an adverse impact on small business or likely increase regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A statement of estimated

regulatory costs (SERC) has not been prepared by the Department. The Department has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs, or, if no SERC is required, the information expressly relied upon and described herein: Based on the Department’s analysis, the Department has determined that this rulemaking will not increase regulatory costs for any small business and will only have a small regulatory cost for facilities that choose to prepare an air construction permit application pursuant to Rule 62-210.710, F.A.C. The Department estimates that the regulatory cost for these facilities will be less than \$200,000 in the first year of implementation. Any person who wishes to provide a proposal for a lower cost regulatory alternative, must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 403.061, FS.  
LAW IMPLEMENTED: 403.021, 403.031, 403.061, 403.087, FS.

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

DATE AND TIME: SEPTEMBER 26, 2016, 10:00 a.m.  
PLACE: Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida, Conference Room 609

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: Terri Long, (850)717-9023, E-mail: Terri.Long@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency by 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: Preston McLane, Florida Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400, Telephone: (850)717-9089, E-mail: Preston.McLane@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

62-210.700 Excess Emissions.

(1) Excess emissions resulting from startup, shutdown or malfunction of any emissions unit shall be permitted provided ~~providing~~ (1) best-operational practices to minimize emissions are adhered to and (2) the duration of excess emissions shall be minimized but in no case exceed two hours in any 24-hour period unless specifically authorized by the Department for longer duration. Excess emissions that are caused entirely or in part by poor maintenance, poor operation, or any other

equipment or process failure that may reasonably be prevented during startup, shutdown or malfunction shall be prohibited.

(2) Excess emissions from existing fossil fuel steam generators resulting from startup or shutdown shall be permitted provided that best ~~operational~~ practices to minimize emissions are adhered to and the duration of excess emissions shall be minimized. Excess emissions that are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure that may reasonably be prevented during startup, shutdown or malfunction shall be prohibited.

(3) Visible Excess emissions from existing fossil fuel steam generators resulting from boiler cleaning (soot blowing) and load change may be up to 60 percent opacity, based upon a six-minute average, for a period of up to 3 hours in any 24-hour period shall be permitted provided ~~the duration of such excess emissions shall not exceed 3 hours in any 24 hour period and visible emissions shall not exceed Number 3 of the Ringelmann Chart (60 percent opacity), and providing~~ (1) best ~~operational~~ practices to minimize visible emissions are adhered to and (2) the duration of elevated opacity emissions shall be is minimized. Particulate matter emissions from existing fossil fuel steam generators during periods of boiler cleaning (soot blowing) and load change may average up to 0.3 pounds per million BTU heat input for a period of up to 3 hours in any 24-hour period provided (1) best practices to minimize particulate matter emissions are adhered to and (2) the duration of elevated particulate matter emissions is minimized. A load change, other than startup or shutdown, occurs when the operational capacity of a fossil fuel steam generating unit is operating in the range of 10 percent to 100 percent of rated capacity, range, other than startup or shutdown, which the change in operation exceeds 10 percent of the unit's rated capacity, and which the change in operation occurs at a rate of 0.5 percent or more per minute or more. Visible emissions above 60 percent opacity shall be allowed for not more than 4, six (6) minute periods, during the 3 hour period of excess emissions allowed by this subparagraph, for boiler cleaning and load changes, at units which have installed and are operating, or have committed to install or operate, continuous opacity monitors. Particulate matter emissions shall not exceed an average of 0.3 lbs. per million BTU heat input during the 3 hour period of excess emissions allowed by this subparagraph.

(4) ~~Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup, shutdown, or malfunction shall be prohibited.~~

(5) through (6) renumbered (4) through (5) No change.

(6) After May 22, 2018, Subsections 62-210.700(1) and (2), F.A.C., shall not apply to:

(a) Emission limits in Chapter 62-296, F.A.C., that have been or that become incorporated into the State Implementation Plan for the State of Florida, identified in 40 CFR 52.520; and

(b) Unit-specific emission limits that have been or that become incorporated into the State Implementation Plan for the State of Florida, identified in 40 CFR 52.520.

(7) Subsections 62-210.700(1) and (2), F.A.C., shall not apply to unit-specific emission limits established after [insert date of rule adoption] pursuant to Rules 62-212.400 and 62-212.500, F.A.C.

Specific Authority 403.061 FS. Law Implemented 403.021, 403.031, 403.061, 403.087 FS. History—Formerly 17-2.250, 17-210.700, Amended 11-23-94,\_\_\_\_\_.

62-210.710 Emission Limits during Transient Modes of Operation.

(1) A facility may request that the Department establish by permit one or more unit-specific secondary emission limits to apply during a specified transient mode of operation in lieu of the unit's primary emission limit in Chapter 62-296, F.A.C., or the State Implementation Plan for the State of Florida, identified in 40 CFR 52.520. Transient modes of operation include, but are not limited to, periods of startup, shutdown, or fuel switching. In order to be eligible for a secondary emission limit applicable during a specified transient mode of operation, the facility must provide to the Department data and documentation sufficient to:

(a) Describe the specific operating conditions that mark the commencement and completion of the transient mode of operation, the duration of those operating conditions, and the operational variations in the process and control equipment and operations being permitted that could affect the frequency or duration of the transient mode of operation; and

(b) Demonstrate that the frequency and duration of the transient mode of operation will be limited to the greatest extent practicable; and

(c) Demonstrate that the unit's emission control strategy for compliance with the otherwise applicable category-specific primary emission limit or unit-specific primary emission limit contained in the State Implementation Plan of the State of Florida, identified in 40 CFR 52.520, is technically infeasible during the transient mode of operation; and

(d) Demonstrate that the unit is unable to comply with the otherwise applicable category-specific primary emission limit or unit-specific primary emission limit contained in the State Implementation Plan of the State of Florida, identified in 40 CFR 52.520; and

(e) Define best practices for the unit for limiting the extent and duration of emissions of the regulated air pollutant during the transient mode of operation; and

(f) Determine a secondary emission limit that (1) reflects best practices and (2) minimizes the extent and duration of emissions of the regulated air pollutant during the transient mode of operation to the greatest extent practicable; and

(g) Demonstrate that the facility has implemented or will implement recordkeeping practices (e.g. continuous emissions monitoring, parametric data collection and storage, contemporaneous operating logs) sufficient to demonstrate compliance with the unit-specific secondary emission limit.

(2) A unit-specific secondary emission limit established pursuant to Subsection 62-210.710(1), F.A.C., may be in a different form than the category-specific primary emission limit or unit-specific primary emission limit contained in the State Implementation Plan of the State of Florida, identified in 40 CFR 52.520. Any secondary emission limit applicable during a transient mode of operation must be in one of the following forms:

(a) A unit-specific numerical emission limit equivalent to emissions levels during the transient mode of operation under best practices for the unit;

(b) A unit-specific numerical emission limit established under a federal New Source Performance Standard (NSPS) or National Emission Standards for Hazardous Air Pollutant (NESHAP) that applies during a transient mode of operation and is representative of best practices for the unit;

(c) A unit-specific federal NSPS- or NESHAP-based work practice standard that applies during a transient mode of operation and is representative of best practices for the unit; or

(d) A unit-specific work practice standard representative of best practices for the unit.

Specific Authority 403.061 FS. Law Implemented 403.021, 403.031, 403.061, 403.087 FS. History-New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Hastings Read, Division of Air Resource Management  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jonathan P. Steverson, Secretary  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 22, 2016  
DATE OF NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 8, 2016

**DEPARTMENT OF ENVIRONMENTAL PROTECTION  
Division of Air Resource Management**

RULE NOS.:      RULE TITLES:  
62-243.300      Exemptions  
62-243.500      Enforcement

PURPOSE AND EFFECT: Pursuant to Executive Orders 11-01, 11-72 and 11-211, which require the Department to identify and revise rules that are unnecessary, unnecessarily burdensome, or duplicative, the Department is proposing to revise Rules 62-243.300, and 62-243.500, F.A.C. The

revisions will eliminate reference to a previously repealed rule and delete provisions that are unnecessary for implementation of the Florida Statutes.

SUMMARY: The proposed rule amendments address tampering with motor vehicle air pollution control equipment.  
OTHER RULES INCORPORATING RULE 62-243.300, F.A.C.: 62-243.500, F.A.C.

OTHER RULES INCORPORATING RULE 62-243.500, F.A.C.: 62-243.300, F.A.C.

EFFECT ON THOSE OTHER RULES: There will be no effect on other rules.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The Department has determined that amendment of this rule will not have an adverse impact on small business or increase regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. The Department has not prepared a statement of estimated regulatory costs (SERC). The Department has determined that the proposed rule is not expected to require legislative ratification based on the SERC, or, if no SERC is required, the information expressly relied upon and described herein: The Department has determined that the amendments to these rules remove unnecessary portions of the rules and therefore will not increase regulatory costs for any entity. Any person who wishes to provide a proposal for a lower cost regulatory alternative, must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 316.2935, FS.

LAW IMPLEMENTED: 316.2935, FS.

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

DATE AND TIME: SEPTEMBER 26, 2016, 10:00 a.m.

PLACE: Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida, Conference Room 609

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: Terri Long, (850)717-9023, E-mail: Terri.Long@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency by 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: Terri Long, Florida Department of Environmental Protection, Division of Air Resource Management, 2600 Blair Stone Road, MS 5500, Tallahassee, Florida, 32399-2400, Telephone: (850)717-9023, E-mail: Terri.Long@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

62-243.300 Exemptions.

(1) No change.

(2) Motor vehicles which are owned by persons who have received hardship exemptions, or exchanged engine certifications, pursuant to Department of Highway Safety and Motor Vehicles Rule 15C-6.002, F.A.C., ~~are exempt from the provisions of subsection 62-243.400(1), F.A.C., but, unless otherwise exempted, are subject to the provisions of subsection 62-243.400(2) and Rule 62-243.500, F.A.C.~~

~~(3) The following motor vehicle transactions are exempt from the provisions of subsection 62-243.400(2), F.A.C.:~~

~~(a) Sales, reassignments, and trades to licensed motor vehicle dealers.~~

~~(b) First time retail sales or leases of new motor vehicles subject to certification under Section 207, Clean Air Act, 42 U.S.C., 7541.~~

~~(c) Lease agreements for 30 days or less.~~

~~(d) Sales of motor vehicles for salvage purposes only.~~

~~(3)(4) The following motor vehicle transactions are exempt from the certification requirement of Rule 62-243.500, F.A.C.:~~

~~(a) through (f) No change.~~

Rulemaking Authority 316.2935 FS. Law Implemented 316.2935, ~~325.209~~ FS. History—New 2-21-90, Amended 5-29-90, 1-2-91, \_\_\_\_\_, Formerly 17-243.300.

62-243.500 Certification Statement.

~~(1) Certification Statement.~~

~~(1)(a)~~ Except as provided in subsection 62-243.300(4), F.A.C., on and after January 1, 1991, at the time of sale, lease, or transfer of title of a nonexempt motor vehicle, the seller, lessor, or person transferring title shall provide a written certification to the purchaser, lessee, or transferee that the air pollution control equipment of the motor vehicle has not been tampered with by the seller, lessor, transferor, or by his or her agents, employees, or other representatives.

~~(2)(b)~~ As provided in paragraph ~~62-243.500(4)~~ ~~62-243.500(1)(d)~~, F.A.C., a licensed motor vehicle dealer shall also visually observe and certify in writing that specific air pollution devices and systems are in place and appear properly connected and undamaged.

~~(3)(e)~~ For sales, leases, or transfers of title by private parties, the certification shall read as follows:

~~(a)1-~~ Florida law prohibits the operation, sale, lease, or transfer of title of any automobile or light-duty truck (1975 or newer, 10,000 pounds gross vehicle weight or less) that has been tampered with. “Tampering” means the dismantling, removal, or rendering ineffective of any air pollution control device or system which has been installed on a motor vehicle

by the vehicle manufacturer except to replace such device or system with a device or system equivalent in design and function to the part that was originally installed on the motor vehicle (Section 316.2935, F.S.).

~~(b)2-~~ As the owner of this motor vehicle, or on behalf of the owner which is an organization, firm, or other such entity, I hereby certify that the following air pollution emission control devices and systems of this vehicle, if installed by the vehicle manufacturer or importer, have not been tampered with by me or with my permission, or by or with the permission of the owner of said vehicle: catalytic converter, fuel inlet restrictor, unvented fuel cap, exhaust gas recirculation system (EGR)\*, air pump and/or air injection system (AIS)\*, and fuel evaporative emissions system (EVP)\* (\*1981 and newer vehicles only).

~~(c)3-~~ This certification shall not be deemed or construed as a warranty that any air pollution control device or system of the vehicle is in functional condition, nor does the execution or delivery of this certification create by itself grounds for a cause of action between the parties to this transaction.

~~(4)(4)~~ For sales, leases, or transfers of title by licensed motor vehicle dealers to private parties, the certification shall read as follows:

~~(a)1-~~ Florida law prohibits the operation, sale, lease, or transfer of title of any automobile or light-duty truck (1975 or newer, 10,000 pounds gross vehicle weight or less) that has been tampered with. “Tampering” means the dismantling, removal, or rendering ineffective of any air pollution control device or system which has been installed on a motor vehicle by the vehicle manufacturer except to replace such device or system with a device or system equivalent in design and function to the part that was originally installed on the motor vehicle (Section 316.2935, F.S.).

~~(b)2-~~ As a motor vehicle dealer licensed to conduct business in the State of Florida, I hereby certify that the following air pollution emission control devices and systems of this vehicle, if installed by the vehicle manufacturer or importer, have not been tampered with by me or by my agents, employees, or other representatives: catalytic converter, fuel inlet restrictor, unvented fuel cap, exhaust gas recirculation system (EGR)\*, air pump and/or air injection system (AIS)\*, and fuel evaporative emissions system (EVP)\* (\*1981 and newer vehicles only). I also hereby certify that I or persons under my supervision have inspected this motor vehicle and, based on said inspection, have determined that the above-listed air pollution control devices and systems, if installed by the vehicle manufacturer or importer, are in place and appear properly connected and undamaged as determined by visual observation.

~~(c)3-~~ This certification shall not be deemed or construed as a warranty that any air pollution control device or system of

the vehicle is in functional condition, nor does the execution or delivery of this certification create by itself grounds for a cause of action between the parties to this transaction.

(5)(e) The certification statement shall be provided on the bill of sale, lease agreement, or other document furnished by the seller, lessor, or person transferring title. The make, model, year, and vehicle identification number of the motor vehicle being sold, leased, or transferred shall be included on the document containing the certification statement.

~~(2) Acknowledgment of Certification-~~

~~(a) All parties to a transaction, or their authorized agent(s) or attorney(s) in fact, shall acknowledge that the certification required by this section has been prepared, tendered and received. Such acknowledgment may be included on the face of the certification document and shall reflect the date of tender and receipt.~~

~~(b) Those persons authorized or empowered to execute motor vehicle title transactions shall also be authorized to execute the certification as described by subparagraph (a).~~

Rulemaking Authority 316.2935 FS. Law Implemented 316.2935 FS. History—New 5-29-90, Amended 1-2-91,\_\_\_\_\_. Formerly 17-243.500.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Terri Long, Division of Air Resource Management  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jonathan P. Steverson, Secretary  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 22, 2016  
DATE OF NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 8, 2016

**DEPARTMENT OF HEALTH**  
**Division of Emergency Preparedness and Community Support**

RULE NOS.:	RULE TITLES:
64J-2.010	Allocation of Trauma Centers among the Trauma Service Areas (TSAs)
64J-2.012	Process for the Approval of Trauma Centers
64J-2.013	Extension of Application Period
64J-2.016	Site Visits and Approval

PURPOSE AND EFFECT: The Department proposes to amend these rules to develop an inclusive, sustainable trauma system that allocates trauma center need necessary to establish reasonable access to high quality trauma services.

SUMMARY: The rule allocates the minimum trauma center need for all trauma service areas (TSAs) around the state, revises the process and standards for selecting trauma centers, and clarifies that an allocation of minimum need under rule 64J-2.010 does not affect the ability of an existing verified trauma center to renew its certificate to operate as a trauma

center. The rule also removes hearing rights provisions that are redundant to provisions in Chapter 120, Florida Statutes.

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: Based on the SERC checklist, and the analysis undertaken in reviewing the checklist the agency has determined that this rulemaking will not have an adverse impact on regulatory costs in excess of \$1 million within five years as established in paragraph 120.541(2)(a), F.S.

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: 395.402, 395.4025, 395.405 FS.

LAW IMPLEMENTED: 395.1031, 395.401, 395.4015, 395.402, 395.4025, 395.404, 395.4045, 395.405 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Leah Colston, Bureau Chief, Bureau of Emergency Medical Oversight, 4052 Bald Cypress Way, Bin #A20, Tallahassee, Florida 32399-1722

THE FULL TEXT OF THE PROPOSED RULE IS:

64J-2.010 Allocation of Trauma Centers Among the Trauma Service Areas (TSAs).

(1) The need for Level I, and Level II and Pediatric Trauma Centers shall be determined and allocated among the trauma service areas (TSAs) based upon the following:

(a) The following criteria shall be used to determine a total score for each TSA. Points shall be determined based upon data in the Trauma Service Area Assessment.

1. through 2. No change.
3. Community Support

a. Letters of support for an additional trauma center from 25 to 50 percent of the city and county commissions located within the TSA receive 1 point. Letters of support must be received by the Department on or before ~~July~~ April 1 annually.

b. Letters of support for an additional trauma center from more than 50 percent of the city or county commissions located within the TSA receive 2 points. Letters of support must be received by the Department on or before ~~July~~ April 1 annually.

4. through 6. No change.

(b) The following scoring system shall be used to ~~determine the minimum number of allocate~~ determine the minimum number of allocate trauma centers needed within the TSAs:

1. through 4. No change.

(2) An assessment and scoring shall be conducted by the Department annually ~~on or before August 30th, beginning August 30, 2015.~~

(3) Subject to application of the statutory limit on trauma centers described in paragraph 395.402(4)(c), F.S., the minimum number of trauma centers allocated for each TSA based upon the 2015 Amended Trauma Service Area Assessment, dated January 6, 2016 ~~March 24, 2014~~, located which can be found at <http://www.floridahealth.gov/%5C/licensing-and-regulation/trauma-system/documents/tsa-2016.pdf> ~~www.FLHealth.gov/licensing-and-regulation/trauma-system/documents/trauma-area-service-assessment.pdf~~ is as follows:

16	Palm Beach	1
17	Collier	1
18	Broward	<u>1</u> <del>2</del>
19	Dade, Monroe	<u>2</u> <del>3</del>

(4) The allocation of trauma centers, as described in subsections (1) through (3) of this rule, is the minimum allocation needed and shall not affect existing verified trauma centers seeking renewal of their verification status pursuant to subsection 395.4025(6), F.S., provided the following conditions are met:

(a) During the most recent verification cycle, the trauma center has continuously provided trauma services and has not notified the department that it has substantially reduced or terminated trauma services pursuant to subsection 395.4025(8), F.S.

(b) The trauma center applies for renewal in the timeframe outlined in subsection 64J-2.015(1), F.A.C.

(c) The trauma center demonstrates compliance with the trauma center standards upon completion of the timeframes described in subsection 64J-2.015(2), F.A.C.

Rulemaking Authority 395.402, 395.405 FS. Law Implemented 395.402, ~~395.4025~~ FS. History—New 12-10-92, Formerly 10D-66.1075, Amended 6-9-05, 12-18-06, Formerly 64E-2.022, Amended 7-29-14, \_\_\_\_\_.

64J-2.012 Process for the Approval of Trauma Centers.

(1) Beginning September 1, 1990, and annually thereafter, the department shall approve trauma centers in accordance with the schedule shown in Table I below; ~~(u~~ Unless stated otherwise all dates given by calendar month and day refer to that date each year); ~~→~~

Table I

Reference Section ~~64JE-2.012~~, F.A.C.

PROCESS FOR APPROVAL OF TRAUMA CENTERS

Task	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J
	E	C	O	E	A	E	A	P	A	U	U	E	C	O	E	A	E	A	P	A	U	U	E
	P	T	V	C	N	B	R	R	Y	N	L	G	P	T	V	C	N	B	R	R	Y	N	L
Hospitals Submit Letters of Intent	█																						
DH Sends Applications to Hospitals		█																					
Hospitals Complete Applications			█																				
Hospitals Submit Applications				█																			
Preliminary Review of Applications by DH					█																		
Hospitals Respond to Deficiencies						█																	
Hospitals Informed of Provisional Status							█																
In-Depth Review of Applications by DH								█															
Revised Applications Submitted by Provisional Trauma Centers									█														
DH Final Review of Applications										█													
Provisional Trauma Centers Notified of In-Depth Review Findings											█												
DH Conducts Site Visit Quality of Care Assessments												█											
DH Approves Trauma Centers																							█



~~denial, request a hearing to contest the decision of the department, in accordance with Chapter 120.57, F.S.~~

(9) through (11) renumbered (8) through (10) No change.

~~(11) (12) A hospital receiving an extension greater than 12 months shall have its extension denied or terminated if the number of trauma centers and ~~or~~ Provisional Ttrauma Ceenters in the hospital's TSA equals or is greater than the number of trauma centers provided in paragraph 395.402(4)(c), F.S. available positions allocated to the TSA, resulting in the denial of its application and the department will inform the applicant of its right to a Section 120.57, F.S., hearing regarding this denial.~~

(13) through (14) renumbered (12) through (13) No change.

Rulemaking Authority 395.405 FS. Law Implemented 395.401, 395.4015, 395.402, 395.4025, 395.404, 395.4045, 395.405 FS. History—New 12-10-92, Amended 12-10-95, Formerly 10D-66.1095, Amended 8-4-98, 2-20-00, 6-3-02, 6-9-05, 3-5-08, Formerly 64E-2.025, Amended 11-5-09, 4-20-10, \_\_\_\_\_.

64J-2.016 Site Visits and Approval.

(1) through (4) No change.

(5) Evaluation of the Quality of Trauma Patient Care and Trauma Patient Management:

(a) through (d) No change.

~~(e) Notwithstanding any standard provided in rule 64J-2.011, and DH Pamphlet (DHP) 150-9, January 2010, Trauma Center Standards, each Level I Trauma Center and Level I Provisional Trauma Center shall, upon request by the department, provide evidence of an admitted patient volume level of at least 1,200 trauma patients yearly, or at least 240 admitted trauma patients yearly with an ISS score higher than 15. For hospitals that have not operated as a provisional Level I Ttrauma Ceenter or as a Level I Ttrauma Ceenter for at least a year, these volumes may be measured on a quarterly basis with the annual volume requirements prorated.~~

~~(e) Reviewers shall study the trauma case reviews and trauma quality management committee meeting minutes to evaluate the overall effectiveness of the quality management program.~~

(6) No change.

(7) The department shall evaluate the results of the site visit review and the in-depth application review of each Provisional Ttrauma Ceenter between June 1 and July 1. All applicant hospitals shall be notified ~~simultaneously~~ of their approval or denial to become a trauma center on or before July 1. The department's selection will be based on the results of the site visit and the in-depth application review. In those situations ~~where the number of in which there are more~~ trauma centers ~~and or~~ Provisional Ttrauma Ceenters ~~exceeds the~~ number of trauma centers allowed by paragraph 395.402(4)(c), F.S. ~~than available positions in the TSA~~, the criteria in

subsection (11) of this ~~rule section~~ shall be applied for final selection.

(8) The department shall notify each Provisional Ttrauma Ceenter of the results of the site visit within 30 working days from completion of the site visit. The department shall include in the notice any problems that the Provisional Ttrauma Ceenter was informed of at the conclusion of the department's in-depth application review. If the Provisional Ttrauma Ceenter desires to provide additional information regarding the results of the site visit or in-depth application review to the department to be considered during the final evaluation between June 1 and July 1, the information must be provided in writing and be received by the department within 30 calendar days of the hospital's receipt of the department's notice. If the Provisional Ttrauma Ceenter ~~does elects~~ not to respond to the department's notice within 30 calendar days, the department shall make the final determination of approval or denial based solely on information collected during the applicant's site visit and in-depth application review.

(9) through (10) No change.

(11) If the number of Provisional Ttrauma Ceenters found eligible for selection by the department ~~— when added to the number of existing trauma centers — in a given TSA~~ exceeds the maximum number permitted, as provided in paragraph 395.402(4)(c), F.S. ~~subsection 64J 2.010(3), F.A.C.,~~ the following criteria shall be applied independently and consecutively to all Provisional Ttrauma Ceenters ~~in the TSA~~ until application of the criteria results in the number of trauma centers authorized in paragraph 395.402(4)(c), F.S ~~subsection 64J 2.010(3), F.A.C., for that TSA~~. When that occurs, the remaining criteria shall not be considered. The criteria to be applied are as follows:

(a) A hospital located in a TSA without a Level I or Level II recommended to be a Ttrauma Ceenter in the department-approved local or regional trauma agency plan pursuant to subparagraph 64J 2.007(2)(d)3., F.A.C., shall be given preference for selection approval preference over any hospital which was not recommended.

(b) A hospital shall be given selection preference based on the level of service they intend to provide according to the following sequence:

1. through 2. No. change.

3. A Provisional Level II Ttrauma Ceenter will be given preference over a Provisional pediatric Ttrauma Ceenter ~~in TSA having only one allocated trauma center position, and in a TSA with more than one allocated trauma center position if there already exists an approved Level I trauma center, Level II trauma center with pediatrics, or a pediatric trauma center, or if in the instant selection process a Level I trauma center, Level II trauma center with pediatrics, or pediatric trauma center is to be selected.~~



~~(c) An applicant hospital with the greatest number of severely injured patients discharged in a geographic location that is most conducive to access by the greatest number of people to be served within a TSA shall be given preference for selection.~~

~~(d) A hospital representing the best geographic distribution with respect to terrain, population served and projected service population in a given TSA shall be given preference for selection.~~

~~(d)(e)~~ No change.

(e) A hospital recommended to be a trauma center in the department-approved trauma agency plan shall be given approval preference over any hospital which was not recommended.

~~(12) The department shall inform, in writing, each Provisional Trauma Center denied approval as a trauma center of its opportunity to request a hearing in which to contest the denial in accordance with Section 120.57, F.S.~~

Rulemaking Authority 395.4025, 395.405 FS. Law Implemented 395.401, 395.4015, 395.402, 395.4025, 395.404, 395.4045, 395.405 FS. History—New 8-3-88, Amended 12-10-92, 10-2-94, 12-10-95, Formerly 10D-66.112, Amended 8-4-98, 2-20-00, 6-3-02, 6-9-05, 3-5-08, Formerly 64E-2.028, Amended 11-5-09, 4-20-10, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Leah Colston, Bureau Chief, Bureau of Emergency Medical Oversight.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Celeste Philip, MD, MPH, Surgeon General and Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 31, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 31, 2016

**DEPARTMENT OF CHILDREN AND FAMILIES**

**Family Safety and Preservation Program**

RULE NO.: RULE TITLE:  
65C-16.013 Determination of Maintenance Subsidy Payments

PURPOSE AND EFFECT: The Department intends to amend Rule 65C-16.013, Determination of Maintenance Subsidy Payments, to incorporate the “Maintenance Adoption Subsidy Approval” form.

SUMMARY: The “Maintenance Adoption Subsidy Approval” form will be incorporated.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department used a checklist to conduct an economic analysis and determine if there is an adverse impact or regulatory costs associated with this rule that exceeds the criteria in section 120.541(2)(a), F.S. Based upon this analysis, the Department has determined that the proposed rule is not expected to require legislative ratification.

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

RULEMAKING AUTHORITY: 409.166(8) FS.

LAW IMPLEMENTED: 409.166(4) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jodi Abramowitz, jodi.abramowitz@myflfamilies.com or (850)717-4189

THE FULL TEXT OF THE PROPOSED RULE IS:

65C-16.013 Determination of Maintenance Subsidy Payments.

(1) through (7) No change.

(8) When a child has a specific and diagnosed physical, mental, emotional, or behavioral problem which requires care, supervision, and structure beyond that ordinarily provided in a family setting, a maintenance subsidy may be negotiated up to 100% of the statewide foster care board rate. A subsidy may exceed 100% of the statewide foster care board rate when an exception is granted by the Department’s regional managing director or designee and documented on the “Maintenance Adoption Subsidy Approval” form, CF-FSP 5077, July 2016, incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-xxxxx>. Requests for exceptions must be in writing. In determining whether to grant an exception, the regional managing director or designee shall consider the medical, behavioral, and therapeutic needs of the child at the time of the negotiation, as well as the projected future needs of the child based on the family and medical history of the child and birth family. In no case shall the subsidy exceed the foster care maintenance payment for which the child is or would be eligible if the child had been in placed in a family foster home. Maintenance subsidy is not intended to cover services which can be

obtained through family insurance, Medicaid, Children’s Medical Services, medical subsidy, or through special education plans provided by the public school district.

(9) through (15) No change.

Rulemaking Authority 409.166(8) FS. Law Implemented 409.166(4) FS. History—New 2-14-84, Formerly 10M-8.20, Amended 5-20-91, 4-19-94, Formerly 10M-8.020, Amended 12-23-97, 8-19-03, 11-30-08, 7-7-16, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Courtney Smith

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Mike Carroll

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 22, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 30, 2016

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of State Fire Marshal**

RULE NOS.:	RULE TITLES:
69A-67.001	Administration and General Requirements
69A-67.002	Scope
69A-67.003	Definitions
69A-67.004	Classes of Nonresidential Farm Buildings; Inspection Requirements
69A-67.005	Requirements for Class 1 Nonresidential Farm Buildings
69A-67.006	Alternative Firesafety Evaluation System for Class 2 Nonresidential Farm Buildings
69A-67.007	Class 3 Farm Buildings

PURPOSE AND EFFECT: The purpose of the proposed new rules is to establish the requirements and alternative firesafety provisions regarding existing nonresidential farm buildings used for agritourism activities as required under subsection 633.202(16), F.S. The rules being adopted must address the procedures for the evaluation, classification, and inspection of nonresidential farm buildings used for agritourism.

SUMMARY: The rules adopt fire safety rules for use by local fire officials when conducting the inspection of structures that are used by the owner for agritourism activities and exempts certain nonresidential farm buildings from the rules and the Florida Fire Prevention Code.

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 Division of State Fire Marshal conducted an analysis of the proposed rules’ potential economic impact and determined that it did not exceed any of the criteria established in subsection 120.541(1), F.S., and it therefore does not require legislative ratification pursuant to subsection 120.541(3), F.S.

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: 633.104, 633.202, FS.

LAW IMPLEMENTED: 570.56, 633.202, FS.

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

DATE AND TIME: Thursday, September 22, 2016, 1:30 p.m.

PLACE: Polk State College Public Safety Center, 1251 Jim Keene Blvd., Winter Haven, Florida

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: Casia Sinco, telephone: (850)413-3620, email: Casia.Sinco@myfloridacfo.com.. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Casia Sinco, Chief, Bureau of Fire Prevention, Division of State Fire Marshal, Department of Financial Services, address: 200 East Gaines Street, Tallahassee, Florida 32399-0342, telephone: (850)413-3620, email: Casia.Sinco@myfloridacfo.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

CHAPTER 69A-67, F.A.C.: FIRESAFETY STANDARDS FOR NONRESIDENTIAL FARM BUILDINGS

69A-67.001 Administration and General Requirements.

(1) The Division of State Fire Marshal hereby adopts fire safety rules for use by local fire officials when conducting the inspection of a new or existing structure located on a farm, as defined in paragraph 823.14(3)(a), F.S., that is used by the owner only for “agritourism activity” as defined in Section 570.86, F.S.

(2) Pursuant to paragraph 633.202(16)(b), F.S., the following nonresidential farm buildings are exempt from this rule and the Florida Fire Prevention Code in its entirety:

(a) A nonresidential farm building in which the occupancy is limited by the property owner to no more than 35 persons; and

(b) An agricultural pole barn.

Rulemaking Authority 633.104, 633.202 FS. Law Implemented 570.56, 633.202 FS. History—New \_\_\_\_\_.

#### 69A-67.002 Scope.

(1) This rule chapter establishes requirements and alternative fire safety provisions to provide a reasonable degree of safety from fire in new, renovated, and existing nonresidential farm buildings used for agritourism activities.

(2) This rule chapter includes procedures for the evaluation, classification, and inspection of nonresidential farm buildings used for agritourism activities.

(3) Where a special amusement building is installed inside a nonresidential farm building regardless of occupant load, it shall meet the requirements as a special amusement assembly occupancy in the Florida Fire Prevention Code.

Rulemaking Authority 633.104, 633.202 FS. Law Implemented 570.56, 633.202 FS. History—New \_\_\_\_\_.

#### 69A-67.003 Definitions.

As used in this rule chapter, the following definitions apply:

(1) Activity: One specific function or event lasting no longer than 72 consecutive hours.

(2) Contents and furnishings: Any movable objects in a building that are normally secured or otherwise put in place for functional reasons, excluding:

(a) Parts of the internal structure of the building; and

(b) Any items meeting the definition of interior finish.

(3) Guard: A building component or a system of building components located at or near the open sides of elevated walking surfaces that minimizes the possibility of a fall from the walking surface to a lower level as defined in the Florida Building Code.

(4) Handrail: A horizontal or sloping rail intended for grasping by the hand for guidance or support as defined in the Florida Building Code.

(5) Interior finish: The exposed surfaces of walls, ceilings, and floors within buildings. Interior finish is not intended to apply to surfaces within spaces such as those that are concealed or inaccessible. Furnishings that, in some cases, might be secured in place for functional reasons should not be considered as interior finish.

(6) Means of Egress: A continuous and unobstructed way of travel from any point in a building or structure to a public way consisting of three separate and distinct parts: (1) the exit access, (2) the exit, and (3) the exit discharge. A means of egress comprises the vertical and horizontal travel and includes the intervening room spaces, doorways, hallways, corridors, passageways, balconies, ramps, stairs, elevators,

enclosures, lobbies, escalators, horizontal exits, courts, and yard.

(7) Occupant load: The total number of persons that might occupy a building or portion thereof at any one time. The occupant load shall be calculated at 7 net square feet per person without tables and chairs or at 15 net square feet per person when tables and chairs are used. The occupant load may be less than the calculated load when agreed upon by the owner and the Authority Having Jurisdiction (AHJ) and when posted on an approved sign.

(8) Proximate audience: An audience closer to pyrotechnic devices than permitted by NFPA 1123, Code for Fireworks Display.

Rulemaking Authority 633.104, 633.202 FS. Law Implemented 570.56, 633.202 FS. History—New \_\_\_\_\_.

#### 69A-67.004 Classes of Farm Buildings; Inspection Requirements

Pursuant to paragraph 633.202(16)(b), F.S., each nonresidential farm building used for agritourism activities for which the owner receives consideration, and which is not exempt pursuant to subsection 69A-67.001(2), F.A.C., must be classified as one of three classes:

(1) Class 1: A nonresidential farm building used by the owner 12 times per year or less for agritourism activity with up to 100 persons occupying the structure at one time.

(2) Class 2: A nonresidential farm building used by the owner more than 12 times per year for agritourism activity with up to 300 persons occupying the structure at one time.

(3) Class 3: A building used to primarily house, shelter, or otherwise accommodate members of the public or a building in which the primary purpose is an agritourism activity. Newly constructed buildings, additions to an existing structure, or an existing structure may all qualify for this classification.

In order to determine the classification of a farm building and whether the building meets the requirements outlined for that classification, the AHJ shall conduct an annual inspection of only the farm building for which classification is being sought or if the building's classification changes.

Rulemaking Authority 633.104, 633.202 FS. Law Implemented 570.56, 633.202 FS. History—New \_\_\_\_\_.

#### 69A-67.005 Requirements for Class 1 Nonresidential Farm Buildings

The following requirements apply to a nonresidential farm building that is classified by the AHJ as a Class 1 nonresidential farm building:

(1) Less than 100 persons occupy the building during each agritourism activity;

(2) Used 12 times per year or less for agritourism activities;

(3) It must have at least 2 unobstructed means of egress of at least 36 inches in width and 80 inches in height;

(4) Large barn style doors may be used as an exit if left open during the agritourism activity;

(5) It must have at least 7 net square feet of floor space per person in attendance if the building is not concentrated with chairs, tables, or other obstacles and 15 net square feet of floor space per person in attendance if the building is concentrated with chairs, tables, or other obstacles;

(6) Combustible liquids/gases, explosives/blasting agents, flammable liquids/gases, or hazardous materials must not be stored inside the building during the agritourism activity;

(7) Pyrotechnics must not be used inside the building during the agritourism activity;

(8) The use of open flames shall be in a manner compliant with the Florida Fire Prevention Code;

(9) Interior finish shall meet the requirements outlined in subsection 69A-67.006(5), F.A.C.;

(10) Portable cooking equipment for warming of food that is not flue-connected shall be permitted if the equipment is fueled by small heat sources that can be readily extinguished by water, such as candles or alcohol-burning equipment, including solid alcohol, provided that precautions satisfactory to the AHJ are taken to prevent ignition of any combustible materials; and

(11) It cannot be used for lodging purposes.

Rulemaking Authority 633.104, 633.202 FS. Law Implemented 570.56, 633.202 FS. History—New

#### 69A-67.006 Requirements for Class 2 Nonresidential Farm Buildings

The following requirements apply to a nonresidential farm building that is classified by the AHJ as a Class 2 nonresidential farm building:

(1) No agritourism activity has more than 300 persons occupying the building; however, the occupant load may be posted at less than calculated when agreed upon by the owner and the AHJ.

(2) Egress:

(a) Any door in a required means of egress from an area having an occupant load of 100 or more persons shall be permitted to have a latch or lock only if the latch or lock is panic hardware or other latching device acceptable to the AHJ.

(b) Large barn style doors may be used as an exit if left open during the agritourism activity.

(c) No turnstiles or other devices that restrict the movement of persons shall be installed in such a manner as to interfere with required means of egress.

(d) Each level of a building shall have access to the main entrance/exit and shall have additional exits of a width to

accommodate not less than one-half of the total occupant load served by that level.

(e) Additional exits shall be located as far apart as practicable and as far from the main entrance/exit as practicable.

(f) In buildings where there is no well-defined main entrance/exit, exits shall be permitted to be distributed around the perimeter of the building, provided that the total exit width furnishes not less than 125 percent of the width required to accommodate the permitted occupant load.

(g) Each building shall have at least two separate means of egress.

(h) Balconies, lofts, or mezzanines having an occupant load not exceeding 50 may be served by a single means of egress, and such means of egress shall be permitted to lead to the floor below.

(i) Balconies, lofts, or mezzanines having an occupant load exceeding 50 shall have not less than two remote means of egress, but both such means of egress shall be permitted to lead to the floor below.

(j) Exits shall be arranged so that the total length of travel from any point to reach an exit shall not exceed 200 feet.

(k) A common path of travel shall be permitted for the first 20 feet from any point where the common path serves any number of occupants, and for the first 75 feet from any point where the common path serves not more than 50 occupants.

(l) The width of aisles serving seating at tables shall be not less than 44 inches when serving an occupant load exceeding 50, and 36 inches when serving an occupant load of 50 or fewer.

(m) Where non-fixed seating is located between a table and an aisle, the measurement of required clear width of the aisle shall be made to a line 19 inches, measured perpendicularly to the edge of the table, away from the edge of said table.

(n) Means of egress shall be illuminated in facilities used during non-daylight hours.

(o) Means of egress shall be marked with a sign.

(p) Guards, guardrails, and handrails shall be required.

(q) Rooms containing high-pressure boilers, refrigerating machinery other than the domestic refrigerator type, large transformers, or other service equipment subject to explosion shall:

1. Not be located directly under or abutting required exits; and

2. Be separated from other parts of the building by fire barriers that have a minimum 1-hour fire resistance rating in accordance with Florida Fire Prevention Code 101: Section 8.3, or shall be protected by automatic extinguishing systems in accordance with Florida Fire Prevention Code 101: Section 8.7.

(r) Unsecured Seating. Seats not secured to the floor shall be permitted where fastening seats to the floor might be impracticable.

1. Unsecured seats shall be permitted, provided that, in the area used for seating, excluding such areas as dance floors and stages, there is no more than one seat for each 15 square feet of net floor area and aisles to reach exits are maintained at all times.

2. A seating diagram shall be submitted for approval by the AHJ to permit an increase in occupant load.

3. Festival Seating. A form of audience/spectator accommodation in which no seating, other than a floor or finished ground level, is provided for the audience/spectators gathered to observe a performance shall be prohibited within a building except when the assembly occupancy load is 250 or less.

(s) Means of Egress Inspection. Prior to each opening of the building to the public, the building owner or agent shall inspect the means of egress to ensure it is free of obstructions and correct any deficiencies found.

(3) Storage. The following items shall be prohibited to be in the building or within 10 feet of the building during agritourism activities:

- (a) Compressed flammable gases;
- (b) Flammable or combustible liquids;
- (c) Hazardous chemicals or materials; and
- (d) Blasting agents and explosives.

(4) Open Flame Devices and Pyrotechnics. No open flame devices or pyrotechnic devices shall be used, unless one of the following applies:

(a) Pyrotechnic special effect devices shall be permitted to be used on stages before proximate audiences for ceremonial or religious purposes, as part of a demonstration in exhibits, or as part of a performance, provided that both of the following criteria are met:

1. Precautions satisfactory to the AHJ are taken to prevent ignition of any combustible material; and

2. Use of the pyrotechnic device complies with Florida Fire Prevention Code 1: Section 65.3.

(b) Flame effects before an audience shall be permitted in accordance with Florida Fire Prevention Code 1: Section 65.4.

(c) Open flame devices shall be permitted to be used in the following situations, provided that precautions are taken to prevent ignition of any combustible material or injury to occupants:

1. Securely supported altar candles that are well separated from any combustible materials;

2. As part of a performance and used on stage or platform; and

3. Candles on tables that are securely supported on substantial noncombustible bases with candle flame protected.

(5) Interior finish, contents, and furnishings. Interior wall and ceiling finish shall have a flame spread index of less than 200 and a smoke development index of less than 450 as tested in accordance with ASTM E 84, *Standard Test Method for Surface Burning Characteristics of Building Materials*, or ANSI/UL 723, *Standard for Test for Surface Burning Characteristics of Building Materials*.

(a) The required flame spread index or smoke developed index shall be permitted to be secured by applying approved fire-retardant coatings to surfaces having higher flame spread index values. Such treatments shall be tested or shall be listed and labeled for application to the material on which the coating is applied, and shall comply with the requirements of NFPA 703, *Standard for Fire Retardant - Treated Wood and Fire-Retardant Coatings for Building Materials*.

(b) Fire-retardant coatings must be applied to surfaces properly prepared for the material and application needs to be consistent with the product listing.

(c) Combustible vegetation or scenery, including cloth and film:

1. Combustible vegetation or scenery shall not obstruct corridors, exit ways, or other means of egress;

2. Only listed electrical lights and wiring shall be used on natural or artificial combustible vegetation, scenery, or other similar decorations;

3. Open flames, such as from candles, lanterns, kerosene heaters, and gas-fired heaters shall not be located on or near combustible vegetation or scenery;

4. Combustible vegetation or scenery shall not be located near heating vents or other fixed or portable heating devices that could cause it to dry out prematurely or to be ignited;

5. Flame-Retardant Requirements:

a. Combustible scenery of cloth, film, vegetation (dry), and similar materials may be treated with a fire retardant and shall comply with one of the following:

(I). The scenery shall meet the flame propagation performance criteria contained in NFPA 701, *Standard Methods of Fire Tests for Flame Propagation of Textiles and Films*; or

(II). The scenery shall exhibit a heat release rate not exceeding 100 kW when tested in accordance with NFPA 289, *Standard Method of Fire Test for Individual Fuel Packages*, using the 20 kW ignition source.

6. Foamed plastics (as defined in Florida Fire Prevention Code 101) shall be permitted for use if plastics exhibit a heat release rate not exceeding 100 kW when tested in accordance with NFPA 289, *Standard Method of Fire Test for Individual Fuel Packages*, using the 20 kW ignition source or by specific approval of the AHJ.

7. Such fire retardants shall be demonstrated by each individual decorative vegetation item, including any decorative lighting, in an approved manner.

(6) Special Provisions for Food Service Operations. All devices used in connection with the preparation of food shall be installed and operated in a manner that avoids hazard to the safety of occupants.

(a) All devices in connection with the preparation of food shall be of an approved type and shall be installed in an approved manner.

(b) Cooking equipment shall be protected in accordance with the Florida Fire Prevention Code 101: Section 9.2.3, unless the cooking equipment is one of the following types:

- 1. Outdoor equipment used outdoors;
- 2. Portable equipment not flue-connected; or
- 3. Equipment used only for food warming.

(c) Portable cooking equipment that is not flue-connected shall be permitted only as follows:

1. Equipment fueled by small heat sources that can be readily extinguished by water, such as candles or alcohol-burning equipment, including solid alcohol, shall be permitted to be used, provided that precautions are taken to prevent ignition of any combustible materials.

2. Listed and approved LP-Gas commercial food service appliances shall be permitted to be used where in accordance with the Florida Fire Prevention Code 1: Chapter 69.

(d) Portable butane-fueled appliances where fueled by not more than two 10 ounces LP-Gas capacity, non-refillable butane containers that have a water capacity not exceeding 1.08 pounds per container may be used. The containers are required to be directly connected to the appliance, and manifolding of containers is not permitted.

(7) Smoking:

(a) Smoking shall be regulated by the AHJ.

(b) Where smoking is permitted, suitable ashtrays or receptacles shall be provided in convenient locations.

(8) The use of the building for lodging purposes is not permitted.

(9) The AHJ is authorized to modify or use alternative methods for any of the provisions of this rule upon application in writing where there are practical difficulties in the way of carrying out the provisions of the rule or the Florida Fire Prevention Code, provided that the intent of the rule or the Code shall be complied with, public safety secured, and substantial justice done.

Rulemaking Authority 633.104, 633.202 FS. Law Implemented 570.56, 633.202 FS. History–New \_\_\_\_\_.

69A-67.007 Requirements for Class 3 Buildings

A structure that is classified by the AHJ as a Class 3 structure shall meet all the applicable requirements of the current edition of the Florida Fire Prevention Code.

Rulemaking Authority 633.104, 633.202 FS. Law Implemented 570.56, 633.202 FS. History–New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Casia Sinco, Chief, Bureau of Fire Prevention, Division of State Fire Marshal, Department of Financial Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jeff Atwater, Chief Financial Officer, Department of Financial Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 31, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 1, 2016.

Section III

Notice of Changes, Corrections and Withdrawals

NONE

Section IV

Emergency Rules

NONE

Section V

Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

NOTICE IS HEREBY GIVEN that on August 23, 2016, the Construction Industry Licensing Board received a petition for variance and waiver filed by Jesus Mesa. The Petitioner is seeking a variance or waiver of Rule 61G4-16.005, 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. Comments on this petition should be filed with Construction Industry Licensing Board, 2601 Blair Stone Road, Tallahassee, FL 32399-1039, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Daniel Biggins, Executive Director, Construction Industry Licensing Board, at above address,

(850)487-1395 or email to  
Amanda.Wynn@myfloridalicense.com.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION**

Construction Industry Licensing Board

NOTICE IS HEREBY GIVEN that on August 19, 2016, the Construction Industry Licensing Board received a petition for variance or waiver filed by Ormand Hunter. The Petitioner is seeking a variance or waiver of the financial responsibility and stability requirements of Rule 61G4-15.006, F.A.C. Comments on this petition should be filed with Construction Industry Licensing Board, 2601 Blair Stone Road, Tallahassee, FL 32399-1039, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Daniel Biggins, Executive Director, Construction Industry Licensing Board, at above address, (850)487-1395 or email to  
Amanda.Wynn@myfloridalicense.com.

**DEPARTMENT OF CHILDREN AND FAMILIES**

Family Safety and Preservation Program

RULE NO.: RULE TITLE:

65C-15.017 Personnel

NOTICE IS HEREBY GIVEN that on July 19, 2016, the Department of Children and Families received a petition for waiver of subsection 65C-15.017(3), Florida Administrative Code, from Bethany Christian Services & Lucinda Fabozzi. Subsection 65C-15.017(3), F.A.C., requires staff who perform casework services in licensed child-placing agencies to possess at least a bachelors degree in social work or a related field from an accredited college or university.

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

**FLORIDA HOUSING FINANCE CORPORATION**

RULE NO.: RULE TITLE:

67-48.004 Selection Procedures for Developments

NOTICE IS HEREBY GIVEN that on August 30, 2016, the Florida Housing Finance Corporation, received a petition for Waiver from Petitioner Pinnacle Heights, LLC requesting to Waive Rule 67-48.004(3)(j), FS., to allow a decrease in Total Set-Aside Percentage from 100% to approximately 96.33% and increase the total number of units from 105 to 109.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Kate Flemming, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329. The Petition has also been posted on Florida Housing's website at

floridahousing.org. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

**FLORIDA HOUSING FINANCE CORPORATION**

RULE NO.: RULE TITLE:

67-21.014 MMRB Credit Underwriting Procedures

NOTICE IS HEREBY GIVEN that on August 30, 2016, the Florida Housing Finance Corporation, received a petition for waiver from Phoenix Apartments Venture, LP requesting to waive paragraph 67-21.014(2)(k), FS., to delete the requirement that the operating deficit guaranty to be in place for a minimum three years from issuance of final certificate of occupancy.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Kate Flemming, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329. The Petition has also been posted on Florida Housing's website at floridahousing.org. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

**FLORIDA HOUSING FINANCE CORPORATION**

RULE NO.: RULE TITLE:

67-21.027 HC General Program Procedures and Requirements

NOTICE IS HEREBY GIVEN that on August 31, 2016, the Florida Housing Finance Corporation received a petition for Waiver from Cypress Trace Apartments; Cross Keys Apartments Phase II; Bridgewater Place Apartments; Villa Esperanza Apartments; Captiva Club Apartments; Bernwood Trace Apartments; Crossings at University (aka FHFC Case No. 2016-038VW) requesting to waive subsections 67-21.027(1) and 67-21.031(2) to permit Petitioners to submit Qualified Contract Packages or, in the alternative, to modify unit affordability Set-Asides upon the expiration of the Extended Use period.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Kate Flemming, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329. The Petition has also been posted on Florida Housing's website at

floridahousing.org. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

Division of Cultural Affairs

The Florida Department of State, Division of Cultural Affairs announces a workshop to which all persons are invited.

DATE AND TIME: September 22, 2016, 12:00 Noon – 1:00 p.m.

PLACE: The meeting will be held via webinar

GENERAL SUBJECT MATTER TO BE CONSIDERED: What Does the Division DO?

Learn about the services offered to artists and arts & cultural organizations by the Florida Department of State's Division of Cultural Affairs, as well as the benefits provided to the State of Florida as a whole with Division Director Sandy Shaughnessy

A copy of the agenda may be obtained by contacting: Curtis Young at (850)245-6337 or at Curtis.Young@dos.myflorida.com.

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

For more information, you may contact: The Division of Cultural Affairs at (850)245-6470 or register for this event on our website: Florida-Arts.org.

DEPARTMENT OF STATE

Division of Cultural Affairs

The Division of Cultural Affairs and Florida Council on Arts and Culture announces a public meeting to which all persons are invited.

DATE AND TIME: October 5, 2016, 9:00 a.m.

PLACE: 54 W Church St., Orlando, FL 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss, review and take action on funding recommendations

for grants and any other business which may appropriately come before the Council. Note: If a quorum of members does not attend, items on the agenda for formal action will be discussed as a workshop by those present, and written minutes will be taken although no formal action will be taken. Council members must be physically present in order to participate.

A copy of the agenda may be obtained by contacting: the Division of Cultural Affairs at (850)245-6470 or at our website, www.florida-arts.org/calendar.

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: Rachelle Ashmore, (850)245-6490, Rachelle.Ashmore@dos.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: Rachelle Ashmore, (850)245-6490, Rachelle.Ashmore@dos.myflorida.com.

DEPARTMENT OF LEGAL AFFAIRS

Division of Victim Services and Criminal Justice Programs

The Florida Council on the Social Status of Black Men and Boys announces a telephone conference call to which all persons are invited.

DATE AND TIME: September 8, 2016, 9:15 a.m. – 2:00 p.m.

PLACE: Toll-free dial-in number: 1(888)670-3525, participant code: 1937102943

GENERAL SUBJECT MATTER TO BE CONSIDERED: Education Committee Day of Dialogue Discussion. The Day of Dialogue discussion hopes to review and evaluate educational research, examine best practices and develop recommendations to improve the educational outcome for black males.

A copy of the agenda may be obtained by contacting: www.cssbmb.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: the Bureau of Criminal Justice Programs 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: the Bureau of Criminal Justice Programs at (850)414-3300.

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DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE NOS.:RULE TITLES:

5E-2.0105 Definitions

5E-2.0312 Additional Registration Requirements for Registrants of Structural Fumigants Labeled for Application to Residential Structures.

The Department of Agriculture and Consumer Services, Division of Agricultural Environmental Services announces a workshop to which all persons are invited.

DATE AND TIME: September 23, 2016, 9:00 a.m.

PLACE: Mid Florida Research and Education Center, 2725 S. Binion Road, Apopka, FL 32703

GENERAL SUBJECT MATTER TO BE CONSIDERED: Registrant stewardship training requirements, continuing education training requirements, quality assurance reviews, and stop sale of product. Training and endorsement qualifications, updating forms for notification and clarifying fumigation procedures with improved fumigation reporting and record keeping applications.

A copy of the agenda and the text of the rule being developed may be obtained by contacting: Dale Dubberly, (850)617-7996, Dale.Dubberly@FreshFromFlorida.com.

For more information, you may contact: Dale Dubberly, (850)617-7996, Dale.Dubberly@FreshFromFlorida.com.

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DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE NOS.:RULE TITLES:

5E-14.102 Definitions

5E-14.104 Prohibited Acts

5E-14.108 Fumigation Requirements - General Fumigation

5E-14.110 Fumigation Requirements - Notices

5E-14.142 Responsibilities and Duties - Records, Reports, Advertising, Applications

5E-14.1421 Identification Card - Training Verification

5E-14.149 Enforcement and Penalties

The Department of Agriculture and Consumer Services, Division of Agricultural Environmental Services announces a workshop to which all persons are invited.

DATE AND TIME: September 23, 2016, 10:00 a.m.

PLACE: Mid Florida Research and Education Center, 2725 S. Binion Road, Apopka, FL 32703

GENERAL SUBJECT MATTER TO BE CONSIDERED: Registrant stewardship training requirements, continuing education training requirements, quality assurance reviews, and stop sale of product. Training and endorsement

qualifications, updating forms for notification and clarifying fumigation procedures with improved fumigation reporting and record keeping applications.

A copy of the agenda and the text of the rule being developed may be obtained by contacting: Dale Dubberly, (850)617-7996, Dale.Dubberly@FreshFromFlorida.com.

For more information, you may contact: Dale Dubberly, (850)617-7996, Dale.Dubberly@FreshFromFlorida.com.

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DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Water Policy

The Florida Department of Agriculture and Consumer Services Soil and Water Conservation Council announces a public meeting to which all persons are invited.

DATE AND TIME: September 8, 2016, 1:00 p.m. – 3:00 p.m.

PLACE: Alachua Regional Service Center, 14101 Northwest Highway 441, Alachua, Florida 32615

GENERAL SUBJECT MATTER TO BE CONSIDERED: Items for discussion include an update on soil and water conservation districts (SWCDs) noticing meetings and assisting SWCDs with establishing a website. Also, any new business that is brought up by the Council.

A copy of the agenda may be obtained by contacting: Brenda Howard with the Office of Agricultural Water Policy at (850)617-1703.

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DEPARTMENT OF EDUCATION

State Board of Education

The Florida Rehabilitation Council for the Blind announces a telephone conference call to which all persons are invited.

DATE AND TIME: September, 15, 2016, 10:00 a.m.

PLACE: Telephone conference

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this teleconference is to provide the Division of Blind Services comment on the Strategic Plan for 2016-2020.

A copy of the agenda may be obtained by contacting: Selena Sickler, (850)245-0329, Selena.Sickler@dbs.fldoe.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Selena Sickler, (850)245-0329, Selena.Sickler@dbs.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: Selena Sickler, (850)245-0329, Selena.Sickler@dbs.fldoe.org.

**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:** September 13, 2016, 1:00 p.m. – 3:00 p.m., ET

**PLACE:** Neil Kirkman Building, Training Room B130, 2900 Apalachee Parkway, Tallahassee, Florida 32399

GoToMeeting call-in information is also provided below

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Motorist Modernization Advisory Board is meeting to receive an update on Phase 1 of the Motorist Modernization Program. System functionality and requirements will also be presented to the group for consideration and input.

**AGENDA**

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

Join the meeting from your computer, tablet or smartphone at <https://global.gotomeeting.com/join/630034677>.

You can also dial in using your phone: United States, +1(646)749-3129; United States (toll-free), 1(877)309-2073; access code: 630-034-677; audio PIN shown after joining the meeting

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Terrence Samuel, 2900 Apalachee Parkway, Room D315, Tallahassee, FL 32399, (850)617-2100, [terrencsamuel@flhsmv.gov](mailto:terrencsamuel@flhsmv.gov). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**STATE BOARD OF ADMINISTRATION**

The Investment Advisory Council (IAC) announces a public meeting to which all persons are invited.

**DATE AND TIME:** Monday, September 19, 2016, 1:00 p.m. until completion of agenda

**PLACE:** The Hermitage Centre, Hermitage Conference Room, 1801 Hermitage Boulevard, Tallahassee, Florida 32308

Attendees should check in at the reception desk. On-site parking available.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Regularly scheduled quarterly meeting of the Investment Advisory Council. The IAC is a nine-member advisory council, which reviews the investments made by the staff of the State Board of Administration and makes recommendations to the board regarding investment policy, strategy, and procedures. The IAC operates under Section 215.444 of the Florida Statutes.

A copy of the agenda may be obtained by contacting: Pam Noda, State Board of Administration, (850)413-1381 or [pam.noda@sbafla.com](mailto:pam.noda@sbafla.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 5 days before the workshop/meeting by contacting: Eddie McEwen, (850)413-1104, [eddie.mcewen@sbafla.com](mailto:eddie.mcewen@sbafla.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).

**EXECUTIVE OFFICE OF THE GOVERNOR**

**Division of Emergency Management**

The Division of Emergency Management, State Hazard Mitigation Plan Advisory Team (SHMPAT) announces public meetings to which all persons are invited.

**DATES AND TIMES:** September 13, 2016, 1:00 p.m. – 4:00 p.m.; December 13, 2016, 1:00 p.m. – 4:00 p.m.; March 14, 2017, 1:00 p.m. – 4:00 p.m.; June 13, 2017, 1:00 p.m. – 4:00 p.m.; September 12, 2017, 1:00 p.m. – 4:00 p.m.; December 12, 2017, 1:00 p.m. – 4:00 p.m.; March 13, 2018, 1:00 p.m. – 4:00 p.m.; June 12, 2018, 1:00 p.m. – 4:00 p.m.

**PLACE:** William E. Sadowski Office Building, 2555 Shumard Oak Blvd., Randall Kelley Training Room, 305, Tallahassee, FL 32399

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Establish subgroups and breakout sessions, risk assessment, hazard review and selection, mitigation measure organization, plan maintenance review and state capability assessment.

The Division reserves the right to issue amendments, addenda, and changes to the timeline and specifically to the meeting notice listed above. The Division will post notice of any changes or additional meetings and will not re-advertise notice in the Florida Administrative Review (FAR).

A copy of the agenda may be obtained by contacting: Melissa Schrader, Mitigation Planner, Bureau of Mitigation, Florida Division of Emergency Management, 2555 Shumard Oak

Bld., Tallahassee, FL 32399, (850)413-9959, Melissa.Schrader@em.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Melissa Schrader, Mitigation Planner, Bureau of Mitigation, Florida Division of Emergency Management, 2555 Shumard Oak Blvd., Tallahassee, FL 32399, (850)413-9959, Melissa.Schrader@em.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).

**EXECUTIVE OFFICE OF THE GOVERNOR**

Division of Emergency Management

The Division of Emergency Management announces a public meeting to which all persons are invited.

DATE AND TIME: September 2, 2016, 2:30 p.m.

PLACE: William E. Sadowski Office Building, 2555 Shumard Oak Blvd., Tallahassee, FL 32399

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** In accordance with the timeframe set forth in section 120.525, Florida Statutes, a Public Opening is hereby noticed within the timeline for the Invitation to bid (ITB-DEM-16-17-015) for FDEM Hurricane Season Preparedness and Media Buy.

The Division reserves the right to issue amendments, addenda, and changes to the timeline and specifically to the meeting notice listed above. The Division will post notice of any changes or additional meetings within the Vendor Bid System (VBS) in accordance with Section 287.042(3), Florida Statutes, and will not re-advertise notice in the Florida Administrative Review (FAR). Access the VBS at: [http://vbs.dms.state.fl.us/vbs/main\\_menu](http://vbs.dms.state.fl.us/vbs/main_menu).

A copy of the agenda may be obtained by contacting: Kara Godwin, Division Purchasing Specialist, Bureau of Finance, Florida Division of Emergency Management, 2555 Shumard Oak Blvd., Tallahassee, FL 32399, (850)922-1649, Kara.Godwin@em.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Kara Godwin, Division Purchasing Specialist, Bureau of Finance, Florida Division of Emergency Management, 2555 Shumard Oak Blvd., Tallahassee, FL 32399, (850)922-1649, Kara.Godwin@em.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).

**REGIONAL PLANNING COUNCILS**

West Florida Regional Planning Council

The Walton/Okaloosa/Santa Rosa Regional Utility Authority (RUA) announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 14, 2016, 2:00 p.m.

PLACE: Okaloosa County Water and Sewer Building, 1804 Lewis Turner Blvd., Fort Walton Beach, FL 32547

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Consideration of resolution supporting Destin Water Users application to the State Revolving Fund (SRF) loan program.

A copy of the agenda may be obtained by contacting: Jill Lavender at [jill.lavender@wfrpc.org](mailto:jill.lavender@wfrpc.org) or call toll-free at 1(800)226-8914, ext. 212.

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: Brittany Ellers at [brittany.ellers@wfrpc.org](mailto:brittany.ellers@wfrpc.org) or calling toll-free at 1(800)226-8914, ext. 220. 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: Jill Lavender at [jill.lavender@wfrpc.org](mailto:jill.lavender@wfrpc.org) or call toll-free at 1(800)226-8914, ext. 212.

**REGIONAL PLANNING COUNCILS**

Central Florida Regional Planning Council

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

DATE AND TIME: September 15, 2016, 2:00 p.m.

PLACE: Desoto County Administration Building, Board of County Commission Chambers, 201 East Oak Street, Suite 201, Arcadia, FL 34266

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Regular meeting of the HRTPO Citizen Advisory Committee (CAC).

A copy of the agenda may be obtained by contacting: Marybeth Soderstrom, Community Engagement Manager, (863)534-7130, ext. 134, [msoderstrom@cfrpc.org](mailto:msoderstrom@cfrpc.org).

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

agency at least 3 days before the workshop/meeting by contacting: Marybeth Soderstrom, Community Engagement Manager, (863)534-7130, ext. 134, msoderstrom@cfrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

**REGIONAL PLANNING COUNCILS**

Southwest Florida Regional Planning Council

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

DATE AND TIME: September 15, 2016, 9:00 a.m.

PLACE: SWFRPC, 1400 Colonial Blvd., Suite 1, Fort Myers, FL 33907

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
The regular monthly meeting of the Southwest Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: Charles Kammerer at (239)938-1813, ext. 227 or ckammerer@swfrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: SWFRPC at (239)938-1813. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may visit the SWFRPC's website at <http://swfrpc.org/agendas.html>.

**WATER MANAGEMENT DISTRICTS**

St. Johns River Water Management District

The St. Johns River Water Management District announces public meetings to which all persons are invited.

DATE AND TIMES: Tuesday, September 13, 2016, 1:00 p.m., Strategic Plan Workshop; 2:00 p.m. or upon conclusion of the Strategic Plan Workshop, whichever is later, Finance, Administration and Audit Committee meeting; 3:00 p.m. or upon conclusion of the Finance Committee meeting, whichever is later, Governing Board meeting; 5:05 p.m.,

Public Hearing on Fiscal Year 2016-2017 Tentative Millage and Tentative Budget Adoption

PLACE: District Headquarters, 4049 Reid Street (Hwy 100 West), Palatka, FL 32177

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
Discussion and consideration of District business including regulatory and non-regulatory matters. Staff may recommend approval of external amendments which affect the adopted budget.

**NOTE:** One or more Governing Board members may attend and participate in the meetings by means of communications media technology.

A copy of the agenda may be obtained by contacting: the St. Johns River Water Management District, Attention Lori Griffith, 4049 Reid Street, Palatka, FL 32177, by phone at (386)329-4470 or at the District's website, [sjrwm.com](http://sjrwm.com).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: the District Clerk at (386)329-4500. 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).

**WATER MANAGEMENT DISTRICTS**

South Florida Water Management District

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

DATE AND TIME: Thursday, September 8, 2016, 5:15 p.m.

PLACE: South Florida Water Management District Auditorium, B-1 Building, 3301 Gun Club Road, West Palm Beach, Florida 33406

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
The Governing Board will receive and consider public comment and vote on the Fiscal Year 2016/2017 tentative millage rates and tentative budget. The Governing Board may discuss and consider District business, including regulatory and non-regulatory matters.

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

A copy of the agenda may be obtained by contacting: Brenda Low, (561)682-6805 or at <https://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 5 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).

For more information, you may contact: Brenda Low, (561)682-6805 or BLow@sfwmd.gov.

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**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Construction Industry Licensing Board**

The Department of Business and Professional Regulation announces public meetingS to which all persons are invited.

**DATE AND TIMES:** September 27, 2016, 10:00 a.m. and 11:00 a.m.

**PLACE:** Department of Business and Professional Regulation, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2202

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To review complaints in which a determination of the existence of probable cause has already been made.

A copy of the agenda may be obtained by contacting: Ian Brown, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2202, (850)488-0062.

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: Ian Brown, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2202, (850)488-0062. 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: Ian Brown, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, Florida 32399-2202, (850)488-0062.

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**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Building Code Administrators and Inspectors Board**

The Building Code Administrators and Inspectors Board announces public meetings to which all persons are invited.

**DATES AND TIMES:** October 18, 2016, 9:00 a.m.; October 19, 2016, 9:00 a.m.; October 20, 2016, 9:00 a.m.; October 21, 2016, 9:00 a.m.

**PLACE:** Floridays Resort Orlando, 12562 International Drive, Orlando, FL 32821, (407)238-7700

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Rule discussion, committee meetings, probable cause panel (portions of which may be closed to the public), general board business.

A copy of the agenda may be obtained by contacting: The Board's website at MyFloridaLicense.com - Our Businesses and Professionals - Building Code Administrators and Inspectors.

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 Board office. 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: Department of Business and Professional Regulation, Building Code Administrators and Inspectors, 2701 Blair Stone Road, Tallahassee FL 32399 or call (850)717-1980.

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**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Commission**

The Probable Cause Panel of the Florida Real Estate Commission announces a hearing to which all persons are invited.

**DATE AND TIME:** Monday, September 19, 2016, 3:00 p.m.

**PLACE:** Zora Neale Hurston Building, North Tower, Suite N901, 400 West Robinson Street, Orlando, Florida 32801

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Probable Cause Panel will meet to conduct a private meeting to review cases to determine probable cause and to conduct a public meeting to review cases where probable cause was previously found. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Probable Cause Panel or its counsel.

A copy of the agenda may be obtained by contacting: Deputy Clerk, Division of Real Estate, at (407)481-5662. Only public portions of the agenda are available upon request.

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: Division of Real Estate, (407)481-5662. 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 BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

The Florida Real Estate Commission announces a public meeting to which all persons are invited.

**DATES AND TIMES:** Tuesday, September 20, 2016, 8:30 a.m., ET; meeting will reconvene Wednesday, September 21, 2016, 8:30 a.m., ET

**PLACE:** Zora Neale Hurston Building, North Tower, Suite N901, 400 West Robinson Street, Orlando, Florida 32801

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Official business of Commission –topics include, but are not limited to, proposed legislation affecting Chapter 475, Part I, F.S., Chapter 61J2 rule discussion, budget discussions, escrow disbursement requests, recovery fund claims, education issues, petitions for declaratory statement, petitions for rule variance/waiver, disciplinary actions and real estate applications. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Commission members or its counsel.

A copy of the agenda may be obtained by contacting: Lori Crawford, lori.crawford@myfloridalicense.com, or Mike Davis, michael.davis@myfloridalicense.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 5 days before the workshop/meeting by contacting: Division of Real Estate, (407)481-5662. 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.

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#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

**DATE AND TIME:** September 8, 2016, 9:00 a.m.

**PLACE:** Leesburg Community Building, East Room, 109 East Dixie Avenue, Leesburg, FL 34748

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Upper Ocklawaha Basin Working Group will hold its annual meeting on September 8 in Leesburg at the Leesburg Community Building. This meeting is open to the public. A water quality and nutrient loading status report for the basin's impaired lakes will be presented as well as an update on water quality improvement projects. Additionally, a refinement of the nutrient reduction allocations for priority waterbodies will be presented.

The Upper Ocklawaha Basin Working Group was formed to provide a forum for stakeholders to discuss issues related to the basin's nutrient Total Maximum Daily Loads for the Harris Chain of Lakes, Palatka River, and Lake Apopka. The Second Phase of the Upper Ocklawaha Basin Management Action Plan was adopted in 2014 to address nutrient problems in the previously listed waterbodies.

A copy of the agenda may be obtained by contacting: Ms. Mary Paulic, Department of Environmental Protection, 2600 Blair Stone Road, MS 3565, Tallahassee, Florida 32399-2400, (850)245-8560.

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: Ms. Mary Paulic, Department of Environmental Protection, 2600 Blair Stone Road, MS 3565, Tallahassee, Florida 32399-2400, (850)245-8560. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Ms. Mary Paulic, Department of Environmental Protection, 2600 Blair Stone Road, MS 3565, Tallahassee, Florida 32399-2400, (850)245-8560.

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#### DEPARTMENT OF HEALTH

Board of Occupational Therapy

The Board of Occupational Therapy announces a public meeting to which all persons are invited.

**DATE AND TIME:** Wednesday, September 14, 2016, 4:00 p.m., ET.

**PLACE:** Conference call: 1(888)670-3525; insert participant code: 7811783909, then # sign when prompted

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General Business Meeting.

A copy of the agenda may be obtained by contacting: The Board of Occupational Therapy, 4052 Bald Cypress Way, BIN #C05, Tallahassee, Florida 32399-3255, by calling the board

office at (850)245-4373, ext. 3468 or by visiting the website at [www.floridasoccupationaltherapy.gov](http://www.floridasoccupationaltherapy.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 48 hours before the workshop/meeting by contacting: the Department Health at (850)245-4444, ext. 3418. 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.

**DEPARTMENT OF HEALTH**

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

**DATES AND TIMES:** Friday, September 9, 2016, 11:00 a.m. – 12:00 Noon; Monday, September 12, 2016, 10:00 a.m. – 11:00 a.m.

**PLACE:** Bureau of Emergency Medical Oversight/Injury Prevention Section, 4042 Bald Cypress Way, Second Floor, Tallahassee, Florida 32399; telephone conference: United States 1(888)670-3525 toll-free, access code: 6082454114

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Safe Kids Worldwide updates, update on the Florida Injury and Violence Prevention Advisory Council (FIVPAC), update on the Florida Teen Safe Driving Coalition, Child Passenger Safety and Teen Driving Safety CoINs, and Safe Kids local coalition updates.

A copy of the agenda may be obtained by contacting: Mary Crew, [mary.crew@flhealth.gov](mailto:mary.crew@flhealth.gov), (850)245-4982.

**DEPARTMENT OF HEALTH**

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

**DATE AND TIME:** Monday, September 12, 2016, 10:00 a.m. – 12:00 Noon, ET

**PLACE:** Conference call: 1(888)670-3525, participant code: 1043560135#

To view any presentations during the call, log on at: <https://global.gotomeeting.com/join/164305109>.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Emergency Medical Services Advisory Council will hold a mid-quarter conference call to conduct general business of the Council.

A copy of the agenda may be obtained by contacting: Bethany Lowe, (850)245-4055 or [Bethany.Lowe@flhealth.gov](mailto:Bethany.Lowe@flhealth.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 48 hours before the workshop/meeting by contacting: Bethany Lowe, (850)245-4055 or [Bethany.Lowe@flhealth.gov](mailto:Bethany.Lowe@flhealth.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).

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: Bethany Lowe, (850)245-4055 or [Bethany.Lowe@flhealth.gov](mailto:Bethany.Lowe@flhealth.gov).

**DEPARTMENT OF HEALTH**

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

**DATE AND TIME:** Wednesday, September 14, 2016, 3:00 p.m. – 4:00 p.m., Eastern Time

**PLACE:** Bureau of Emergency Medical Oversight, Injury Prevention Section, 4042 Bald Cypress Way, Second Floor, Tallahassee, Florida 32399; conference call (toll-free): 1(877)309-2073.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Basic orientation for the new Florida Injury and Violence Prevention Advisory Council on their roles, responsibilities and expectations, limitations that exist, and relevant section information.

A copy of the agenda may be obtained by contacting: Stephanie Brown, [Stephanie.Brown@flhealth.gov](mailto:Stephanie.Brown@flhealth.gov), (850)245-4440, ext. 2744.

**DEPARTMENT OF CHILDREN AND FAMILIES**

Mental Health Program

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

**DATE AND TIME:** October 13, 2016, 9:00 a.m.

**PLACE:** Telephone conference: 1(888)670-3525, PIN: 2860250655

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** RFA06H16GS1 - Criminal Justice, Mental Health, and Substance Abuse (CJMHS) Reinvestment Grant - Meeting of the Grant Review Committee to Complete Review of Grant Applications.

A copy of the agenda may be obtained by contacting: [michele.staffieri@myflfamilies.com](mailto:michele.staffieri@myflfamilies.com).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: michele.staffieri@myflfamilies.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: michele.staffieri@myflfamilies.com.

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**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

The Florida Fish and Wildlife Conservation Commission announces a public meeting to which all persons are invited.

**DATE AND TIME:** September 13, 2016, 9:00 a.m.

**PLACE:** Everglades Wetland Research Park at the Kapnick Center, 4940 Bayshore Drive, Naples, FL 34112

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This is a quarterly meeting of the Steering Committee for the Florida Beaches Habitat Conservation Plan. Topics to be discussed include staff updates from the last quarter. No votes will be taken.

A copy of the agenda may be obtained by contacting: Jennifer McGee, Florida Fish and Wildlife Conservation Commission, Species Conservation Planning Section, 620 South Meridian Street, MS 2A, Tallahassee, Florida 32399-1600, (850)921-1023, Jennifer.McGee@myfwc.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 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).

For more information, you may contact: Jennifer McGee, Florida Fish and Wildlife Conservation Commission, Species Conservation Planning Section, 620 South Meridian Street, MS 2A, Tallahassee, Florida 32399-1600, (850)921-1023, Jennifer.McGee@myfwc.com.

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**FLORIDA AUTOMOBILE JOINT UNDERWRITING ASSOCIATION**

The Florida Automobile Joint Underwriting Association announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** Friday, September 9, 2016, 10:30 a.m.

**PLACE:** WebEx and Conference Call – Please contact FAJUA for information

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Operating Committee will review proposed changes in the

FAJUA Manuals for recommendation to the Board of Governors and any other matters that may come before the Committee.

A copy of the agenda may be obtained by contacting: Sharon Neal, 1425 Piedmont Drive, East, Suite 201-A, Tallahassee, Florida 32308, (850)681-2003, sneal@fajua.org.

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**FLORIDA AUTOMOBILE JOINT UNDERWRITING ASSOCIATION**

The Florida Automobile Joint Underwriting Association announces public meetings to which all persons are invited.

**DATES AND TIMES:** Monday, September 12, 2016, 2:00 p.m., ad hoc Vendor Review Committee Meeting; 3:00 p.m.,

Audit/Budget/Finance Committee Meeting; Tuesday, September 13, 2016, 8:30 a.m., Board of Governors Meeting

**PLACE:** InterContinental Tampa, 4860 West Kennedy Boulevard, Tampa, Florida, 33609

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** ad hoc Vendor Review Committee Meeting; Discuss Vendor RFI/ITN's and any other matters that may come before the Committee.

**Audit/Budget/Finance Committee Meeting:** To discuss the proposed FY 2016-2017 budget and make recommendations to the Board; to review and discuss matters relating to FAJUA Audited Financials and any other matters that may come before the Committee.

**Board of Governors Meeting:** To receive reports from the General Manager, Committees, and General Counsel; to consider and take actions based on those reports; Annual Statutory Rate Filing and to consider any other matters that may come before the Board.

A copy of the agenda may be obtained by contacting: Sharon Neal, 1425 Piedmont Drive, East, Suite 201-A, Tallahassee, Florida 32308, (850)681-2003, sneal@fajua.org.

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**ENTERPRISE FLORIDA, INC.**

The Team Florida Marketing Partnership Board announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** September 7, 2016, 4:00 p.m.

**PLACE:** 1(800)501-8979, access code: 3873240

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Team Florida Marketing Partnership Planning and Expenditures.

A copy of the agenda may be obtained by contacting: Lindsey Servin, lservin@enterprise-florida.com, (407)956-5633.

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 24 days before the workshop/meeting by contacting: Lindsey Servin, lservin@enterprise-florida.com, (407)956-5633. 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: Lindsey Servin, lservin@enterprise-florida.com, (407)956-5633.

#### ENTERPRISE FLORIDA, INC.

The Team Florida Marketing Partnership Board announces a public meeting to which all persons are invited.

DATE AND TIME: September 28, 2016, 3:00 p.m.

PLACE: Hyatt Regency Grand Cypress, One Grand Cypress Blvd., Orlando, FL 32836; telephone conference: 1(800)501-8979, access code: 3873240

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Team Florida Marketing Partnership Annual Report and Planning.

A copy of the agenda may be obtained by contacting: Lindsey Servin, lservin@enterprise-florida.com, (407)956-5633.

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 24 hours before the workshop/meeting by contacting: Lindsey Servin, lservin@enterprise-florida.com, (407)956-5633. 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: Lindsey Servin, lservin@enterprise-florida.com, (407)956-5633.

#### ATKINS - BARTOW

The Florida Department of Transportation (FDOT), District One, is holding a public hearing as part of the Project Development and Environment (PD&E) Study of a 19-mile segment of US 27 from the Highlands County line to north of State Road (SR) 60 in Polk County. FDOT invites all members of the public to attend.

DATE AND TIME: Thursday, September 8, 2016, 6:00 p.m. open house; 7:00 p.m., formal hearing

PLACE: South Lake Wales Church of God, 210 Presidents Drive, Lake Wales, FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This hearing offers people the opportunity to express their views about the location, conceptual design, and social, economic, and environmental effects of proposed widening of this segment of US 27 from existing four lanes to six lanes and improvements to the US 27/SR 60 interchange, Financial Project ID 419243-1-22-01. FDOT is holding this hearing due to circumstances involving property owners who were not notified of the first public hearing on March 22, 2016, and to ensure compliance with federal and state requirements. FDOT sent notices of the public hearing to property owners located within 300 feet on either side of US 27 and SR 60 within the study limits.

Draft project reports and conceptual plans are available for public review through September 19, 2016 at Lake Wales Public Library, 290 Cypress Garden Lane, Lake Wales, 9:00 a.m. to 6:30 p.m. Monday, Tuesday, Thursday; 9:00 a.m. to 5:30 p.m. Wednesday, Friday; 9:00 a.m. to 3:00 p.m. Saturday; and at Latt Maxcy Memorial Library, 15 North Magnolia Avenue, Frostproof, 8:30 a.m. to 8:00 p.m. Monday; 8:30 a.m. to 5:00 p.m. Tuesday, Wednesday and Friday; 8:30 a.m. to 7:00 p.m. Thursday; 9:00 a.m. to 12:00 Noon Saturday. FDOT solicits public participation without regard to race, color, national origin, age, sex, religion, disability or family status.

People who require special accommodations under the Americans with Disabilities Act of 1990, or who require translation services (free of charge), should contact: FDOT project manager Tony Sherrard, (863)519-2304, antone.sherrard@dot.state.fl.us at least seven days prior to the public hearing. If you are hearing or speech impaired, please contact FDOT using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information about the project or the public hearing, please contact: Mr. Sherrard or visit the project website: [www.swflroads.com](http://www.swflroads.com), and click on Future Projects.

#### INFINITE SOURCE COMMUNICATIONS GROUP, LLC

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

DATE AND TIME: September 15, 2016, 6:00 p.m. – 8:00 p.m.

PLACE: Central Church Miami, 1300 SW 87 Avenue, Miami, FL 33174

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Florida Department of Transportation (FDOT) District Six will hold a public hearing for two roadway improvement projects along State Road (SR) 973/SW 87 Avenue from SW 14 Street to north of SW 4 Street and along SR 90/US 41/SW 8 Street from West of SW 90 Avenue to East of SW 86 Court, in Miami-Dade County, to discuss the project's scope of work. The project identification numbers are 436310-1-52-01 and 436311-1-52-01. The meeting will be an open house, from 6:00 p.m. to 8:00 p.m. Graphic displays will be shown during the meeting, and FDOT representatives will be available to discuss the project.

A copy of the agenda may be obtained by contacting: Public Information Specialist Rodolfo Roman, (305)470-5477, Rodolfo.Roman@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Ivette Ruiz-Paz at (305)470-5225, at FDOT, 1000

NW 111 Avenue, Miami, FL 33172 or at ivette.ruiz-paz@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Public Information Specialist Rodolfo Roman, (305)470-5477, Rodolfo.Roman@dot.state.fl.us.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Condominiums, Timeshares and Mobile Homes

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Steven Jushchyshyn, In Re: G.B.S. Condominium Association, Inc., Docket No. 2016040030, filed on August 22, 2016. The petition seeks the agency’s opinion as to the applicability of Section 718.112(2)(c)1., Florida Statutes, as it applies to the petitioner.

What specific information must be mailed, delivered, or electronically transmitted to unit owners prior to a Board of Directors’ meeting where an amendment to unit use rules will be considered, under Section 718.112(2)(c)1., Florida Statutes?

A copy of the Petition for Declaratory Statement may be obtained by contacting: Danielle Walker, Administrative Assistant II, at Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 2601 Blair Stone Road, Tallahassee, Florida 32399-1030, (850)717-1539; Danielle.Walker@myfloridalicense.com.

Please refer all comments to: Robin E. Smith, Chief Attorney, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 2601 Blair Stone Road, Tallahassee, Florida 32399-2202. Responses, motions to intervene, or requests for an agency hearing, §120.57(2), Fla. Stat., must be filed within 21 days of this notice.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

NOTICE IS HEREBY GIVEN that the Construction Industry Licensing Board received a petition for declaratory statement from Frank Herrada on August 9, 2016. The petition seeks the agency’s opinion as to the applicability of Section 489.113(3)(c), Florida Statutes, as it applies to the petitioner.

Whether a licensed general contractor is authorized to build a concrete swimming pool provided that he subcontracts out the required electrical work. Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice.

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

DEPARTMENT OF HEALTH

Board of Medicine

Notice is hereby given that the Board of Medicine has received a Petition for Declaratory Statement filed on behalf of MGPA FL CORP, on August 29, 2016. The Petitioner seeks a declaratory statement from the Board with regard to whether the recent deletion of Section 458.347(7)(b)1.b., Florida Statutes, has any effect on the foreign medical graduate physician assistants who were originally licensed under the provision. The Council on Physician Assistants will consider this petition at its meeting currently scheduled for Thursday, October 6, 2016 and the Board will consider the Council’s recommendation at its meeting currently scheduled for Friday, October 7, 2016. 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 by writing: Claudia Kemp, J.D., Executive Director, Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

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

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

NONE

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

NONE

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

NONE

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

NONE

**Section XI**  
**Notices Regarding Bids, Proposals and**  
**Purchasing**

**DEPARTMENT OF EDUCATION**

Florida Atlantic University

Construction Management Notice - FAU BT620

**NOTICE TO CONSTRUCTION MANAGERS**

BT-620

**SCHMIDT FAMILY COMPLEX FOR ACADEMIC AND**  
**ATHLETIC EXCELLENCE**

Boca Raton Campus

Florida Atlantic University, on behalf of its Board of Trustees, announces that Construction Management (CM) services will be required for the project listed below:

Project No.: BT#620

Located on Florida Atlantic University's Boca Raton Campus, the Schmidt Family Complex for Academic and Athletic Excellence consists of approximately 96,000 GSF of new construction (offices, classrooms, weight and training room, etc.) 20,000 GSF of locker room and support space to be renovated within the existing Stadium and development of two outdoor football practice fields to be built adjacent to the proposed new complex. The project is to be constructed to a minimum LEED silver standard. The total construction budget is estimated between \$25 million to \$33 million.

The contract for Construction Management services will consist of two phases. Phase one is pre-construction services, for which the Construction Manager will be paid a fixed fee.

Phase one services include value engineering, constructability analyses, development of a cost model, estimating, and the development of a Guaranteed Maximum Price (GMP) at 100% Construction Document phase. If the GMP is accepted, Phase two, the construction phase, will be implemented. In phase two of the contract, the Construction Manager becomes the single point of responsibility for performance of the construction of the project and shall publicly bid trade contracts. Failure to negotiate an acceptable fixed fee for phase one of the contract, or to arrive at an acceptable GMP within the time provided in the agreement, may result in the termination of the Construction Manager's contract.

Selection of finalists for interviews will be made on the basis of Construction Manager qualifications, including experience and ability; past experience; bonding capacity; record-keeping, administrative ability, critical path scheduling expertise; cost estimating; cost control ability; quality control capability; qualification of the firm's personnel, and staff and consultants. Finalist may request a copy of the standard Florida Atlantic University Agreement between Owner and Construction Management by contacting the University's Sole Point of Contact for this project, Ms. Azita Dashtaki Dotiwala, Campus Planner, Telephone: (561)297-0425, fax: (561)297-2260 or email: dashtaki@fau.edu. A copy of the approved facilities program will be provided to the shortlisted firms.

From the date of issuance of this Notice until a final selection of a Construction Manager is made or a notice of cancellation is posted, the Construction Manager must not make available or discuss its proposal, or any part thereof, with any member of the Selection Committee, unless permitted by the Sole Point of Contact, in writing, for purposes of clarification only, as set forth herein. Any individual associated with a Construction Manager who contacts members of the Selection Committee, regarding any aspect of this project, whether such contact be in person, telephone, or through electronic or written correspondence, may be determined to have violated the terms and conditions of this solicitation. If that determination is made, any proposal received from such an individual OR their company may be rejected as non-responsive and not subject to evaluation. If there are any changes or additions to the Sole Point of Contact information at any time in the process, participating Construction Manager's will be notified via an addendum to the Notice.

Questions regarding the Notice and/or process should be submitted via fax or email to the Sole Point of Contact. No oral communications shall be considered as a change to the Notice. FAU may respond to questions deemed by the University to be material in nature via a written addendum to the Notice. Interpretation of the wording of this document shall be the responsibility of FAU and that interpretation shall be final.

All postings referred to in this Notice will be posted electronically on the FAU Facilities website: <http://www.fau.edu/facilities/avp/AE-CM-advertise-home.php>. At all times it shall remain the responsibility of the Construction Manager participating in this solicitation to check the website for postings of addenda, short lists, and award decisions. No further notice will be given.

The Selection Committee may reject all proposals and stop the selection process at anytime. The Construction Manager shall have no ownership, entrepreneurial or financial affiliation with the selected architect/engineer involved with this project.

Firms desiring to provide Construction Management services for the project shall submit a letter of application and a completed "Florida Atlantic University Construction Manager Qualification Supplement" (FAUCMPQS Revised January 2004). Proposals must not exceed 40 pages, including the Construction Manager Qualifications Supplement and letter of application. Pages must be numbered consecutively. Submittals that do not comply with these requirements or do not include the requested data will not be considered. No submittal material will be returned.

All applicants must be licensed to practice as general contractors in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application. As required by Section 287.133, Florida Statutes, a Construction Management firm may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected Construction Management firm must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$35,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Six (6) bound sets and one (1) electronic copy of the required data shall be submitted to: Design & Construction Services, Florida Atlantic University, 777 Glades Road, Campus Building Operations Bldg. #69-Room 111, Boca Raton, Florida 33431 by 4:00 p.m. local time on Tuesday, October 4, 2016. Facsimile (FAX) submittals are not acceptable and will NOT be considered.

**REGIONAL PLANNING COUNCILS**

Central Florida Regional Planning Council

Transit Development Plan for Heartland Regional  
Transportation Planning Organization (HRTPO)

**Background:**

The Heartland Regional Transportation Planning Organization (HRTPO) requires the services of a firm with transit planning expertise to develop a 10 – Year Transit Development Plan

(TDP) for Highlands County including the Sebring-Avon Park Urbanized Area. The Transit Development Plan will comply with the current TDP requirements in FS 14-73.001. The TDP will serve as a strategic plan used to guide transit planning, development, and operations over the planning horizon from Fiscal Year 2017 through Fiscal Year 2027, within the context of community-wide mobility needs. The study area for the TDP is Highlands County however, the existing Heartland Rural Mobility Plan (HRMP) includes all six counties of the HRTPO (DeSoto, Glades, Hardee, Hendry, Highlands, and Okeechobee). The HRTPO is committed to diversity in its employees and consultants and therefore encourages qualified minority and disadvantaged firms to apply.

**Areas of Expertise:**

Areas of planning expertise needed for this project include:

- Transit Planning
- Transportation Planning

**Submissions:**

Questions should be addressed in writing via email to Shannon McPherson at [smcpherson@cfrpc.org](mailto:smcpherson@cfrpc.org) no later than September 15, 2016. Responses shall be in writing. Responses to questions shall be provided to all persons who have requested a copy of this RFP and will be posted on [www.heartlandregionaltpo.org](http://www.heartlandregionaltpo.org) website.

No questions regarding this RFP may be directed to HRTPO or CFRPC Board members or HRTPO or CFRPC staff members other than the above designee. Violation of this prohibition may result in the disqualification of the consultant from further consideration. The HRTPO reserves the right, in its sole discretion, to reject all submissions, reissue a subsequent RFP, terminate, restructure or amend this procurement process at any time. This RFP has been reviewed by the Florida Department of Transportation for compliance with applicable State and Federal procurement requirements.

Interested proposers should request a Proposal Package from Shannon McPherson at [smcpherson@cfrpc.org](mailto:smcpherson@cfrpc.org).

The deadline for submissions is September 29, 2016 at 4:00 p.m. Eastern Time. Proposal Packages received after the deadline will not be considered. Proposal Packages should be directed to:

- Mail or Express Delivery
- HRTPO
- Attn: Shannon McPherson
- 555 East Church Street
- Bartow, FL 33830

**DEPARTMENT OF MANAGEMENT SERVICES**

Division of Building Construction

FWCC-14058000

**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 CONTRACTORS

September 1, 2016

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

PROJECT NUMBER: FWCC-14058000

PROJECT NAME: Construction of Various Buildings and Utilities Upgrades, Everglades Youth Conservation Camp, Phase 1

PROJECT LOCATION: West Palm Beach, Florida

PRE-BID MEETING: September 13, 2016

BID OPENING: October 4, 2016

ESTIMATED CONSTRUCTION BUDGET: \$800,000.00

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.

**Section XII  
 Miscellaneous**

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Office of the Secretary

COASTAL PARTNERSHIP INITIATIVE REQUEST FOR GRANT APPLICATIONS FY 2017-2018

The Florida Coastal Management Program (FCMP) announces the availability of federal funds for innovative coastal projects under its COASTAL PARTNERSHIP INITIATIVE (CPI) for fiscal year 2017-2018. Eligible applicants include Florida’s 35 coastal counties and the local governments within their boundaries that are required to include a coastal element in their comprehensive plan. Florida public colleges and universities, regional planning councils, national estuary programs and nonprofit groups may also apply for CPI funds as long as an eligible local government is a partner in the project. Applications must be submitted on the CPI

APPLICATION FORM, available from the FCMP website at <http://www.dep.state.fl.us/cmp/grants/index.htm>.

Applications must be received no later than 4:00 p.m. ET, Monday October 31, 2016. Mail CPI applications in accordance with the requirements below to: Florida Coastal Management Program, ATTN: CPI Applications - (Toni R. Clanton), Department of Environmental Protection, Florida Coastal Office: 3900 Commonwealth Blvd., MS 235, Tallahassee, Florida 32399-3000. Electronic and faxed grant applications will not be accepted.

The purpose of the COASTAL PARTNERSHIP INITIATIVE is to promote the protection and effective management of Florida’s coastal resources in four priority areas: RESILIENT COMMUNITIES, COASTAL RESOURCE STEWARDSHIP, ACCESS TO COASTAL RESOURCES and WORKING WATERFRONTS. Chapter 62S-4, Florida Administrative Code (F.A.C.) describes the priority areas and includes information on the CPI grant program, CPI Application Form, submittal requirements, and the criteria by which applications are scored and ranked. The CPI Application Form and a copy of Chapter 62S-4, F.A.C., are available from the FCMP grants website at <http://www.dep.state.fl.us/cmp/grants/index.htm> Please note the below important details regarding the CPI grant process for FY 2017-2018. Additional information, including requirements & restrictions, are set forth in chapter 62S-4, F.A.C.

1. Applicants must submit one originally signed application, four copies of the application, and one copy of the application on CD or DVD.
2. Projects must be completed within one year between July 1, 2017 and June 30, 2018. Selected projects will be included in the FCMP application to the National Oceanic & Atmospheric Administration (NOAA) for fiscal year 2017-18.
3. PLEASE NOTE: Due to current budget restraints, the FCMP will be unable to grant the maximum award under Rule 62S-4.004, F.A.C. Applicants can expect the maximum award to be no more than \$15,000 for planning, design and coordination activities and \$30,000 for construction projects, habitat restoration, invasive exotic plant removal, and land acquisition.
4. Recipients are required to provide 100 percent matching contributions (cash or in-kind) in the form of goods and services that directly benefit the specific grant project. No more than one-half (50%) of match can be provided by a third party.
5. There are additional requirements for applications involving construction, invasive exotic plant removal, habitat restoration, and land acquisition, including:
  - a. In order to show the project is feasible and able to be completed within one year, applicants proposing construction, invasive exotic plant removal and habitat restoration must

conduct a preliminary consultation with appropriate local, state and federal regulatory agencies to ensure that there are no environmental concerns that would delay or prevent project start-up. Summary of the consultation must be included in the CPI application or the project will be found to be infeasible to be completed within one year.

b. Applicants should submit a completed and signed “306a checklist” with the application. The checklist may be obtained at: <http://coast.noaa.gov/czm/media/checklist306a.pdf>

c. Non-profit organizations (NPOs) are not eligible to receive funds for construction, habitat restoration, invasive exotic plant removal, or land acquisition. Applications submitted by NPOs that propose these activities will be disqualified.

d. Pursuant to NOAA’s direction, shoreline hardening projects are not eligible for FCMP funds.

e. Infrastructure projects must have a clear coastal management component.

f. Construction and land acquisition activities occurring in designated Coastal Barrier Resource Act units are subject to additional review and approval by NOAA and/or the U.S. Fish & Wildlife Service.

For questions or to request a copy of Chapter 62S-4, F.A.C., or the CPI Application, please contact: Ms. Toni R. Clanton at the address above, call (850)245-2184 or email: [Toni.R.Clanton@dep.state.fl.us](mailto:Toni.R.Clanton@dep.state.fl.us).

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### Section XIII

## Index to Rules Filed During Preceding Week

NOTE: The above section will be published on Tuesday beginning October 2, 2012, unless Monday is a holiday, then it will be published on Wednesday of that week.

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