

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Water Policy

RULE NO.: RULE TITLE:

5M-1.010 Temporarily Inactive Operations

PURPOSE AND EFFECT: The purpose of the proposed rule is to adopt a system for verification of implementation of best management practices for temporarily inactive agricultural operations.

SUBJECT AREA TO BE ADDRESSED: This proposed rule will provide a system for verification of implementation of best management practices for agricultural operations that are temporarily inactive due to catastrophic disease issues or agricultural land use changes.

RULEMAKING AUTHORITY: 403.067(7)(c)2., 403.067(7)(d)2.c., 570.07(10), 570.07(23), FS.

LAW IMPLEMENTED: 403.067(7)(d)2.c., 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: Bill Bartnick, Environmental Administrator, Office of Agricultural Water Policy, (850)617-1705 / Bill.Bartnick@FDACS.gov

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-1.0017 School Environmental Safety Incident Reporting (SESIR)

PURPOSE AND EFFECT: To define the reporting requirements of SESIR, as mandated by Senate Bill 7030 in s. 1006.07(9), FS.

SUBJECT AREA TO BE ADDRESSED: Reporting requirements of SESIR.

RULEMAKING AUTHORITY: 1001.02(1), 1006.07(9), FS.

LAW IMPLEMENTED: 1001.212(6), 1001.212(8), 1001.42(13), 1001.51(12), 1001.54(3), 1002.33(16), 1006.07(6), (9), 1006.09(6), 1006.147(6), 1008.385, FS.

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

DATE AND TIME: March 27, 2020, 2:00 p.m.

PLACE: Please register at:

<https://attendee.gotowebinar.com/register/5456661109819973>

645. The conference call and webinar will begin at the appointed time and last for a minimum of 30 minutes but will conclude after 30 minutes if no additional callers are on the line. To participate in person: Department of Education, 325 West Gaines Street, Room 1360, Tallahassee, Florida.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Julie Collins, Office of Safe Schools, Department of Education, Julie.Collins@fldoe.org. To comment on this rule development please go to <https://web02.fldoe.org/rules> or contact: Chris Emerson, Director, Office of Executive Management, Department of Education, (850)245-9601 or email Christian.emerson@fldoe.org.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

Will be available at <https://web02.fldoe.org/rules> on March 25th.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-4.0010 Continuing Education and Inservice Training Materials for Youth Suicide Awareness and Prevention and Criteria for Suicide Prevention Certified Schools

PURPOSE AND EFFECT: To establish criteria for approval of youth suicide awareness and prevention training materials, requirements for the provision of approved training and administration of suicide risk assessments, and procedures for submitting compliance with the Suicide Prevention Certified School criteria.

SUBJECT AREA TO BE ADDRESSED: Youth suicide awareness and prevention training and training materials for K12 instructional personnel and Suicide Prevention Certified School criteria.

RULEMAKING AUTHORITY: 1001.02(2)(n), 1012.583(5), FS.

LAW IMPLEMENTED: 1012.583, FS.

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

DATE AND TIME: March 31, 2020, 1:00 p.m.

PLACE: Phone in at: 1-800-367-2403 code 9016270; or webinar at: <http://tlc-flmtss.adobeconnect.com/auditorium>.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF

THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Monica Verra-Tirado, Ed.D., Chief, Bureau of Exceptional Education and Student Services, 325 West Gaines Street, Tallahassee, FL 32399-0400, (850)245-0475. To comment on this rule development, please go to <https://web02.fldoe.org/rules> or contact: Chris Emerson, Director, Office of Executive Management, Department of Education, (850)245-9601 or email Christian.Emerson@fldoe.org.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS: Available at <https://web02.fldoe.org/rules>.

Section II Proposed Rules

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Aquaculture

RULE NO.: RULE TITLE:

5L-1.003 Shellfish Harvesting Area Standards

PURPOSE AND EFFECT: The proposed rule amendments will reclassify some shellfish harvesting areas to protect the health of shellfish consumers and to provide access to renewable shellfish resources. The proposed rule amendments will also correct errors and formatting inconsistencies in the incorporated Shellfish Harvesting Area Classification Boundaries and Management Plans. The proposed rule amendments eliminate the adoption of and references to the classification maps and instead provide only the legal description of each area. The effect of these amendments is to maximize the amount of shellfish harvesting waters available and to maximize the times those waters will be in the open status while continuing to protect public health.

SUMMARY: The following shellfish harvesting areas and management plans will be amended: West Bay (#08), St. Joseph Bay (#14), Lemon Bay (#56), Myakka River (#60), Pine Island Sound (#62), Body F (#74), Body D (#76), and Body B (#78). Errors found within the Indian Lagoon (#15), Apalachicola Bay (#16), and South St. John's (#88) shellfish harvesting area descriptions will be corrected.

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: Economic analysis of the adverse impact and potential regulatory costs of the proposed rule not exceeding any of the criteria established in Section 120.541(2)(a), Florida Statutes. As part of this analysis, the Department reviewed the proposed classification changes and predicted days closed for each shellfish area resurveyed and found no adverse financial impacts to the industry. In instances where the predicted number of days closed increased it was found that this will not impact the industry as those shellfish will be available for harvest on an open harvest day. Classification/management changes were shared with Industry with no negative feedback to date. The proposed rule changes do not require additional fees. Additionally, no interested party submitted additional information regarding the economic impact.

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

RULEMAKING AUTHORITY: 597.020 F.S.

LAW IMPLEMENTED: 597.020 F.S.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jillian Fleiger, Division of Aquaculture, 600 S Calhoun Street, Suite 217, Tallahassee, FL, 32301, Phone: (850)617-7600.

THE FULL TEXT OF THE PROPOSED RULE IS:

5L-1.003 Shellfish Harvesting Area Standards.

(1) The Department shall describe ~~and~~ or illustrate harvesting areas and provide harvesting area classifications as approved, conditionally approved, restricted, conditionally restricted, prohibited, or unclassified as defined herein, including criteria for opening and closing shellfish harvesting areas in accordance with Chapters II and IV of the NSSP Model Ordinance. Copies of the ~~Shellfish Harvesting Area Classification Maps, (FDACS P 01773, Revised April 2019), and the Shellfish Harvesting Area Classification Boundaries and Management Plans, (FDACS-P-01593, Revised February 2020 April 2019),~~ containing shellfish harvesting area descriptions, references to shellfish harvesting area ~~map~~ numbers, and operating criteria are hereby incorporated by reference, and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX> <http://www.flrules.org/Gateway/reference.asp?No=Ref-10965>, or ~~and~~ may be obtained by contacting the writing to Division of

Aquaculture, Holland Building, 600 South Calhoun Street, Suite 217, Tallahassee, Florida 32399, or online as indicated.

~~(a) Shellfish Harvesting Area Classification Maps, (FDACS P 01773, Revised April 2019) <http://www.flrules.org/Gateway/reference.asp?No=Ref-10974>.~~

~~(b) Shellfish Harvesting Area Classification Boundaries and Management Plans, (FDACS P 01593, Revised April 2019) <http://www.flrules.org/Gateway/reference.asp?No=Ref-10965>.~~

(2) through (9) No change.

(10) Shellfish harvesting area numbers are as follows:

AREA

NUMBER	HARVEST AREA NAME
0222	Pensacola Bay Conditionally Approved Escambia Bay
0232	Pensacola Bay Conditionally Approved East Bay
0622	Choctawhatchee Bay Conditionally Approved Central Section
0632	Choctawhatchee Bay Conditionally Approved Eastern Section
0822	West Bay Conditionally Approved Oct – Jun
1012	North Bay Conditionally Approved Western Section
1022	North Bay Conditionally Approved Eastern Section
1206	East Bay Conditionally Restricted Section
1212	East Bay Conditionally Approved Section 1
1222	East Bay Conditionally Approved Section 2
1401	St. Joseph Bay Approved
1506	Indian Lagoon Conditionally Restricted Winter Nov – Feb
1512	Indian Lagoon Conditionally Approved Spring/Fall Mar – Jun, Oct
1542	Indian Lagoon Conditionally Approved Zone A Winter Nov – Feb
1552	Indian Lagoon Conditionally Approved Zone B Winter Nov – Feb
1572	Indian Lagoon Conditionally Approved Summer Jul – Sep
1601	Apalachicola Bay System Approved Jan – May, Sept – Dec
1611	Apalachicola Bay System Approved Jan – May, Sept – Dec
1605	Apalachicola Bay System Zone A , Zone B, Zone C Jan – May, Sept – Dec

1621	Apalachicola Bay System Approved June – Aug
1631	Apalachicola Bay Approved, Shellfish lease numbers 525, 551, 551B, 580, 582, 609, 672, and 981 Summer June – Aug
1612	Apalachicola Bay System Conditionally Approved Jan – May, Sept – Dec
1622	Apalachicola Bay System Conditionally Approved Jan – May, Sept – Dec
1632	Apalachicola Bay System Conditionally Approved Jan – May, Sept – Dec
1671	Apalachicola Bay System Approved Jun – Aug
1642	Apalachicola Bay System Conditionally Approved Jan – May, Sept – Dec
1652	Apalachicola Bay System Conditionally Approved June – Aug
1662	Apalachicola Bay System Conditionally Approved June – Aug
1801	Alligator Harbor Approved
2002	Ochlockonee Bay Conditionally Approved
2006	Ochlockonee Bay Conditionally Restricted
2206	Wakulla County Conditionally Restricted
2212	Wakulla County Conditionally Approved Zone 1
2222	Wakulla County Conditionally Approved Zone 2
2502	Horseshoe Beach Conditionally Approved Winter Oct – Mar
2802	Suwannee Sound Spring Summer Conditionally Approved Feb – May and Sept or Suwannee Sound Winter Conditionally Approved Oct – Jan
2812	Suwannee Sound Spring Winter Conditionally Approved Oct – Jan
3001	Cedar Key Approved
3012	Cedar Key Conditionally Approved Zone A
3022	Cedar Key Conditionally Approved Zone B
3202	Waccasassa Bay Conditionally Approved

3402	Withlacoochee Bay	Conditionally Approved	7822	Body B Conditionally Approved Zone 2
3701	Citrus County	Approved Spring/Fall Mar – June and Oct	7902	South Banana River Conditionally Approved
3702	Citrus County	Conditionally Approved Winter Nov – Feb	7906	South Banana River Conditionally Restricted
3703	Citrus County	Prohibited	8001	Body A Approved
3705	Citrus County	Restricted Spring/Fall Mar – June and Oct	8005	Body A Restricted
3706	Citrus County	Conditionally Restricted Winter Nov – Feb	8201	South Volusia Approved
4202	Boca Ciega Bay	Conditionally Approved	8212	South Volusia Conditionally Approved Zone 1
4802	Lower Tampa Bay	Conditionally Approved	8222	South Volusia Conditionally Approved Zone 2
5402	Sarasota Bay	Conditionally Approved	8206	South Volusia Conditionally Restricted
5602	Lemon Bay	Conditionally Approved	8802	South St. Johns Conditionally Approved
5802	Gasparilla Sound	Conditionally Approved	9202	North St. Johns Conditionally Approved
6002	Myakka River	Conditionally Approved	<i>Rulemaking Authority 597.020 FS. Law Implemented 597.020 FS. History—New 1-4-87, Amended 8-10-88, 7-9-89, 12-23-91, Formerly 16R-7.004, Amended 7-3-95, 6-18-97, 7-1-97, 7-22-97, 10-12-97, 12-16-97, 12-28-97, 2-12-98, 2-25-98, 7-1-98, 7-20-98, 11-13-98, 12-28-98, 3-18-99, 7-1-99, Formerly 62R-7.004, Amended 6-19-00, 8-9-00, 10-14-01(1), 10-14-01(1), 8-17-04, 9-28-04, 9-5-05, 6-11-06, 3-11-07, 10-2-07, 4-14-08, 7-28-08, 5-5-09, 6-18-09, 12-28-09, 2-9-11, 8-19-12, 3-23-17, 6-28-18, 9-5-19, _____.</i>	
6006	Myakka River	Conditionally Restricted		
6212	Pine Island Sound	Conditionally Approved Section 1	NAME OF PERSON ORIGINATING PROPOSED RULE: Portia Sapp, Director of the Division of Aquaculture	
6222	Pine Island Sound	Conditionally Approved Section 2	NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner of Agriculture Nicole “Nikki” Fried	
6602	Ten Thousand Islands	Conditionally Approved	DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 3/2/2020	
7001	Indian River/St. Lucie	Approved	DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: 3/5/2020	
7006	Indian River/St. Lucie	Restricted	DEPARTMENT OF HEALTH	
7202	North Indian River	Conditionally Approved	Board of Nursing Home Administrators	
7412	Body F	Conditionally Approved	RULE NO.: 64B10-11.003 Reexamination	
7416	Body F	Conditionally Restricted	PURPOSE AND EFFECT: The Board proposes a rule amendment to revise and incorporate application form DH-MQA 1129.	
7506	Body E	Conditionally Restricted	SUMMARY: The proposed rule amendment revises and incorporates application form DH-MQA 1129.	
7602	Body D	Conditionally Approved	SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:	
7606	Body D	Conditionally Restricted	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	
7712	Body C	Conditionally Approved Zone 1 Spring/Summer/Fall Mar – Nov		
7722	Body C	Conditionally Approved Zone 2 Spring/Summer/Fall Mar – Nov		
7732	Body C	Conditionally Approved Winter Dec – Feb		
7716	Body C	Conditionally Restricted Winter Dec – Feb		
7726	Body C	Conditionally Restricted Spring/Summer/Fall Mar – Nov		
7812	Body B	Conditionally Approved Zone 4		

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board concluded that this rule change will not have any impact on licensees and their businesses or the businesses that employ them. The rule will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, and will not require any specialized knowledge to comply. This change will not increase any direct or indirect regulatory costs. Hence, the Board determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 456.017(2), 468.1685(1) FS.

LAW IMPLEMENTED: 456.017(2), 456.0635 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: Anthony Spivey, Executive Director, Board of Nursing Home Administrators, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257, Anthony.Spivey@flhealth.gov.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B10-11.003 Reexamination.

(1) No change.

(2) Application for reexamination shall be made on the Application for Nursing Home Administrators Re-Examination, Form DH-MQA 1129, 01/2004/47, hereby adopted and incorporated by reference, and which can be obtained from

<http://www.flrules.org/Gateway/reference.asp?No=Ref-08006>, or the Board's website at

<http://floridasnursinghomeadmin.gov/applications/app-reexam-nha.pdf>.

(3) No change.

Rulemaking Authority 456.017(2), 468.1685(1) FS. Law Implemented 456.017(2), 456.0635 FS. History--New 12-26-79, Amended 3-1-82, 6-14-82, Formerly 21Z-11.03, Amended 3-5-89, 8-19-92, Formerly 21Z-11.003, 61G12-11.003, Amended 6-2-96, Formerly 59T-11.003,

Amended 5-15-00, 11-6-02, 2-15-06, 4-22-09, 10-11-10, 2-6-13, 9-10-14, 7-8-15, 3-20-17, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Nursing Home Administrators

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Nursing Home Administrators

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

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

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE NO.: RULE TITLE:

64B10-11.013 Temporary License

PURPOSE AND EFFECT: The Board proposes to create an application form DH-MQA-5936, providing a dedicated application process for an endorsement and temporary license, and separating it from the licensure by examination form that currently exists.

SUMMARY: The proposed rule amendment revises and incorporates application form DH-MQA-5936, providing a dedicated application process for an endorsement and temporary license, and separating it from the licensure by examination form that currently exists.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board concluded that this rule change will not have any impact on licensees and their businesses or the businesses that employ them. The rule will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, and will not require any specialized knowledge to comply. This change will not increase any direct or indirect regulatory costs. Hence, the Board determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 468.1685(1), (2) FS.

LAW IMPLEMENTED: 468.1705(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: Anthony Spivey, Executive Director, Board of Nursing Home Administrators, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257, Anthony.Spivey@flhealth.gov.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B10-11.013 Temporary License.

The determination of eligibility for temporary licensure shall be made by a committee appointed by the Chairman, and shall be ratified by the Board at its next meeting. This temporary license shall expire upon notification to the applicant of the applicant's certified laws and rules examination results. The application shall be made on the Application for Nursing Home Administrators by Endorsement/Temporary, form DH-MQA-5936, (01/20), hereby adopted and incorporated by reference, which can be obtained from <http://www.flrules.org/Gateway/reference.asp?No=Ref-08005>

Rulemaking Authority 468.1685(1), (2) FS. Law Implemented 468.1705(4) FS. History—New 4-22-87, Amended 12-3-90, Formerly 21Z-11.013, 61G12-11.013, 59T-11.013, Amended 10-12-97, 2-14-06, 4-22-09,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Nursing Home Administrators

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Nursing Home Administrators

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

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

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE NO.: RULE TITLE:

64B10-16.001 General Information; Monitors

PURPOSE AND EFFECT: The Board proposes a rule amendment to revise and incorporate the application form DH-MQA-NHA003, substantially modifying the current format and some language of the existing form.

SUMMARY: The proposed rule amendment revised and incorporates the application form DH-MQA-NHA003, substantially modifying the current format and some language of the existing form.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board concluded that this rule change will not have any impact on licensees and their businesses or the businesses that employ them. The rule will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, and will not require any specialized knowledge to comply. This change will not increase any direct or indirect regulatory costs. Hence, the Board determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 468.1685(1), 468.1695(2) FS. LAW IMPLEMENTED: 456.013, 468.1695(2), (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: Anthony Spivey, Executive Director, Board of Nursing Home Administrators, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257, Anthony.Spivey@flhealth.gov.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B10-16.001 General Information; Monitors.

(1) No change.

(2) An applicant for the AIT program must meet those qualifications established by Section 468.1695, F.S., and Rule 64B10-11.002, F.A.C., at the time of application, including completion of an Administrator-In-Training Application, form

DH-MQA-NHA003 ~~(01/20)~~(09/16), hereby adopted and incorporated by reference, and pay the application fee specified in Rule 64B10-12.0001, F.A.C. The form can be obtained from the web at <http://floridasnursinghomeadmin.gov/applications/application-admin-in-training.pdf> or at <http://www.flrules.org/Gateway/reference.asp?No=Ref-07719>. The applicant is required to indicate whether the applicant is applying for the 1,000-hour program or the 2,000-hour program as referenced in Rule 64B10-11.002, F.A.C.

(3) Through (13) No change.

Rulemaking Authority 468.1685(1), 468.1695(2) FS. Law Implemented 456.013, 468.1695(2), (4) FS. History—New 9-24-81, Formerly 21Z-16.01, Amended 12-18-88, 1-22-90, 11-11-92, 12-18-88, 1-22-90, 11-11-92, Formerly 21Z-16.001, Amended 8-29-93, Formerly 61G12-16.001, Amended 6-2-96, Formerly 59T-16.001, Amended 10-12-97, 6-5-07, 11-9-08, 1-7-10, 2-11-14, 1-9-17,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Nursing Home Administrators
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Nursing Home Administrators
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 14, 2020
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: February 28, 2020

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE NO.: RULE TITLE:

64B10-16.002 Preceptor

PURPOSE AND EFFECT: The Board proposes a rule amendment to revise and incorporate application form DH-MQA-NHA014.

SUMMARY: The proposed rule amendment revises and incorporates application form DH-MQA-NHA014.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board concluded that this rule change will not have any impact on licensees and their businesses or

the businesses that employ them. The rule will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, and will not require any specialized knowledge to comply. This change will not increase any direct or indirect regulatory costs. Hence, the Board determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 456.013(1)(a), 468.1685(1), 468.1695(4) FS.

LAW IMPLEMENTED: 468.1695 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: Anthony Spivey, Executive Director, Board of Nursing Home Administrators, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257, Anthony.Spivey@flhealth.gov.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B10-16.002 Preceptor.

(1) Each person desiring to be a Preceptor must submit a completed application form Preceptor Certification, DH-MQA-NHA014, ~~01/2009/16~~, incorporated herein by reference, which can be obtained from <http://www.flrules.org/Gateway/reference.asp?No=Ref-07721>, or the web at <http://floridasnursinghomeadmin.gov/applications/application-preceptor.pdf>.

(2) Through (7) No change.

Rulemaking Authority 456.013(1)(a), 468.1685(1), 468.1695(4) FS. Law Implemented 468.1695 FS. History—New 9-24-81, Formerly 21Z-16.02, Amended 12-18-88, 11-11-92, Formerly 21Z-16.002, Amended 2-28-94, Formerly 61G12-16.002, Amended 2-22-96, 9-4-96, 10-20-96, Formerly 59T-16.002, Amended 10-12-97, 6-5-07, 10-2-08, 3-25-09, 10-24-10, 5-29-14, 1-9-17,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Nursing Home Administrators

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Nursing Home Administrators
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 14, 2020

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

Section III Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF EDUCATION

Office of Early Learning

RULE NOS.: RULE TITLES:

6M-4.740 Program Assessment Requirements for the School Readiness Program

6M-4.741 Program Assessment Threshold Requirements for the School Readiness Program

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 45 No. 228, November 22, 2019 issue of the Florida Administrative Register.

The changes to the proposed rule are being made in response to comments from the Joint Administrative Procedures Committee and the public hearings held on December 16, 2019 and February 27, 2020. The changes are as follows:

6M-4.740 Program Assessment Requirements for School Readiness Programs.

(1) Definitions. The following definitions are applicable to all rules under chapter 6M-4, F.A.C.

(a) through (e) No change.

(f) “Early Learning Coalition” or “coalition” refers to the entity charged with administering School Readiness Program services pursuant to sections 1002.83 and 1002.84, F.S. “Early Learning Coalition” or “coalition” includes applicable OEL contractors.

(g) through (h) No change.

(i) “Personnel” is defined as the director and all teachers entered into the OEL-defined system ~~OPS~~ on the Class Roster and includes all instructional staff assigned to classrooms as lead and assistant teachers. Instructional staff does not include substitutes or others who fill in for an absent teacher or those who are temporarily in a classroom for a teacher break.

(j) through (l) No change.

~~(m)~~“(4)”School Readiness Child Care Slots” refers to the number of School Readiness paid child care slots filled during a month of service.

(2) Program Assessment Requirements. Beginning with the 2019-20 School Readiness Contract year and subsequent years, all School Readiness providers serving children from birth to kindergarten entry must have a program assessment conducted and meet the Contract Minimum Threshold to be eligible to participate in the School Readiness Program. A coalition shall waive the Contract Minimum Threshold if the coalition determines that a provider is essential to meet local

child care capacity needs as defined in the coalition’s School Readiness Plan, pursuant to rule 6M-9.115, F.A.C. Providers that have had the Contract Minimum Threshold waived must be on a Quality Improvement Plan. Providers that meet the minimum score for contracting but do not meet the Quality Improvement Threshold shall be placed on a Quality Improvement Plan.

(a) No change.

(b) Providers must electronically report in the OEL-defined system a director, the number of classrooms as well as teachers and care levels assigned to those classrooms as outlined in Form OEL-SR 740, Program Assessment Requirements Handbook. Non-exempt providers or exempt providers that have opted in to participate in program assessment requirements, pursuant to subsection (3) or this rule, must submit an updated monthly roster in the OEL-defined system.

(c) through (d) No change.

(e) Program assessments will be provided by the coalition annually.

1. through 2. No change.

3. A single classroom will be reassessed and its score will replace the previous score to calculate a new composite score if the teacher previously assessed is still actively teaching in the classroom being reassessed. If the previously assessed teacher is not active in the classroom and the newly assigned teacher is hired after the previous assessment was completed, the single classroom will be reassessed and its score will replace the previous score combined with the previously assessed classroom scores to calculate a new composite score. If the previously assessed teacher is not active in the classroom and the newly assigned teacher was moved from a different classroom, every classroom will be reassessed for the new scores to replace the previous assessment scores.

4. No change.

(f) Coalitions shall notify providers of their program assessment score within 14 calendar days after the composite program assessment score is generated. Individual classroom scores and notes shall be provided to providers within 10 calendar days upon written request by provider.

(g) No change.

(h) For providers not on a Quality Improvement Plan who score below the Quality Improvement Threshold, the coalition shall place the provider on a Quality Improvement Plan within ten ~~five~~ calendar days after the provider is notified of the composite program assessment score.

(i) Except as noted herein, ~~f~~ For contracted School Readiness providers that score fall below the Contract Minimum Threshold, the coalition shall terminate the current contract and may revoke the provider’s eligibility for up to five years. Written notice of termination will be sent to the provider from the coalition at least thirty (30) calendar days before the

termination date. Written notification must include a reason and identify the contract revocation period. For the 2020-21 School Readiness contract year only, an exception shall be made for providers that score a 3.00-3.49 and do not receive a contract minimum score of 3.5 on a voluntary second assessment shall receive a School Readiness Contract if they agree to participate in a Quality Improvement Plan as prescribed in paragraph (6) of this rule. The Quality Improvement Plan strategies the provider must participate in are CLASS Group Coaching Training and Certified Coaching Visits as defined in Exhibit 3 of The State of Florida Statewide School Readiness Provider Contract, Form OEL-SR 20, incorporated by reference in Rule 6M-4.610, F.A.C. If the selected teacher has previously participated in CLASS Group Coaching Training, the coalition shall select a different strategy from Exhibit 3 of the School Readiness contract.

(3) Exemptions.

(a) No change.

(b) When a provider's violations cited by the Department of Children and Families or local licensing agency, as applicable, or filled School Readiness child care slots meet or exceed the exemption threshold in paragraph (3)(a) of this rule, during the operating hours from 7:00 a.m. to 6:00 p.m., per its provider type, the provider shall no longer be exempt under this section. A coalition shall monitor violations cited by the Department of Children and Families or local licensing agency, as applicable, and filled School Readiness child care slots monthly and notify a provider within 21 calendar days if the provider's filled slots meet or exceed the exemption threshold in paragraph (3)(a) of this rule or if the provider is cited for disqualifying licensing violations have occurred. A provider must receive a program assessment pursuant to subsection (2) of this rule within 30 calendar days of notification to continue contracting for School Readiness services.

(c) through (d) No change.

(4) Frequency.

(a) ~~Upon the effective date of this rule, all~~ All participating School Readiness Program providers shall receive an annual program assessment prior to executing a School Readiness Contract.

(b) In the event of a change where the provider is considered a new provider and must execute a new School Readiness Contract per subsection 6M-4.610(4), F.A.C., the provider may request, prior to executing a new contract, to retain the most recent program assessment score ~~from the prior owner~~ without having to conduct a new assessment if the provider can provide documentation to the coalition that it has retained 80% of personnel listed in the OEL-defined system and there is no change in capacity or classrooms from when the previous assessment was conducted for the remainder of the contract period. Examples of acceptable documentation include

current payroll time sheets and evidence in CARES of monitored personnel during the pre-contractual health and safety inspection, classroom rosters, or attendance documentation.

(c) through (f) No change.

(5) No change.

(6) Quality Improvement Plans. The Quality Improvement Plan will include performance goals and quality improvement strategies as provided for in Form OEL-SR 20, incorporated by reference in rule 6M-4.610, F.A.C. Coalitions may choose quality improvement strategies as indicated in the coalition's approved School Readiness Plan pursuant to rule 6M-9.115, F.A.C., to develop Quality Improvement Plans for providers that need to increase program assessment scores.

(a) through (b) No change.

(c) Providers who were on a Quality Improvement Plan for the 2019-20 School Readiness contract year that do not meet the Quality Improvement Threshold but score at or above the Contract Minimum Threshold for the 2020-21 contract year are permitted to be on a Quality Improvement Plan for two (2) consecutive 12-month periods.

(d) through (e) No change.

6M-4.741 Program Assessment Threshold Requirements for the School Readiness Program

(1) Contract Minimum Threshold.

(a) No change.

(b) For the 2020-21 School Readiness contract year, providers must have a program assessment conducted and meet the Contract Minimum Threshold prior to executing a School Readiness Contract. The provider must receive a minimum program assessment composite score of 3.50 (rounding two decimals), or meet the exception as defined in paragraph (2)(i) of Rule 6M-4.740 F.A.C., to participate in the School Readiness Program.

(c) No change.

(2) through (3) No change.

Form OEL SR-740 Program Assessment Requirements Handbook

Has been revised as follows:

Provider Registration Process, Requirements:

Bullet 1, added text to provider registration process requirements: At least 60 calendar days prior to a contract execution (new provider with no previous composite for the prior contract year) or annual program assessment due date (provider with a previous or current SR contract), a provider must notify the Early Learning Coalition (coalition) of their desire to provide School Readiness services in the upcoming year.

Bullet 2, added and deleted text: Upon the coalition’s request, the provider shall register their current classrooms, including all lead ~~and assistant~~ directors, and instructional personnel, i.e. teachers with the exception of substitutes and those who fill in for teacher breaks, assigned to each classroom in the OEL-defined system.

Bullet 3, added new bullet with new text: Directors indicate if they are instructional or administrative. Only instructional directors are included in child assessment reliability rates and are assigned to classrooms.

Bullet 4, no change.

Observer Requirements: No change.

Expectations for Observations, Observation Norms: No change.

Expectations for Observations, Recording Observations in the OEL-defined System: Added new bullet:

The ELC must approve the rating and generate a composite in the OEL-defined system within 72 hours of entering the final observation required to generate a composite score.

Data Correction, Second Assessments and Special Considerations: No change.

Section IV Emergency Rules

NONE

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice: On February 20, 2020 the Division of Hotels and Restaurants received a Petition for a Routine Variance for Subparagraph 3-305.11(A)(2), 2017 FDA Food Code, Section 3-305.14, 2017 FDA Food Code, Section 6-202.15, 2017 FDA Food Code, Section 6-202.16, 2017 FDA Food Code, Paragraph 61C-4.010(1), Florida Administrative Code, and subsection 61C-4.010(6), Florida Administrative Code from Yunion Catering located in HIALEAH. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk time/temperature control for safety foods from an open air mobile food dispensing vehicle.

The Petition for this variance was published in Vol. 46/36 on February 21, 2020. The Order for this Petition was signed and approved on March 11, 2020. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring that each pan within the steam table is properly covered with an individual lid; the steam table is enclosed within a cabinet with tight-fitting doors, and is protected by an air curtain installed and operated according to the manufacturer’s specifications that protects against flying vermin or other environmental contaminants; all steam table foods must be properly reheated for hot holding at approved commissaries and held hot at the proper minimum temperature per the parameters of the currently adopted FDA Food Code; and steam table food is to be dispensed by the operator with no customer self-service. The Petitioner shall also strictly adhere to the operating procedures and copies of the variance and operating procedures are to be present on the MFDV during all periods of operation.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice: On March 3, 2020 the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-1.004(2)(a), Florida Administrative Code, subsection 61C-4.010(7) Florida Administrative Code and subsection 61C-4.010(6), Florida Administrative Code, and Section 6-40.11. 2017 FDA Food Code from AED LIQUOR LLC located in Palm Beach. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers and employees. They are requesting to utilize bathrooms located on a different level.

The Petition for this variance was published in Vol. 46/44 on March 4, 2020. The Order for this Petition was signed and approved on March 11, 2020. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring

the public bathrooms located on the first floor are maintained in a clean and sanitary manner and are provided with hot and cold running water under pressure, soap, approved hand drying devices, handwash sign and are available during all hours of operation. The Petitioner shall also ensure that directional signage is installed in the main restaurant area clearly stating the location of the bathrooms.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on March 11, 2020, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for An Emergency Variance for Paragraph 4-301.12(A), 2017 FDA Food Code and subsection 61C-4.010(5), Florida Administrative Code from OVATIONS FOOD SERVICES LP located in Ft. Lauderdale. The above referenced F.A.C. addresses the requirement that dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided. They are requesting to share the warewashing located on the premises of a nearby business under the same ownership.

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

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:

62-330.010 Purpose and Implementation

NOTICE IS HEREBY GIVEN that on March 10, 2020, the Department of Environmental Protection, received a petition for variance from Petitioner, Andy Estates, LLC. The petition requested a variance from paragraph 10.2.5(a)(4), Applicant’s Handbook Volume 1 from subsection 62-330.010(4), F.A.C., which requires that prior to the mooring of any vessel at the dock, there shall be existing structures with toilet facilities located on the uplands. The facility is located at 135 Crispin Street, Merritt Island, FL 32952. The petition has been assigned OGC No. 20-0202.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Megan Warr, (407)897-2915, Megan.Warr@FloridaDEP.gov; Department of Environmental Protection, Central District Office, 3319 Maguire Boulevard, Orlando, Florida 32803; during normal business hours 8:00am to 5:00pm, Monday through Friday, except legal holidays. Written comments must be received by the Department of Environmental Protection no later than 14 days from the date of publication of this notice.

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: RULE TITLE:

64B13-4.001 Examination Requirements

NOTICE IS HEREBY GIVEN that on March 11, 2020, the Board of Optometry, received a petition for waiver or variance filed by Agam Khanna. Petitioner is seeking a variance or waiver of subparagraphs 64B13-4.001(1)(d)2. and 3., F.A.C., which states in part that the licensure examination authorized in subsection 463.006(2), F.S., shall consist of four parts with one being the Florida Practical Examination. The Florida Practical Examination shall consist of three (3) tested skills and the Board requires passage of all three (3) skills on the same test attempt. The three (3) skills are Biomicroscopy, Binocular Indirect Ophthalmoscopy, Dilated Biomicroscopy and Non-Contact Fundus Lens Evaluation and are weighted equally. The passing score for each skill shall be seventy-five percent (75%) or better, and a passing score on each of the three (3) skills must be obtained on the same test attempt.

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

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: RULE TITLE:

64B13-4.001 Examination Requirements

NOTICE IS HEREBY GIVEN that on March 11, 2020, the Board of Optometry, received a petition for waiver or variance filed by Andrew Robert Gisel. Petitioner is seeking a variance or waiver of subparagraphs 64B13-4.001(1)(d)2. and 3., F.A.C., which states in part that the licensure examination authorized in subsection 463.006(2), F.S., shall consist of four parts with one being the Florida Practical Examination. The Florida Practical Examination shall consist of three (3) tested skills and the Board requires passage of all three (3) skills on the same test attempt. The three (3) skills are Biomicroscopy, Binocular Indirect Ophthalmoscopy, Dilated Biomicroscopy and Non-Contact Fundus Lens Evaluation and are weighted equally. The

passing score for each skill shall be seventy-five percent (75%) or better, and a passing score on each of the three (3) skills must be obtained on the same test attempt.

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

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

Division of Historical Resources

The Bureau of Historic Preservation announces a workshop to which all persons are invited.

DATE AND TIME: March 19, 2020, 1:30 p.m. – 4:00 p.m.

PLACE: Room 1002, 214 North Hogan Street, Jacksonville, Florida, 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Training session for historic preservation board/commission members of local Certified Local Governments, primarily focused on design review.

A copy of the agenda may be obtained by contacting: Megan McDonald at (850)245-6365 or Megan.McDonald@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: Megan McDonald. 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: Megan McDonald at (850)245-6365 or Megan.McDonald@dos.myflorida.com.

DEPARTMENT OF LEGAL AFFAIRS

The Statewide Task Force on Opioid Abuse to Combat Florida’s Substance Abuse Crisis announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, March 24, 2020, 2:00 p.m. until conclusion

PLACE: DIAL-IN INFORMATION: 1(888)585-9008 & PARTICIPANT PASSCODE: 194-370-765

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Task Force Business

A copy of the agenda may be obtained by contacting: Rachel Kamoutsas at Rachel.Kamoutsas@myfloridalegal.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 7 days before the workshop/meeting by contacting: the Office of the Attorney General Ashley Moody 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).

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: Rachel Kamoutsas at Rachel.Kamoutsas@myfloridalegal.com by telephone at (850)245-0140.

DEPARTMENT OF LEGAL AFFAIRS

Florida Elections Commission

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

DATE AND TIME: CANCELLATION OF MEETINGS scheduled for March 24-25, 2020

PLACE: MEETINGS CANCELLED

GENERAL SUBJECT MATTER TO BE CONSIDERED:
NONE

A copy of the agenda may be obtained by contacting: NA

For more information, you may contact: The Commission Clerk at 107 West Gaines Street, Suite 224, Tallahassee, Florida 32399, (850)922-4539; fec@myfloridalegal.com; or by visiting our website at www.fec.state.fl.us.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Office of Energy

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

DATE AND TIME: Friday, March 20, 2020, 11:00 a.m. – 12:00 Noon

PLACE: Call in Number: 1(888)585-9008, Conference Room Number: 711-316-832#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The introductory call of the Florida Advisory Council on Climate and Energy (FACCE) will provide an overview of the group, an overview of ethics and sunshine laws, as well as future meetings.

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

DEPARTMENT OF LAW ENFORCEMENT

Criminal Justice Standards and Training Commission
The Criminal Justice Standards and Training Commission announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, March 19, 2020, 2:00 p.m.

PLACE: Florida Department of Law Enforcement Headquarters; 2331 Phillips Road, Conference Room CJP/B1055; Tallahassee, Florida 32308. **DIAL-IN INSTRUCTIONS:** Call 1(888)585-9008 and enter code, 197697647, followed by the # sign. Please call 5 minutes before 2:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: A discussion regarding CJSTC training response to the Governor's Executive Order 20-52.

A copy of the agenda may be obtained by contacting: Joyce Gainous-Harris at (850)410-8615 or e-mail at JoyceGainous-Harris@fdle.state.fl.us if you have questions about the above conference call.

The Commission packet can be viewed or downloaded after March 16, 2020, at: <http://www.fdle.state.fl.us/CJSTC/Commission/CJSTC-Home.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 5 days before the workshop/meeting by contacting: Joyce Gainous-Harris at (850)410-8615 or e-mail at JoyceGainous-Harris@fdle.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).

DEPARTMENT OF TRANSPORTATION

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

DATE AND TIME: Tuesday, March 24, 2020, 10:00 a.m.

PLACE: First Church of the Nazarene, 1590 N. Jefferson Street, Monticello, FL 32344

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) will host a meeting of the Florida Multi-use Corridors of Regional Economic Significance (M-CORES) Task Force for the Suncoast Connector extending from Citrus County to Jefferson County. Registration begins at 9:30 a.m. The public is invited to attend and observe the proceedings of the Task Force. Comment stations will be available throughout the meeting

where comments may be submitted in writing. In addition, a public comment period will begin at 4:00 p.m. Comments also may be submitted any time to FDOT.Listens@dot.state.fl.us.

The Florida Department of Transportation may adopt the result of this planning effort into the environmental review process, pursuant to Title 23 U.S.C. § 168(4)(d) or the state project development process.

Public participation is solicited 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 or who require translation services (free of charge) should contact Ryan Asmus at Ryan.Asmus@dot.state.fl.us or (386)961-7443. 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).

A copy of the agenda may be obtained by contacting: Ryan Asmus at Ryan.Asmus@dot.state.fl.us or (386)961-7443.

For more information, you may contact: www.FloridaMCORES.com.

DEPARTMENT OF TRANSPORTATION

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

DATES AND TIMES: Tuesday, March 24, 2020, open house, 5:00 p.m. – 7:00 p.m. (Collier County); Tuesday, March 31, 2020, open house, 5:00 p.m. – 7:00 p.m. (Lee County)

PLACE: Collier County: North Collier Regional Park – Exhibit Hall, 15000 Livingston Road, Naples, FL 34109 and Lee County: Gulf Coast Church of Christ, 9550 Six Mile Cypress Parkway, Fort Myers, FL 33966

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT), District One, will conduct two separate, but identical public kickoff meetings for the Interstate 75 (I-75) South Corridor Managed Lanes Study. Study limits include I-75 from SR 951 (Collier Boulevard) in Collier County to SR 78 (Bayshore Road) in Lee County. The purpose of this project is to analyze and put in place an integrated and comprehensive transportation solution, that meets the needs of the near term, and accommodates the evolving and innovative transportation solutions of tomorrow. These public meetings are being held as part of the current Managed Lanes Study. These meetings will be in an open house format with representatives from the FDOT available to answer questions. Informational handouts, maps, and graphic displays will be available at the meetings.

A copy of the agenda may be obtained by contacting: Ms. Nicole Harris, P.E., I-75 Project Manager, by phone at 1(863)519-2335 or by email at Nicole.Harris@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: Cynthia Sykes, Florida Department of Transportation, District One, 801 N. Broadway Street, Bartow, Florida 33830-3809.

Call: 1(863)519-2287 or email: Cynthia.Sykes@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Ms. Nicole Harris, P.E., I-75 Project Manager, by phone at 1(863)519-2335 or by email at Nicole.Harris@dot.state.fl.us.

FLORIDA COMMISSION ON OFFENDER REVIEW

The Florida Commission on Offender Review announces a public meeting to which all persons are invited.

DATES AND TIMES: Thursday, April 2, 2020, 11:00 a.m.; Thursday, April 23, 2020, 11:00 a.m.; Thursday, April 30, 2020, 11:00 a.m.

PLACE: Florida Commission on Offender Review, 4070 Esplanade Way, Tallahassee, FL 32399-2450

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled meeting for all Parole, Conditional Release, Conditional Medical Release, Addiction Recovery, Control Release and all other Commission business.

A copy of the agenda may be obtained by contacting: Florida Commission on Offender Review (850)488-1293.

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: Florida Commission on Offender Review at ada@fcor.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).

EXECUTIVE OFFICE OF THE GOVERNOR

The Florida Children and Youth Cabinet Strategy Workgroup announces a public meeting to which all persons are invited.

DATE AND TIME: March 20, 2020, 10:00 a.m. – 11:00 a.m.

PLACE: Department of Children and Families, Building 2, Conference Room 339, 1317 Winewood Blvd., Tallahassee FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Cabinet work group business.

A copy of the agenda may be obtained by contacting: Pat Smith, Executive Director, Florida Children and Youth Cabinet, (850)717-4452 or pat.smith@myflfamilies.com.

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: Pat Smith, Executive Director, Florida Children and Youth Cabinet, (850)717-4452 or pat.smith@myflfamilies.com.

EXECUTIVE OFFICE OF THE GOVERNOR

The Florida Children and Youth Cabinet Technology Workgroup announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 20, 2020, 3:00 p.m. – 5:00 p.m.

PLACE: Conference call number: 1(888)585-9008; room #: 472-450-272

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular business of the Workgroup.

A copy of the agenda may be obtained by contacting: Pat Smith, Executive Director, Florida Children and Youth Cabinet, (850)717-4452 or pat.smith@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: Pat Smith, Executive Director, Florida Children and Youth Cabinet, (850)717-4452 or pat.smith@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).

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: Pat Smith, Executive Director, Florida Children and Youth Cabinet, (850)717-4452 or pat.smith@myflfamilies.com.

REGIONAL PLANNING COUNCILS

West Florida Regional Planning Council

The Emerald Coast Regional Council Board Meeting announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, March 26, 2020, 11:30 a.m.

PLACE: Okaloosa County Administrative Building, Training Room, 1250 Eglin Parkway, Shalimar, Fla.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the board will be discussed.

A copy of the agenda may be obtained by contacting: Tammy Neal at tammy.neal@ecrc.org or (850)332-7976.

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: Brittany Ellers at brittany.ellers@ecrc.org or

(850)332-7976. 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: Tammy Neal at tammy.neal@ecrc.org or (850)332-7976.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

The Southwest Florida Water Management District (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 1, 2020, 10:00 a.m.

PLACE: SWFWMD, 2379 Broad Street, Brooksville, FL 34604

GENERAL SUBJECT MATTER TO BE CONSIDERED: Northern Region Cooperative Funding Initiative Public Meeting: Governing Board members will discuss, evaluate and prioritize fiscal year 2021 requests for project funding in Citrus, Hernando, Lake, Levy, Marion and Sumter counties of SWFWMD. All or part of this meeting may be conducted by means of communications media technology to permit maximum participation of Governing Board members.

A copy of the agenda may be obtained by contacting: WaterMatters.org – Boards, Meetings & Event Calendar; 1(800)423-1476 (FL only) or (352)796-7211.

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: SWFWMD Human Resources Office Chief at 1(800)423-1476 (FL only) or (352)796-7211, x4703; TDD (FL only) 1(800)231-6103; or email to ADACoordinator@swfwmd.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: Lori.manuel@watermatters.org; 1(800)423-1476 (FL only) or (352)796-7211, x4606 (Ad OrderEXE0726).

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

The Southwest Florida Water Management District (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, April 2, 2020, 10:00 a.m.

PLACE: Sarasota County Administration Center, Commission Chamber, 1660 Ringling Blvd., Sarasota, FL 34236

GENERAL SUBJECT MATTER TO BE CONSIDERED: Southern Cooperative Funding Initiative Public Meeting: Governing Board members will discuss, evaluate and prioritize fiscal year 2021 requests for project funding for Charlotte, DeSoto, Manatee and Sarasota counties of SWFWMD. All or part of this meeting may be conducted by means of communications media technology in order to permit maximum participation of Governing Board members.

A copy of the agenda may be obtained by contacting: WaterMatters.org – Boards, Meetings & Event Calendar; 1(800)423-1476 (FL only) or (352)796-7211.

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: SWFWMD Human Resources Office Chief at 1(800)423-1476 (FL only) or (352)796-7211, x4703; TDD (FL only) 1(800)231-6103; or email to ADACoordinator@swfwmd.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: Lori.manuel@watermatters.org; 1(800)423-1476 (FL only) or (352)796-7211, x4606 (Ad OrderEXE0727)

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

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

DATE AND TIME: Wednesday, March 25, 2020, 9:00 a.m., Lake Belt Mitigation Committee Meeting

PLACE: SFWMD Headquarters, B-1 Storch Room, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a public meeting of the Lake Belt Mitigation Committee, created pursuant to [Section 373.41492, Florida Statutes], to discuss a variety of Lake Belt issues. The public and stakeholders are encouraged to attend this meeting, and there will be an opportunity to provide comment to the Lake Belt Mitigation Committee.

The public may attend in person or via teleconference.

Teleconference information: (561)682-6800 (WPB Local Number), (855)682-6800 (Toll Free Nationwide), Access Code: 992 154 294

A copy of the agenda may be obtained by contacting: Lourdes Elias, (561)682-2706, lelias@sfwmd.gov or SFWMD.gov/our-work/lake-belt-committee 7 days prior to the meeting.

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: District Clerk, (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: Lourdes Elias, (561)682-2706, lelias@sfwmd.gov.

**AGENCY FOR HEALTH CARE ADMINISTRATION
Medicaid**

The Medicaid Drug Utilization Review Board announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, March 19, 2020, 1:30 p.m. – 4:30 p.m.

PLACE: Public call-in number is: 1(888)585-9008, Access Code is: 911-856-789

GENERAL SUBJECT MATTER TO BE CONSIDERED: IMPORTANT Changes-This DUR meeting originally scheduled and posted in Vol. 46, No. 31, has been changed to a conference call only. No face-to-face public meeting will be held at AHCA. The DUR Board meeting will be conducted by public conference call beginning at 1:30 p.m. on March 19th; call-in number is: 1(888)585-9008, Access Code is: 911-856-789 We apologize for any inconvenience.

A copy of the agenda may be obtained by contacting: Vern.Hamilton@ahca.myflorida.com.

DEPARTMENT OF MANAGEMENT SERVICES

The Florida E911 Board announces a public meeting to which all persons are invited announces a public meeting to which all persons are invited.

DATE AND TIME: March 18, 2020, 9:00 a.m. to the conclusion of business

PLACE: Teleconference

You may also join the meeting with GoToMeeting, using your computer, tablet or smartphone:

<https://global.gotomeeting.com/join/931659037>

GENERAL SUBJECT MATTER TO BE CONSIDERED:
GENERAL SUBJECT MATTER TO BE CONSIDERED:
General Business

A copy of the agenda may be obtained by contacting: Leon Simmonds, (850)921-0041.

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: Leon Simmonds, (850)921-0041. 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: Leon Simmonds, (850)921-0041.

DEPARTMENT OF MANAGEMENT SERVICES

The Florida E911 Board announces a public meeting to which all persons are invited announces a public meeting to which all persons are invited.

DATES AND TIMES: April 15, 2020, 9:00 a.m. to the conclusion of business; April 16, 2020, 9:00 a.m. to the conclusion of business

PLACE: PLACE: Betty Easley CCOC/Cafeteria – 4055 Esplanade Way Tallahassee, FL 32399-0950

You may also join the meeting with GoToMeeting, using your computer, tablet or smartphone:

<https://global.gotomeeting.com/join/931659037>.

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Spring Rural County Programs

A copy of the agenda may be obtained by contacting: Leon Simmonds, (850)921-0041.

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: Leon Simmonds, (850)921-0041. 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: Leon Simmonds, (850)921-0041.

DEPARTMENT OF MANAGEMENT SERVICES

Division of Purchasing

The Department of Management Services announces a public meeting to which all persons are invited.

DATE AND TIME: April 13, 2020, 3:30 p.m. Eastern
 PLACE: 4050 Esplanade Way, Conference Room 101, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: In accordance with section 120.525, Florida Statutes, a public opening is hereby noticed for the following Invitation to Negotiate (ITN) Number: DMS-19/20-030 for Pharmacy Benefits Management (PBM) Services.

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

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 business days before the workshop/meeting by contacting: The Department's Americans with Disabilities Act (ADA) Coordinator at (850)922-7535. 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).

It is the responsibility of anyone interested in the meetings to check the VBS for updates.

A copy of the agenda may be obtained by contacting: NA
 For more information, you may contact: Shannon Bagenholm, Procurement Officer at dms.purchasing@dms.myflorida.com.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:

- 62-640.100 Scope, Intent, Purpose, and Applicability
- 62-640.200 Definitions
- 62-640.210 General Technical Guidance and Forms
- 62-640.300 General Requirements
- 62-640.500 Nutrient Management Plan (NMP)
- 62-640.600 Pathogen Reduction and Vector Attraction Reduction
- 62-640.650 Monitoring, Record Keeping, Reporting, and Notification
- 62-640.700 Requirements for Land Application of Class AA, A, and B Biosolids
- 62-640.800 Additional Requirements for Land Application at Reclamation Sites
- 62-640.850 Distribution and Marketing of - Class AA Biosolids
- 62-640.880 Additional Requirements Related to Biosolids Treatment Facilities

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

DATE AND TIME: March 26, 2020, 10:00 a.m. – 12:00 Noon.
 PLACE: Carr Building, Conference Room 170, 3800 Commonwealth Boulevard, Tallahassee, FL 32399. This hearing will also be broadcast via webinar. Parties can register to attend the webinar via their personal computers with audio by telephone (regular long-distance telephone charges will apply) or by speakers connected to their computer (no telephone charges will apply). Webinar registration is via <https://attendee.gotowebinar.com/register/47404749634676749>.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department is rescheduling the public hearing previously noticed in Florida Administrative Register Vol. 46/No. 32, that was scheduled for Thursday, March 19, 2020. The re-scheduled hearing will give affected persons an opportunity to discuss proposed amendments to Florida Administrative Code Chapter 62-640. These amendments were subject of a Notice of Proposed Rule published on October 29, 2019 (Florida Administrative Register Vol. 45/No. 211). The re-scheduled hearing will also give affected persons an opportunity to discuss the provisions of House Bill 712, Section 16 relating to biosolids management and any effect those provisions may have on the proposed rule amendments. Additionally, the hearing will give affected persons an opportunity to discuss the Lower Cost Regulatory Alternatives received from the Florida Cattlemen's Association, Synagro, and the Florida Water Environment Association Utility Council, proposing revisions to subsection 62-640.700(10), F.A.C. All persons are invited to offer comments and submit materials relative to the proposed rule.

A copy of the agenda may be obtained by contacting: Maurice Barker, Senior Program Analyst, Division of Water Resource Management, MS 3540, 2600 Blair Stone Road, Tallahassee, FL 32399, (850)245-8614 or by email at Maurice.barker@Floridadep.gov.

A copy of the information regarding the proposed rule may be obtained by contacting: Maurice Barker, Senior Program Analyst, Division of Water Resource Management, MS 3540, 2600 Blair Stone Road, Tallahassee, FL 32399, (850)245-8614 or by email at Maurice.barker@Floridadep.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: Maurice Barker, Senior Program Analyst, Division of Water Resource Management, (850)245-8614 or by email at Maurice.barker@Floridadep.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Maurice Barker, Senior Program Analyst, Division of Water Resource Management, MS 3540, 2600 Blair Stone Road, Tallahassee, FL 32399, (850)245-8614 or by email at Maurice.barker@Floridadep.gov.

DEPARTMENT OF HEALTH

Board of Acupuncture

The Board of Acupuncture announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 27, 2020, 9:00 a.m. ET

PLACE: Telephone conference phone number 1(888)585-9008, Conference room number 360-472-368.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the board.

A copy of the agenda may be obtained by contacting: www.floridasacupuncture.gov/meeting-information

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Christa Peace, Regulatory Specialist III at christa.peace@flhealth.gov or

MAQ.Acupuncture@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.

DEPARTMENT OF HEALTH

Board of Nursing

The Board of Nursing announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 26, 2020, 9:00 a.m.

PLACE: Toll Free Number: 1(888)585-9008, 275-112-502

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider cases where Probable Cause has previously been found.

A copy of the agenda may be obtained by contacting: <https://floridasnursing.gov/meeting-information/>

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

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

Board of Pharmacy

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

DATE AND TIME: April 7, 2020, 1:30 p.m. ET

PLACE: Best Western Gateway Grand, 4200 NW 97th Boulevard, Gainesville, FL 32606, (352)331-3336.

GENERAL SUBJECT MATTER TO BE CONSIDERED: This notice will replace 22967095. The meeting has been cancelled. General business meeting regarding discussion and actions regarding current and proposed rules.

A copy of the agenda may be obtained by contacting: www.floridaspharmacy.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: (850)245-4474. 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: (850)245-4474.

DEPARTMENT OF HEALTH

Board of Pharmacy

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

DATE AND TIME: April 7, 2020, 9:00 a.m. ET

PLACE: Best Western Gateway Grand, 4200 NW 97th Boulevard, Gainesville, FL 32606, (352)331-3336

GENERAL SUBJECT MATTER TO BE CONSIDERED: This notice will replace #22912678. This meeting has been cancelled. General business meeting regarding discussion and actions regarding current and proposed rules.

A copy of the agenda may be obtained by contacting: www.floridaspharmacy.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: (850)245-4474. 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: (850)245-4474.

FLORIDA HOUSING FINANCE CORPORATION

The Florida Housing Finance Corporation announces a hearing to which all persons are invited.

DATE AND TIME: March 23, 2020, 3:00 p.m. Tallahassee local time

PLACE: The offices of Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt notes by Florida Housing to provide additional financing for the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Valencia Grove II, a 110-unit multifamily residential rental development located at Dillard Road, Dillard Road and Mt. Homer Road, Eustis, Lake County FL 32726. The owner and operator of the development is HTG Valencia II, Ltd., 3225 Aviation Ave, 6th Floor, Coconut Grove, FL 33133 or such successor in interest in which HTG Valencia II, Ltd. or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is HTG Management, LLC, 3225 Aviation Ave, 6th Floor, Coconut Grove, FL 33133. The tax-exempt note amount is not to exceed \$12,650,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential note issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee local time), March 18, 2020, and should be addressed to the attention of Tim Kennedy, Assistant Director of Multifamily Programs. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Tim Kennedy, Assistant Director of Multifamily Programs, Florida Housing Finance Corporation at (850)488-4197 at least five calendar days prior to the meeting. If you are hearing

impaired, please contact Florida Housing using the Dual Party Relay System that can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

Any person who decides to appeal any decision made by Florida Housing with respect to any matter considered at this hearing, will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings be made, which will include the testimony and evidence upon which the appeal is based.

A copy of the agenda may be obtained by contacting: NA

For more information, you may contact: Tim Kennedy, Assistant Director of Multifamily Programs

QCAUSA

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

DATE AND TIME: Thursday, March 19, 2020, 1:15 p.m.

PLACE: Please follow this link to register and access the webinar:

<https://attendee.gotowebinar.com/register/4506477454435742209>

To participate by phone please call: 1(866)901-6455 and provide the Access Code: 905-506-172 to join.

If you do not have access to a computer or the internet, you may attend the VPH at the following location:

Florida Department of Transportation, 16411 Spring Hill Dr, Brooksville, FL 34604

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT), District Seven, invites you to attend and participate in a Virtual Public Hearing (VPH) for the proposed median modifications along US 41/Broad Street from north of Ingram Street to south of the Oaks Mobile Home Park, Hernando County, FPN: 441386-1. FDOT is holding the VPH on Thursday, March 19, 2020, beginning at 1:15 p.m. A VPH is a free, live presentation, or webinar, over the Internet that is also held concurrently at a community viewing location.

We encourage you to participate in the VPH online.

The VPH will open at 1:15 p.m. The presentation will start promptly at 1:30 p.m. After the presentation has concluded, there will be an opportunity for participants online and those at the viewing location, to provide comments that will be included in the official VPH record. After the comment portion of the VPH has concluded, the presentation will be shown a second time for anyone that may have logged on or arrived late.

This public hearing is conducted to afford affected property and business owners, interested persons and organizations the opportunity to provide comments to FDOT regarding median modifications along US 41/Broad Street between Ingram Street and the Oaks Mobile Home Park in Brooksville.

This VPH is held pursuant to Chapters 120, 335.18 and 335.199, Florida Statutes. FDOT will receive verbal/written comments at the public hearing location and online from registered webinar participants. Written or emailed comments not received during the hearing must be postmarked or emailed by April 2, 2020, to become part of the official virtual public hearing summary.

Written comments may be emailed to Kara.VanEtten@dot.state.fl.us or mailed to Kara Van Etten, P.E., Project Manager, Florida Department of Transportation, 11201 N. McKinley Dr., MS 7-1300, Tampa, Florida 33612.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons who require translation services (free of charge) are asked to advise the agency by contacting Alex Henry, District Public Involvement Coordinator, at 1(813)975-6405 or 1(800)226-7220, or Alex.Henry@dot.state.fl.us.

For more information, visit the project website at <http://www.fdottampabay.com/project/510/441386-1-52-01>.

A copy of the agenda may be obtained by contacting: N/A

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: Alex Henry, District Public Involvement Coordinator, at 1(813)975-6405 or 1(800)226-7220, or Alex.Henry@dot.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Kara Van Etten, P.E., Project Manager, by e-mail at Kara.VanEtten@dot.state.fl.us, by phone at (727)331-7006, or by mail at Florida Department of Transportation, 11201 N. McKinley Dr., MS 7-1300, Tampa, Florida 33612.

Section VII

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

NONE

Section VIII

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

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

NONE

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

NONE

Section IX

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

NONE

Section X

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

NONE

Section XI

**Notices Regarding Bids, Proposals and
Purchasing**

DEPARTMENT OF EDUCATION

University of South Florida

USF 521 - USF Health College of Pharmacy - Major Project
Notice to Design/Build Teams

Request for Qualifications

**NOTICE TO DESIGN/BUILD TEAMS REQUEST FOR
QUALIFICATIONS**

The University of South Florida (USF), announces that Qualifications Based Design/Build Services, for design and construction services will be required for the project listed below.

PROJECT NUMBER: USF-521

PROJECT AND LOCATION: USF Health Taneja College of Pharmacy, University of South Florida, Downtown Tampa, Florida.

PROJECT DESCRIPTION: The project consists of the programming, design and interior fit-out required to relocate the Taneja College of Pharmacy to the new building housing the USF Health Morsani College of Medicine and Heart Institute in Downtown Tampa. The goal of the project is to provide first rate facilities necessary to support innovative curriculum design and to enhance student recruitment for the College. Since accepting its first student class in 2011, the Taneja College of Pharmacy (TCOP) has achieved national recognition, rankings, and professional stature in less than ten years. Integration of

the TCOP into the Downtown Tampa center will allow expansion of the innovative pedagogic platforms in the building and will enhance inter-professional education programs and joint teaching endeavors.

The project will occupy approximately one half of the twelfth floor and all of the eleventh floor of the building, with an anticipated floor area of 30,305 square feet. The project will be required to integrate into the existing building mechanical, electrical and life safety systems, and is anticipated to extend many of the classroom technologies and innovative educational initiatives in the Morsani College of Medicine. The total estimated project budget is \$16,650,180 and the anticipated construction cost is \$11,800,000.

The Downtown Tampa project was initiated by USF Health to partner with Strategic Property Partners (SPP) and the City of Tampa as part of a "WELL Certified" city district designation and the building is anticipating certification as LEED Silver. USF Health's vision for the downtown project is to leverage technology to achieve the educational and research goals of USF Health, and to reflect the image and brand of USF in the downtown environment.

The Design/Build Team, also known as the Design and Construction Services Team (DCST) shall be responsible for the management of the process and project to meet project scope, budget and schedule requirements. The DCST services contract shall be in compliance with the Qualifications Based Design/Build selection provisions in Section 287.055, Florida Statutes, and Board of Governors Regulation 14.0055, including pre-construction fees, construction related service costs and a Guaranteed Maximum Price (GMP).

It is the University's responsibility to negotiate a fair, competitive and reasonable compensation per Section 287.055, Florida Statutes. A fair, competitive and reasonable compensation shall be evaluated based upon the following information: (1) Compensation on similar projects; (2) other compensation reference data; and (3) after approval of the ranking, proposals requested from the shortlisted firms based upon a scope of services document to be provided at the time of negotiations.

USF will contract with a single contract entity DCST who shall provide all services including, but not limited to development of the Facilities Program, professional services, budgeting, cost estimating, construction services, labor, materials, and equipment required to program design, construct, and furnish the project. The selected team will be required to provide computer drawings according to the standards of USF, including computer record drawings reflecting as-built conditions. Blanket professional design liability insurance will be required for this project in the amount of \$2,000,000.00 and will be provided as a part of Basic Services. The respondent must be capable of bonding at 100% of the value of the contract

with a surety licensed to do business in the State of Florida with a Best Rating A, Class IX. Project development including professional services is contingent upon availability of funds. If additional funding is realized, USF has the option to incorporate additional scope/funding under this contract. Any new construction projects shall be USGBC LEED certified, to a minimum certification level of Silver, as required by the Owner, and shall be included as part of Basic Services and will not be considered as an additional service.

INSTRUCTIONS:

Teams desiring to apply for consideration shall submit a Request for Qualification submittal consisting of the information as required in the Submittal Requirements of the Request for Qualifications (RFQ), including a letter of interest, a completed USF Design and Construction Services Qualification Supplement (DCSQS) with attachments, and any required or additional information within the proposal limits as described in the RFQ. Applications on any other form may not be considered. The RFQ and the DCSQS which includes project information and selection criteria, may be obtained by contacting Terry Mead, Administrative Specialist, Facilities Management - Design and Construction, University of South Florida, 3820 USF Holly Drive / OPM 100, Tampa, FL 33620-7550, email: tmead@usf.edu, 1(813)974-0843, fax: 1(813)974-3542. Applications which do not comply with the above instructions may be disqualified. Submittals are part of the public record. Application materials will not be returned. Teams must be properly registered to practice its profession(s) and licensed as General Contractor in the State of Florida at the time of application. If the applicant is a corporation, or a joint venture, it must be chartered by the Florida Department of State to operate in Florida at the time of application. Firms applying as "Associations" without a registered joint venture agreement or a contract entity and consultant without an agreement will not be considered.

Pre-Submittal Meeting: All interested firms are invited and encouraged to attend a Pre-Submittal Meeting to be held at 3:00 p.m. ET, March 25, 2020, at the: University of South Florida, Tampa Campus, Parking and Transportation Building Conference Room, 13311 USF Plum Drive, Tampa, FL 33620, to review the scope and requirements of this project. (Directions and parking information can be obtained at the Campus Information Center at the Fowler entrance, or view map at website: www.usf.edu/administrative-services/parking/maps/index.aspx).

Request for Meetings: Requests for meetings by individual firms will not be granted. No communication shall take place between the applicants and the Selection Committee members or employees of USF, except as provided at the Pre-Submittal Meeting, the Pre-Interview Meeting and in the USF Design and Construction Services Qualification Supplement (DCSQS) and

Request for Qualifications (RFQ) (which includes project information and selection criteria).

Request for Information: Requests for any project information, including the DCSQS and RFQ must be submitted in writing or email to: Terry Mead, Administrative Specialist, Facilities Management - Design and Construction, University of South Florida, 3820 USF Holly Drive / OPM 100, Tampa, FL 33620-7550, email: tmead@usf.edu, 1(813)974-0843, or fax: 1(813)974-3542.

Submission: One (1) electronic version, one (1) original and six (6) spiral-bound copies of the submittals are to be submitted to the attention of Terry Mead, Administrative Specialist, Facilities Management - Design and Construction, University of South Florida, 3820 USF Holly Drive / OPM 100, Tampa, FL 33620-7550 by 2:00 p.m. ET, April 9, 2020. Facsimile (FAX) or electronic submittals are not acceptable and will not be considered. Submittals that do not comply with the above instructions may be disqualified. The award of this contract is subject to availability of funds. The University reserves the right to suspend, discontinue or cancel the selection process at any time and reject any or all submissions without obligation to the respondent.

PROJECT SELECTION CRITERIA:

Selection of finalists for interview will be made on the basis of professional qualifications of the proposed DCST, including team qualifications, team experience, and ability to provide services in meeting the project requirements and the goals and objectives of the of the project and USF Strategic Plan.

As part of the USF Strategic Plan, USF made a commitment to foster a diverse community distinguished by a shared purpose, collaboration, open and timely communication, mutual respect, trust, and inclusiveness. USF is an equal opportunity institution, and, as such, strongly encourages the lawful use of Certified Business Enterprise (CBE) including certified Minority (MBE), Women (WBE), and Veteran (VBE) Business Enterprises in the provision of design and construction-related services by providing a fair and equal opportunity to compete for, or to participate in design and/or construction-related services.

The plans and specifications for the USF projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes.

As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$25,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

**Section XII
Miscellaneous**

DEPARTMENT OF STATE

Index of Administrative Rules Filed with the Secretary of State Pursuant to subparagraph 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 3:00 p.m., Thursday March 5, 2020 and 3:00 p.m., Thursay, March 12, 2020.

Rule No.	File Date	Effective Date
6A-1.09401	3/6/2020	3/26/2020
61-40.003	3/6/2020	3/26/2020
LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES		
Rule No.	File Date	Effective Date
60FF1-5.009	7/21/2016	**/**/****
60P-1.003	11/5/2019	**/**/****
60P-2.002	11/5/2019	**/**/****
60P-2.003	11/5/2019	**/**/****
64B8-10.003	12/9/2015	**/**/****

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Food, Nutrition and Wellness

Child Nutrition Program State Waiver Request

Child Nutrition Programs are expected to be administered according to all statutory and regulatory requirements; waivers to the requirements are exceptions. However, Section 12(l) of the Richard B. Russell National School Lunch Act, 42 U.S.C. 1760(l), provides authority for USDA to waive requirements for State agencies or eligible service providers under certain circumstances. When requesting the waiver of statutory or regulatory requirements for the Child Nutrition Programs (CNP), including the Child and Adult Care Food Program (CACFP), the Summer Food Service Program (SFSP), the National School Lunch Program (NSLP), the Fresh Fruit and Vegetable Program (FFVP), the Special Milk Program (SMP), and the School Breakfast Program (SBP), State agencies and eligible service providers should use this template. State agencies and eligible service providers should consult with their FNS Regional Offices when developing waiver requests to ensure a well-reasoned, thorough request is submitted. State agencies and eligible service providers are encouraged to submit complete waiver requests at least 60 calendar days prior to the anticipated implementation date. Requests submitted less

than 60 calendar days prior to the anticipated implementation should be accompanied by an explanation of extenuating circumstances.

For more information on requests for waiving Program requirements, refer to SP 15-2018, CACFP 12-2018, SFSP 05-2018, Child Nutrition Program Waiver Request Guidance and Protocol- Revised, May 24, 2018.

1. State agency submitting waiver request and responsible State agency staff contact information: Florida Department of Agriculture and Consumer Services (FDACS)

Florida Department of Agriculture and Consumer Services (FDACS), Lakeisha T. Hood, Director, (850)617-7438 or (800)504-6609, Lakeisha.Hood@FDACS.gov.

Lisa Church, Bureau Chief of Child Nutrition Programs, (850)617-7413 Direct Line, Lisa.Church@FDACS.gov.

2. Region: Southeast

3. Eligible service providers participating in waiver and affirmation that they are in good standing:

Only School Districts and Summer Food Service Program (SFSP) sponsors currently in good standing with FDACS will be deemed eligible to participate in the implementation of this waiver in accordance with Rule 5P-2.009, F.A.C. and subsection 5P-3.001(11), F.A.C.

4. Description of the challenge the State agency is seeking to solve, the goal of the waiver to improve services under the Program, and the expected outcomes if the waiver is granted. [Section 12(l)(2)(A)(iii) and 12(l)(2)(A)(iv) of the NSLA]:

Section 13(c)(1) of the NLSA (42 U.S.C. 1761(c)(1)) requires that meals served to children not in school during an unanticipated closure may only be reimbursed by FNS if the meals were served at non-school sites. FDACS is requesting the authority to implement the SFSP and/or NSLP Seamless Summer Option (SSO) at school sites as needed as a feasible method of ensuring students can continue to receive the nutritious meals that they are accustomed to during the normal school day when unforeseen events occur that result in school closures. Under the implementation of this waiver, FDACS anticipates – consistent with regular SFSP and SSO operations – area eligible school sites operating during an unanticipated school closure will be open to all children age 18 and under.

5. Specific Program requirements to be waived (include statutory and regulatory citations). [Section 12(l)(2)(A)(i) of the NSLA]:

Section 13(c)(1) of the NLSA (42 U.S.C. 1761(c)(1))

7 CFR 225.6(d)(1)(iv), State Agency Responsibilities, Approval of Sites

6. Detailed description of alternative procedures and anticipated impact on Program operations, including technology, State systems, and monitoring:

FDACS will utilize its administrative procedures for emergency meals as provided in Rule 5P-2.009, F.A.C. and Rule 5P-

3.001(11), F.A.C., which outline the eligibility requirements, application process, requirements for the identification of meal service times and locations, meal pattern requirements, claims for reimbursement process, and record retention requirements.

In the event a School District is unable to provide meals during an unanticipated school closure, FDACS will solicit the remaining sponsors of the SFSP for the county in which the non-participating School District resides, and responses will be considered on a first come, first served basis, in accordance with subsection 5P-3.001(11), F.A.C.

FDACS also has template meal count forms that are available for download, or can be printed and shipped to program sponsors, for use during the implementation of the requested waiver if for any reason the Point of Service (POS) becomes inaccessible during an unanticipated school closure.

The Florida Automated Nutrition System (FANS) is also accessible using any standard internet browser – desktop or mobile – so that meal counts can be entered from any location and submitted to FDACS without the need of any alternative procedures

FDACS will continue to conduct program monitoring in accordance with 7 CFR 225.7(d) throughout the implementation period of the waiver.

7. Description of any steps the State has taken to address regulatory barriers at the State level. [Section 12(l)(2)(A)(ii) of the NSLA]:

There are no regulatory barriers at the State level to address.

8. Anticipated challenges State or eligible service providers may face with the waiver implementation:

FDACS will work with its program sponsors to identify meal distribution sites that are in areas that are easily accessible to low-income children while avoiding identification of individual children as low income.

FDACS will also assist program sponsors with communicating with families when, where, and how students may receive meals during a school closure through social media, press releases, media advisories, and website updates.

9. Description of how the waiver will not increase the overall cost of the Program to the Federal Government. If there are anticipated increases, confirm that the costs will be paid from non-Federal funds. [Section 12(l)(1)(A)(iii) of the NSLA]:

There are no anticipated increases to the overall costs of the Program or to the Federal Government.

10. Anticipated waiver implementation date and time period:

Upon approval through February 28, 2023

11. Proposed monitoring and review procedures:

As mentioned above, FDACS will continue to conduct program monitoring in accordance with 7 CFR 225.7(d) throughout the implementation period of the waiver.

12. Proposed reporting requirements (include type of data and due date(s) to FNS):

Meal counts and records will be maintained for meals served under the waiver. The total meals served under waiver will be submitted to FNS monthly and upon final use of the waiver in Florida during each instance of an unforeseen event.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Food, Nutrition and Wellness

Child Nutrition Program State Waiver Request

Child Nutrition Programs are expected to be administered according to all statutory and regulatory requirements; waivers to the requirements are exceptions. However, Section 12(l) of the Richard B. Russell National School Lunch Act, 42 U.S.C. 1760(l), provides authority for USDA to waive requirements for State agencies or eligible service providers under certain circumstances. When requesting the waiver of statutory or regulatory requirements for the Child Nutrition Programs (CNPs), including the Child and Adult Care Food Program (CACFP), the Summer Food Service Program (SFSP), the National School Lunch Program (NSLP), the Fresh Fruit and Vegetable Program (FFVP), the Special Milk Program (SMP), and the School Breakfast Program (SBP), State agencies and eligible service providers should use this template. State agencies and eligible service providers should consult with their FNS Regional Offices when developing waiver requests to ensure a well-reasoned, thorough request is submitted. State agencies and eligible service providers are encouraged to submit complete waiver requests at least 60 calendar days prior to the anticipated implementation date. Requests submitted less than 60 calendar days prior to the anticipated implementation should be accompanied by an explanation of extenuating circumstances.

For more information on requests for waiving Program requirements, refer to SP 15-2018, CACFP 12-2018, SFSP 05-2018, Child Nutrition Program Waiver Request Guidance and Protocol- Revised, May 24, 2018.

1. State agency submitting waiver request and responsible State agency staff contact information: Florida Department of Agriculture and Consumer Services (FDACS)

Florida Department of Agriculture and Consumer Services (FDACS), Lakeisha T. Hood, Director, (850)617-7438 or 1(800)504-6609, Lakeisha.Hood@FDACS.gov.

Lisa Church, Bureau Chief of Child Nutrition Programs, (850)617-7413 Direct Line, Lisa.Church@FDACS.gov.

2. Region: Southeast

3. Eligible service providers participating in waiver and affirmation that they are in good standing:

Only School Districts and Summer Food Service Program (SFSP) sponsors currently in good standing with FDACS will be deemed eligible to participate in the implementation of this

waiver in accordance with Rule 5P-2.009, F.A.C. and subsection 5P-3.001(11), F.A.C.

4. Description of the challenge the State agency is seeking to solve, the goal of the waiver to improve services under the Program, and the expected outcomes if the waiver is granted. [Section 12(l)(2)(A)(iii) and 12(l)(2)(A)(iv) of the NSLA]:

On March 1, 2020, Florida Governor Ron DeSantis issued Executive Order 20-51 which directed Florida's Surgeon General, Dr. Scott Rivkees, to declare a public health emergency to better equip Florida with the resources needed to handle the emergence of COVID-19 in Florida. As of Wednesday, March 11, 2020, there are 21 positive cases of COVID-19 in Florida and there have been 2 deaths attributed to the virus. In addition, 1,230 people have been under public health monitoring to-date and 353 are currently being monitored. There are also 147 test results still pending.

FDACS is aware that during a public health emergency, such as COVID-19, social distancing may be necessary to avoid spread of the virus. To address this important issue, FDACS is requesting a waiver enabling sponsors to serve meals in a non-congregate setting in communities and at school sites during school closures related to COVID-19. FDACS requests to be able to apply this waiver, as needed, to Summer Food Service Program (SFSP) and Seamless Summer Option (SSO) sponsors providing meals during unanticipated school closures due to COVID-19.

5. Specific Program requirements to be waived (include statutory and regulatory citations). [Section 12(l)(2)(A)(i) of the NSLA]:

7 CFR 225.6(e)(15), State Sponsor Agreement

7 CFR 225.6(d)(1)(iv), State Agency Responsibilities, Approval of Sites

6. Detailed description of alternative procedures and anticipated impact on Program operations, including technology, State systems, and monitoring:

FDACS will utilize its administrative procedures for emergency meals as provided in Rule 5P-2.009, F.A.C. and subsection 5P-3.001(11), F.A.C., which outline the eligibility requirements, application process, requirements for the identification of meal service times and locations, meal pattern requirements, claims for reimbursement process, and record retention requirements.

FDACS will also advise its program sponsors to confirm with their Point of Service (POS) providers that their systems are designed to accommodate meal counts via mobile devices, which most are, to ensure accurate meal count procedures are in place in non-congregate settings. FDACS also has template meal count forms that are available for download, or can be printed and shipped to program sponsors, for use during the implementation of the requested waiver.

The Florida Automated Nutrition System (FANS) is accessible using any standard internet browser – desktop or mobile – so

that meal counts can be entered from any location and submitted to FDACS without the need of any alternative procedures FDACS will continue to conduct program monitoring in accordance with 7 CFR 225.7(d) throughout the implementation period of the waiver.

7. Description of any steps the State has taken to address regulatory barriers at the State level. [Section 12(1)(2)(A)(ii) of the NSLA]:

There are no regulatory barriers at the State level to address.

8. Anticipated challenges State or eligible service providers may face with the waiver implementation:

FDACS will work with its program sponsors to identify meal distribution sites that are in areas that are easily accessible to low-income children while avoiding identification of individual children as low income.

FDACS will also assist program sponsors with communicating with families when, where, and how students may receive meals during a school closure through social media, press releases, media advisories, and website updates.

9. Description of how the waiver will not increase the overall cost of the Program to the Federal Government. If there are anticipated increases, confirm that the costs will be paid from non-Federal funds. [Section 12(1)(1)(A)(iii) of the NSLA]:

There are no anticipated increases to the overall costs of the Program or to the Federal Government.

10. Anticipated waiver implementation date and time period:

Upon approval through June 30, 2020

11. Proposed monitoring and review procedures:

As mentioned above, FDACS will continue to conduct program monitoring in accordance with 7 CFR 225.7(d) throughout the implementation period of the waiver.

12. Proposed reporting requirements (include type of data and due date(s) to FNS):

Separate meal counts and records will be maintained for meals served under a COVID-19 waiver. The total meals served under waiver will be submitted to FNS monthly and upon final use of the waiver in Florida.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Establishment of Ray Glass Batteries d/b/a Battery Source for the line-make HDKP. Tallahassee

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that HDK Plastic Factory Ltd Inc., USA, intends to allow the establishment of Ray Glass Batteries d/b/a Battery Source, as a dealership for the sale of low-speed vehicles manufactured by HDK Plastic Factory Ltd Inc., USA (line-make HDKP) at 3210

Apalachee Parkway, Tallahassee, (Leon County), Florida 32311, on or after April 13, 2020.

The name and address of the dealer operator(s) and principal investor(s) of Ray Glass Batteries D/b/a Battery Source are dealer operator(s): Melinda Barwick, 3801 Capital Circle Northeast, Tallahassee, Florida 32309, principal investor(s): Bobby Ray Glass, 3801 Capital Circle Northeast, Tallahassee, Florida 32309-3409, Bobby Ray Glass, 3801 Capital Circle Northeast, Tallahassee, Florida 32309, Curtis Robert Glass, 3801 Capital Circle Northeast, Tallahassee, Florida 32309-3409, Kevin Allen Glass, 3801 Capital Circle Northeast, Tallahassee, Florida 32309-3409.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Jaime Williams, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS-65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Ling Han Cao HDK Plastic Factory Ltd Inc., USA, 15830 El Prado Road, Unit D, Chino, California 91708.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Establishment of Ray Glass Batteries, Inc., d/b/a Battery Source for the line-make of HDKP. Pensacola

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that HDK Plastic Factory Ltd Inc., USA, intends to allow the establishment of Ray Glass Batteries, Inc., d/b/a Battery Source, as a dealership for the sale of low-speed vehicles manufactured by HDK Plastic Factory Ltd Inc., USA (line-make HDKP) at 702 Navy Boulevard, Pensacola, (Escambia County), Florida 32507, on or after April 13, 2020.

The name and address of the dealer operator(s) and principal investor(s) of Ray Glass Batteries, Inc., d/b/a Battery Source are dealer operator(s): Melinda Barwick, 3801 Capital Circle Northeast, Tallahassee, Florida 32309; principal investor(s): Bobby Ray Glass, 3801 Capital Circle Northeast, Tallahassee, Florida 32309-3409, Bobby Ray Glass, 3801 Capital Circle Northeast, Tallahassee, Florida 32309, Curtis Robert Glass, 3801 Capital Circle Northeast, Tallahassee, Florida 32309-3409, Kevin Allen Glass, 3801 Capital Circle Northeast, Tallahassee, Florida 32309-3409.

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If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Office of the Secretary
Florida State Clearinghouse

The state is coordinating reviews of federal activities and federally funded projects as required by subsection 403.061(42), F.S. This includes Outer Continental Shelf activities and other actions subject to federal consistency review under the Florida Coastal Management Program. A list of projects, comments and deadlines, and the address for providing comments, are available at: <https://fldep.dep.state.fl.us/clearinghouse/>. For information, call (850)717-9076. This public notice fulfills the requirements of 15 CFR 930.

DEPARTMENT OF FINANCIAL SERVICES
Division of Rehabilitation and Liquidation

NOTICE TO ALL POLICYHOLDERS, CREDITORS, AND CLAIMANTS HAVING BUSINESS WITH WINDHAVEN INSURANCE COMPANY.

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT, IN AND FOR LEON COUNTY, FLORIDA
CASE NO.: 2019 CA 002861

In Re: The Receivership of WINDHAVEN INSURANCE COMPANY, a Florida corporation authorized to transact private passenger auto liability and private passenger auto physical damage lines of business.

NOTICE TO ALL POLICYHOLDERS, CREDITORS, AND CLAIMANTS HAVING BUSINESS WITH WINDHAVEN INSURANCE COMPANY.

You are hereby notified that by order of the Circuit Court of the Second Judicial Circuit, in and for Leon County, Florida, entered on the 12th day of December 2019, the Department of Financial Services of the State of Florida was appointed as Receiver of WINDHAVEN INSURANCE COMPANY and by separate order, effective on January 6, 2020, was ordered to liquidate the assets of said company.

Policyholders, claimants, creditors, and other persons having claims against the assets of WINDHAVEN INSURANCE COMPANY shall present such claims to the Department on or before Wednesday, January 6, 2021.

Requests for forms for the presentation of such claims concerning this Receivership should be addressed to: The Florida Department of Financial Services, Division of Rehabilitation and Liquidation, Receiver of WINDHAVEN INSURANCE COMPANY, 325 John Knox Road, The Atrium Building, Suite 101, Tallahassee, Florida 32303. Additional information may be found at: www.myfloridacfo.com/division/receiver.

DEO Final Order No. DEO-20-059
In re: AMENDMENT TO THE CITY OF KEY WEST, FLORIDA,
LAND DEVELOPMENT REGULATIONS
ADOPTED BY CITY OF KEY WEST, FLORIDA,
ORDINANCE NO. 19-39

FINAL ORDER
APPROVING CITY OF KEY WEST ORDINANCE NO. 19-39

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to subsections 380.05(6), Florida Statutes, approving the requested changes to land development regulations (“LDRs”) adopted by the City of Key West, Florida (“City”) by Ordinance No. 19-39 (“Ordinance”).

FINDINGS OF FACT

1. The City is designated as an area of critical state concern by Rule 28-36.002, Florida Administrative Code.

2. The Ordinance was adopted by the City on December 4, 2019, and received by the Department on January 15, 2020.

3. The Ordinance amends Chapter 122 of the City of Key West Code of Ordinances (“Code”) to include single-family/two-family residential dwellings and multiple-family residential dwellings for workforce affordable housing as permitted uses within the General Commercial zoning district. The Ordinance also establishes a density bonus of up to forty dwelling units per acre for the development of affordable housing within the General Commercial zoning district.

CONCLUSIONS OF LAW

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

5. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Fla. Stat. The regulations amended by the Ordinance are land development regulations.

6. The Ordinance is consistent with the City’s Comprehensive Plan generally, as required by subsection 163.3177(1), Florida Statutes, and specifically, with Table 1-1.1.5.

7. LDRs enacted, amended, or rescinded within an area of critical state concern must be consistent and in compliance with the principles for guiding development for that area. See § 380.05(6), Fla. Stat. The Principles for Guiding Development for the City are set forth in Rule 28-36.003, Florida Administrative Code.

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

- (1)(a) Strengthen local government capabilities for managing land use and development.

WHEREFORE, IT IS ORDERED that the Department finds that Ordinance No. 19-39 is consistent and in compliance with the City’s Comprehensive Plan and Principles for Guiding Development for the City and is hereby APPROVED.

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

/s/James Stansbury, James D. Stansbury, Bureau Chief, Bureau of Community Planning and Growth, Department of Economic Opportunity

Notice of administrative rights

Any person whose substantial interests are affected by this order has the opportunity for an administrative proceeding

pursuant to section 120.569, Florida statutes, BY FILING A PETITION.

A petition must be filed with the agency clerk of the department of economic opportunity within 21 calendar days of BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER. A petition is filed when it is received by: Agency Clerk, Department of Economic Opportunity, Office of the general Counsel, 107 East Madison St., MSC 110, Tallahassee, Florida 32399-4128, Fax (850)921-3230, agency.clerk@deo.myflorida.com.

You waive the right to any administrative proceeding if you do not file a petition with the agency clerk within 21 calendar days of BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER.

For the required contents of a petition challenging agency action, refer to subsections 28-106.104(2), 28-106.201(2), and section 28-106.301, Florida Administrative Code.

Depending on whether or not material facts are disputed in the petition, a hearing will be conducted pursuant to either section 120.569 and subsection 120.57(1), Florida statutes, or Section 120.569 and subsection 120.57(2), Florida statutes.

Pursuant to section 120.573, florida statutes, and chapter 28, part iv, florida administrative code, YOU ARE NOTIFIED THAT mediation is not available.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 12th day of March 2020.

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

By U.S. Mail:

The Honorable Teri Johnston, Mayor, City of Key West, P.O. Box 1409, Key West, Florida 33041-1409

Cheri Smith, City Clerk, City of Key West, P.O. Box 1409, Key West, Florida 33041-1409

Patrick Wright, Director, City of Key West Planning Department, P.O. Box 1409, Key West, Florida 33041-1409

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

DEO Final Order No. DEO-20-009

In re: AMENDMENT TO THE ISLAMORADA, VILLAGE

OF ISLANDS, FLORIDA, LAND DEVELOPMENT

REGULATIONS ADOPTED BY ORDINANCE NO. 19-

21

FINAL ORDER

APPROVING ISLAMORADA, VILLAGE OF ISLANDS
ORDINANCE NO. 19-21

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to subsection 380.05(6), Florida Statutes, approving land development regulations adopted by Islamorada, Village of Islands, Florida (“Village”), Ordinance No. 19-21 (“Ordinance”).

FINDINGS OF FACT

1. The Florida Keys Area is designated by Section 380.0552, Florida Statutes, as an area of critical state concern. The Village is a local government within the Florida Keys Area.
2. The Ordinance was adopted by the Village on October 24, 2019, and rendered to the Department on February 11, 2020.
3. The Ordinance amends paragraph 30-476(a)(4) “Building Permit Allocation Calculation Criteria and Award” to increase the amount of points that may be awarded for the land dedication of certain vacant lots.

CONCLUSIONS OF LAW

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

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

6. The Ordinance is consistent with the Village of Islamorada Comprehensive Plan generally, as required by subsection 163.3177(1), Florida Statutes, and specifically, with Policy 1-3.1.1.

7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent and in compliance with the principles for guiding development for that area. See § 380.05(6), Fla. Stat. The Principles for Guiding Development for the Village are set forth in subsection 380.0552(7), Florida Statutes.

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

- (a) Strengthening local government capabilities for managing land use and development so that local government is able to achieve these objectives without continuing the area of critical state concern designation.
- (d) Ensuring the maximum well-being of the Florida Keys and its citizens through sound economic development.

WHEREFORE, IT IS ORDERED that the Department finds that Ordinance No. 19-21 is consistent with the Village’s Comprehensive Plan and Principles for Guiding Development for the Florida Keys Area of Critical State Concern and is hereby APPROVED.

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

DONE AND ORDERED in Tallahassee, Florida.

/s/James D. Stansbury, James D. Stansbury, Bureau Chief, Bureau of Community Planning and Growth, Department of Economic Opportunity

Notice of administrative rights

Any person whose substantial interests are affected by this order has the opportunity for an administrative proceeding pursuant to section 120.569, Florida statutes, BY FILING A PETITION.

A petition must be filed with the agency clerk of the department of economic opportunity within 21 calendar days of BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER. A petition is filed when it is received by: Agency Clerk, Department of Economic Opportunity, Office of the general Counsel, 107 East Madison St., MSC 110, Tallahassee, Florida 32399-4128, Fax (850)921-3230, agency.clerk@deo.myflorida.com.

You waive the right to any administrative proceeding if you do not file a petition with the agency clerk within 21 calendar days of BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER.

For the required contents of a petition challenging agency action, refer to subsections 28-106.104(2), 28-106.201(2), and section 28-106.301, Florida Administrative Code.

Depending on whether or not material facts are disputed in the petition, a hearing will be conducted pursuant to either section 120.569 and subsection 120.57(1), Florida statutes, or Section 120.569 and subsection 120.57(2), Florida statutes.

Pursuant to section 120.573, Florida statutes, and chapter 28, part iv, Florida administrative code, YOU ARE NOTIFIED THAT mediation is not available.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 12th day of March 2020.

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

By U.S. Mail:

Deb Gillis, Mayor, Islamorada, Village of Islands, 86800 Overseas Highway, Islamorada, FL 33036

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

Ty Harris, Director of Planning, Planning and Development Services, 86800 Overseas Highway, Islamorada, FL 33036

DEPARTMENT OF ECONOMIC OPPORTUNITY
Division of Community Development
DEO Final Order No. DEO-20-058
In re: AMENDMENT TO THE CITY OF KEY WEST,
FLORIDA,
LAND DEVELOPMENT REGULATIONS
ADOPTED BY CITY OF KEY WEST, FLORIDA,
ORDINANCE NO. 19-26

FINAL ORDER

APPROVING CITY OF KEY WEST ORDINANCE NO. 19-26

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to subsection 380.05(6), Florida Statutes, approving the requested changes to land development regulations (“LDRs”) adopted by the City of Key West, Florida (“City”) by Ordinance No. 19-26 (“Ordinance”).

FINDINGS OF FACT

1. The City is designated as an area of critical state concern by Rule 28-36.002, Florida Administrative Code.
2. The Ordinance was adopted by the City on September 4, 2019, and received by the Department on January 15, 2020.
3. The Ordinance amends Chapter 122 of the City of Key West Code of Ordinances (“Code”) to modify the maximum allowable density within the Medium Density Residential – 1 zoning district, to establish minimum setback standards for multiple-family and community facilities, and to amend the minimum side setback for single-family and two-family residences.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. § 380.05(6), Fla. Stat.
5. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Fla. Stat. The regulations amended by the Ordinance are land development regulations.
6. The Ordinance is consistent with the City’s Comprehensive Plan generally, as required by subsection 163.3177(1), Florida Statutes, and specifically, with Table 1-1.1.5.
7. LDRs enacted, amended, or rescinded within an area of critical state concern must be consistent and in compliance with the principles for guiding development for that area. See § 380.05(6), Fla. Stat. The Principles for Guiding Development for the City are set forth in Rule 28-36.003, Florida Administrative Code.

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

(1)(a) Strengthen local government capabilities for managing land use and development.

WHEREFORE, IT IS ORDERED that the Department finds that Ordinance No. 19-26 is consistent and in compliance with the City’s Comprehensive Plan and Principles for Guiding Development for the City and is hereby APPROVED.

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

/s/James Stansbury, James D. Stansbury, Bureau Chief, Bureau of Community Planning and Growth, Department of Economic Opportunity

Notice of administrative rights

Any person whose substantial interests are affected by this order has the opportunity for an administrative proceeding pursuant to section 120.569, Florida statutes, BY FILING A PETITION.

A petition must be filed with the agency clerk of the department of economic opportunity within 21 calendar days of BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER. A petition is filed when it is received by: Agency Clerk, Department of Economic Opportunity, Office of the general Counsel, 107 East Madison St., MSC 110, Tallahassee, Florida 32399-4128, Fax (850)921-3230, agency.clerk@deo.myflorida.com.

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For the required contents of a petition challenging agency action, refer to subsections 28-106.104(2), 28-106.201(2), and section 28-106.301, Florida Administrative Code.

Depending on whether or not material facts are disputed in the petition, a hearing will be conducted pursuant to either section 120.569 and subsection 120.57(1), Florida statutes, or Section 120.569 and subsection 120.57(2), Florida statutes.

Pursuant to section 120.573, Florida statutes, and chapter 28, part iv, Florida administrative code, YOU ARE NOTIFIED THAT mediation is not available.

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I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 12th day of March 2020.

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

By U.S. Mail:

The Honorable Teri Johnston, Mayor, City of Key West, P.O. Box 1409, Key West, Florida 33041-1409

Cheri Smith, City Clerk, City of Key West, P.O. Box 1409, Key West, Florida 33041-1409

Patrick Wright, Director, City of Key West Planning Department, P.O. Box 1409, Key West, Florida 33041-1409

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.
