

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

**DEPARTMENT OF FINANCIAL SERVICES**

**FSC - Financial Institution Regulation**

|                   |  |
|-------------------|--|
| <b>RULE NOS.:</b> | <b>RULE TITLES:</b>  |
| 69U-110.021       | Notification to OFR after Elections or Appointments                            |
| 69U-110.0211      | Liability and Bond Insurance   |
| 69U-110.026       | Supervisory/Audit Committee; Audit   |
| 69U-110.031       | Powers   |
| 69U-110.062       | Capitalization Criteria for Conservatorship or Involuntary Liquidation Actions |
| 69U-110.063       | Credit Unions Liquidation Certificate and Maintenance of Records               |

**PURPOSE AND EFFECT:** To update legal citations and the federal standards that are cited and incorporated by reference in the rules.

**SUBJECT AREA TO BE ADDRESSED:** State credit unions. The rule amendments update legal citations and incorporated materials by replacing the 2006 versions of 12 C.F.R. §§ 741.6, 741.202, 701.37, and 12 C.F.R. Part 702 with the 2020 versions; the 2018 versions of 12 C.F.R. §§ 741.3(d) and 741.201(a) with the 2020 versions; and the 2006 version of 12 U.S.C. § 1790d(c) with the 2018 version.

**RULEMAKING AUTHORITY:** 655.012(2), 657.026(3)(a), 657.028(6), 657.062(1)(c), 657.063(1) FS.

**LAW IMPLEMENTED:** 655.045, 655.057, 655.061, 657.021, 657.026, 657.028(6), 657.031, 657.033(9), 657.042, 657.062, 657.063, 657.064 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:** Leslie Bryson, Assistant General Counsel, leslie.bryson@flofr.com, (850)410-9543

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.**

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

**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

|                  |                    |
|------------------|--------------------|
| <b>RULE NO.:</b> | <b>RULE TITLE:</b> |
| 40D-8.041        | Minimum Flows      |

**PURPOSE AND EFFECT:** The purpose of this rulemaking is to revise minimum flows pursuant to Section 373.042, F.S., for the Lower Peace River, located in DeSoto and Charlotte Counties. The effect of the rule is to support the District’s water supply planning, water use permitting, and environmental resource permitting programs.

**SUMMARY:** Section 373.042, F.S., requires the District to establish minimum flows and levels for water bodies located within the District’s boundaries. This rulemaking is necessary to revise the established minimum flows for the Lower Peace River. The establishment and periodic evaluation of minimum flows is required by statute to ensure that the minimum hydrologic requirements of the water resources and ecology of the river and surrounding area are maintained. The establishment of minimum flows for the Rainbow River System are being developed using previously peer-reviewed, Governing Board adopted methods.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The District conducted an economic review of the revisions to the rule and determined that the impact or regulatory cost, if any, of the revisions will not exceed any one of the economic analysis criteria in a SERC as set forth in Section 120.541(2)(a), F.S. The revised minimum level for this river segment is unlikely to constitute an additional significant

regulatory constraint on groundwater or surface water withdrawals in the area due to existing resource conditions and regulatory constraints in the basin.

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: 373.044, 373.113, 373.171, FS.

LAW IMPLEMENTED: 373.036, 373.042, 373.0421, 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: Doug Leeper, MFL Program Lead, SWFWMD, 2379 Broad Street, Brooksville, FL 34604, (352)796-7211, ext. 4272.

THE FULL TEXT OF THE PROPOSED RULE IS:

40D-8.041 Minimum Flows.

(1) through (7) No change.

(8) Minimum Flows for the lower Peace River.

(a) For purposes of this rule, the lower Peace River in DeSoto County, FL and Charlotte County, FL includes the watercourse from U.S. Geological Survey Peace River at SR 70 at Arcadia, FL Gage #02296750 to Charlotte Harbor. The Minimum Flows are to ensure that the minimum hydrologic requirements of the water resources or ecology of the natural systems associated with the estuarine reach of the lower Peace River are met.

(b) Minimum Flows for the estuarine reach of the lower Peace River are based on the sum of the daily average, combined, adjusted flows of the USGS Peace River near Arcadia, FL Gage (“Gage No. 02296750”), #02296750 plus the flow at the U.S. Geological Survey Joshua Creek at Nocatee, FL Gage (“Gage No. 02297100”), and the U.S. Geological Survey USGS-Horse Creek at SR 72 near Arcadia, FL Gage (“Gage No. 02297310”) #02297310, and the USGS Joshua Creek at Nocatee Gage #02297100, as and are set forth in Table 8-20, below. Adjusted flow is defined as flow that would exist in the absence of withdrawal impacts. Minimum Flows for the lower Peace River are both seasonal and flow dependent, and were developed based on the daily average, combined flow at Gage No. 02296750, Gage No. 02297100 and Gage No. 02297310 adjusted for withdrawals for the period of record from January 1, 1950 through December 31, 2018. There are seven flow dependent Minimum Flows. One standard, the Minimum Low Flow Threshold, is flow based and applied continuously regardless of season. No surface water withdrawals shall be permitted that would cumulatively cause

~~the flow to be reduced below the Minimum Low Flow Threshold of 130 cfs based on the sum of the mean daily flows for the three gages listed above. Permitted Additionally, permitted withdrawals shall cease when the sum of the mean daily flows for the three gages denoted above is are below the Minimum Low Flow Threshold of 130 cfs. Also, the The total permitted maximum withdrawals on any day from the lower Peace River shall not exceed 400 cfs. There are also three seasonally dependent or Block specific Minimum Flows that are based on the sum of the mean daily flows for the three gages denoted above that would occur in the absence of any permitted upstream withdrawals. The Block Minimum Flows are based on potential changes in habitat availability for select salinity ranges within a season.~~

| <u>Table 8-20 Minimum Flow for Lower Peace River Based on the Combined (i.e., summed) Flows from the USGS Peace River at SR 70 at Arcadia, FL, Joshua Creek at Nocatee, FL, and Horse Creek at SR 72, near Arcadia, FL Gages Adjusted for Upstream Withdrawals</u> |   |
|--|---|
| <u>If Adjusted Combined Flow in cubic feet per second (cfs) on the previous Day is:</u>  | <u>Minimum Flow is:</u>                         |
| <u>≤130 cfs</u>  | <u>Combined flow on the previous day</u>        |
| <u>&gt;130 cfs and ≤149 cfs</u>  | <u>130 cfs</u>                                  |
| <u>&gt;149 cfs and ≤ 297 cfs</u>   | <u>87% of combined flow on the previous day</u> |
| <u>&gt; 297 cfs and ≤ 335 cfs</u>  | <u>258 cfs</u>                                  |
| <u>&gt; 335 cfs and ≤ 622 cfs</u>  | <u>77% of combined flow on the previous day</u> |
| <u>&gt; 622 cfs and ≤ 798 cfs</u>  | <u>479 cfs</u>                                  |
| <u>&gt; 798 cfs</u>  | <u>60% of combined flow on the previous day</u> |

| Table 8-20 Minimum Flow for Lower Peace River based on the sum of flows from Horse Creek, Joshua Creek, and the Peace River at Arcadia gages. |                               |   |  |
|---|-------------------------------|---|--|
| Period  | Effective Dates               | Where Flow on Previous Day Equals:                              | Minimum Flow Is  |
| Annually  | January 1 through December 31 | $\leq 130$ cfs<br>$> 130$ cfs                                   | Actual flow (no surface water withdrawals permitted) Seasonally dependent—see Blocks below   |
| Block 1   | April 20 through June 25      | $\leq 130$ cfs<br>$> 130$ cfs                                   | Actual flow (no surface water withdrawals permitted) previous day's flow minus 16% but not less than 130 cfs                               |
| Block 2   | October 28 through April 19   | $\leq 130$ cfs<br>$> 130$ cfs and $< 625$ cfs<br>$\geq 625$ cfs | Actual flow (no surface water withdrawals permitted) previous day's flow minus 16% but not less than 130 cfs previous day's flow minus 29% |
| Block 3   | June 26 through October 27    | $\leq 130$ cfs<br>$> 130$ cfs and $< 625$ cfs<br>$\geq 625$ cfs | Actual flow (no surface water withdrawals permitted) previous day's flow minus 16% but not less than 130 cfs previous day's flow minus 38% |

(c) Status assessments of the Minimum Flows for the lower Peace River will be completed to determine whether the flow is below or projected to fall below the Minimum Flows. Each

status assessment is independent from and not a determination of water use permit compliance or environmental resource permit compliance. Permit compliance is a regulatory function that is not within the scope of this subsection. As part of each status assessment, the District will use the following approach:

1. The District will evaluate the Minimum Flow annually to determine the extent to which the flow of the lower Peace River has been reduced due to withdrawals as of the date of each status assessment at Gage No. 02296750, Gage No. 02297100 and Gage No. 02297310. The annual evaluation will be completed through a review of:

- (a) Flow data;
- (b) Water withdrawals;
- (c) Aquifer water levels;
- (d) Rainfall data; and
- (e) Hydrologic modeling.

2. The District will also evaluate the Minimum Flows every five years as part of the regional water supply planning process. This evaluation will include the use of hydrologic modeling.

3. If the Minimum Flows are being met based on the annual evaluation or the evaluation performed as a part of the regional water supply planning process, then no further actions are required beyond continued monitoring.

(e) Minimum five year and ten year moving mean and median flow values are set forth in Table 8-20 as a tool to assess whether flows to the lower Peace River remain above flow rates that are expected to occur with implementation of the Minimum Flow described in Table 8-21 and a daily maximum withdrawal rate of 400 cfs. The means and medians are based on evaluation of daily flow records for the three gages listed above for the period 1951 through 2008. Yearly means and medians were computed for January 1 through December 31 of each year, then moving five year and ten year averages were calculated from these yearly values. Therefore, the five year and ten year means and medians are hydrologic statistics that represent the flows that will be met or exceeded if compliance with the Minimum Flow and the 400 cfs maximum withdrawal rate is maintained during hydrologic conditions similar to the 1951-2008 period. Climatic changes or future structural alterations in the watershed could potentially affect surface water or groundwater flow characteristics within the watershed and flows in the river. Therefore, as additional information relevant to Minimum Flows development becomes available, the District is committed to periodically evaluate whether any declines in these minimum moving average values below that expected with the application of the Minimum Flow are due to factors other than permitted water use.

(d) The Minimum Flows for the lower Peace River will be reevaluated to incorporate additional ecological data for the Lower Peace River within 5 years of adoption of this rule.

| Table 8-21 Minimum Five-Year and Ten-Year Moving Mean and Median flows for the lower Peace River based on the sum of flows from Horse Creek, Joshua Creek, and the Peace River at Arcadia |                      |            |
|---|----------------------|------------|
| Minimum Flow  | Hydrologic Statistic | Flow (cfs) |
| Annual Flow   | 10-Year Mean         | 713        |
|   | 10-Year Median       | 327        |
|   | 5-Year Mean          | 679        |
|   | 5-Year Median        | 295        |
| Block 1   | 10-Year Mean         | 284        |
|   | 10-Year Median       | 264        |
|   | 5-Year Mean          | 204        |
|   | 5-Year Median        | 114        |
| Block 2   | 10-Year Mean         | 429        |
|   | 10-Year Median       | 383        |
|   | 5-Year Mean          | 330        |
|   | 5-Year Median        | 235        |
| Block 3   | 10-Year Mean         | 1260       |
|   | 10-Year Median       | 930        |
|   | 5-Year Mean          | 980        |
|   | 5-Year Median        | 595        |

(9) through (22), No change.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.036, 373.042, 373.0421 FS. History—New 10-5-74, Amended 12-31-74, Formerly 16J-0.15, 40D-1.601, Amended 10-1-84, 8-7-00, 2-6-06, 4-6-06, 1-1-07, 11-25-07, 2-18-08, 3-2-08, 5-12-08, 5-10-09, 3-23-10, 3-28-10, 7-12-10, 8-2-10 (8), 8-2-10 (15), 10-16-12, 3-20-13(16), 3-20-13(17), 6-20-16, 3-15-18, 6-19-18, 4-15-20, 8-9-20, \_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Southwest Florida Water Management District  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Southwest Florida Water Management District Governing Board  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 15, 2020  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: February 1, 2021

**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

RULE NO.: 40D-8.623  
 RULE TITLE: Minimum Wetland Levels  
 PURPOSE AND EFFECT: The purpose is to amend Rule 40D-8.623 F.A.C., to remove the minimum levels for wetland Cypress Bridge A from the rule.  
 SUMMARY: Section 373.042, F.S., requires the District to establish minimum flows and levels for lakes, wetlands, rivers and aquifers within the District’s boundaries. Section 373.0421(3), F.S., further requires the District to periodically

reevaluate and revise adopted minimum flows and levels. The establishment and periodic evaluation of minimum levels is required to ensure that the minimum hydrologic requirements of the water resources and ecology of the area are maintained. This rulemaking is necessary to remove the previously established minimum levels for a wetland previously listed in the rule.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The District conducted an economic review of the revisions to the rule and determined that the impact or regulatory cost, if any, of the revisions will not exceed any one of the economic analysis criteria in a SERC as set forth in Section 120.541(2)(a), F.S. The removal of this wetland from the rule is unlikely to constitute an additional significant regulatory constraint on groundwater or surface water withdrawals in the area due to existing resource conditions and regulatory constraints in the basin.

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: 373.044, 373.113, 373.171 F.S.

LAW IMPLEMENTED: 373.036, 373.0361, 373.0395, 373.042, 373.0421 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: Luke LeMond, P.G., Chief Professional Geologist, SWFWMD, 7601 US Hwy 301, Tampa, FL 33637-6759, (813)985-7481 ext. 2053

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

40D-8.623 Minimum Wetland Levels.

(1) through (2) No change.

(3) Minimum Wetland Levels are hereby established as set forth in the following table. Wetland water levels are deemed to be below the Minimum Wetland Level when the Long-term

Current P50 is below the Minimum Wetland Level. If insufficient data exists to determine if a wetland is below its Minimum Wetland Level, the wetland can be determined to be below the Minimum Wetland Level based on a comparison with wetlands that are hydrologically or hydrogeologically similar or, located in close proximity or, in the same drainage basin or, by use of aerial photographs or evaluation of hydrologic data or Hydrologic Indicators in the subject wetland.

| Wetland Site                                  | Minimum Level (feet NGVD) | Latitude | Longitude |
|---|---------------------------|----------|-----------|
| (a) Cypress Creek W-11                        | 67.8                      | 28 17 46 | 82 23 06  |
| (b) Cypress Creek W-12                        | 62.0                      | 28 17 33 | 82 23 39  |
| (c) Cypress Creek W-17                        | 62.8                      | 28 17 08 | 82 23 41  |
| (d) Cypress Creek W-56 (G)                    | 62.7                      | 28 16 21 | 82 24 18  |
| (e) Starkey S-99                              | 29.6                      | 28 15 20 | 82 37 39  |
| (f) Starkey Central                           | 43.3                      | 28 14 40 | 82 35 45  |
| (g) Starkey Z                                 | 39.7                      | 28 14 10 | 82 35 07  |
| (h) Starkey Eastern (S-73)                    | 44.6                      | 28 14 45 | 82 33 56  |
| (i) Starkey S-75                              | 45.4                      | 28 15 00 | 82 33 46  |
| (j) Starkey M (S-69)                          | 43.1                      | 28 14 34 | 82 34 24  |
| (k) Starkey N                                 | 45.2                      | 28 14 33 | 82 33 08  |
| (l) Morris Bridge Entry Dome (MBR-35)         | 33.8                      | 28 06 55 | 82 18 24  |
| (m) Morris Bridge X-4 (MBR-89)                | 40.4                      | 28 07 26 | 82 20 14  |
| (n) Morris Bridge Clay Gully Cypress (MBR-88) | 39.6                      | 28 07 21 | 82 20 45  |
| (o) Morris Bridge Unnamed (MBR-16)            | 32.1                      | 28 06 20 | 82 20 33  |
| (p) Eldridge Wilde 5                          | 27.1                      | 28 09 21 | 82 39 47  |
| (q) Eldridge                                  | 36.4                      | 28 10    | 82 37 52  |

|                                    |                  |                     |                     |
|------------------------------------|------------------|---------------------|---------------------|
| Wilde 11 (NW-44)                   |                  | 05                  |                     |
| (r) South Pasco 2 (NW-49)          | 57.2             | 28 11 00            | 82 30 27            |
| (s) South Pasco South Cypress      | 56.9             | 28 10 53            | 82 30 29            |
| (t) South Pasco 6 (NW-50)          | 57.4             | 28 11 17            | 82 30 28            |
| (u) Cypress Bridge 16              | 58.4             | 28 12 30            | 82 22 18            |
| <del>(v) Cypress Bridge A</del>    | <del>56.6</del>  | <del>28 12 24</del> | <del>82 22 28</del> |
| (v)(w) Cypress Bridge 25           | 70.5             | 28 13 59            | 82 21 31            |
| (w)(x) Cypress Bridge 32           | 48.7             | 28 10 03            | 82 22 02            |
| (x)(y) Cypress Bridge 4            | 69.2             | 28 13 44            | 82 21 55            |
| (y)(z) Cross Bar T-3               | 68.5             | 28 20 52            | 82 29 44            |
| <del>(z)(aa) Cross Bar Q-1</del>   | <del>72.5</del>  | <del>28 20 46</del> | <del>82 28 11</del> |
| <del>(aa)(bb) Cone Ranch 1</del>   | <del>86.9</del>  | <del>28 07 57</del> | <del>82 07 16</del> |
| <del>(bb)(cc) Cone Ranch 2</del>   | <del>90.5</del>  | <del>28 07 14</del> | <del>82 07 11</del> |
| <del>(cc)(dd) Cone Ranch 3</del>   | <del>95.4</del>  | <del>28 06 39</del> | <del>82 07 14</del> |
| <del>(dd)(ee) Cone Ranch 4</del>   | <del>99.0</del>  | <del>28 06 50</del> | <del>82 05 54</del> |
| <del>(ee)(ff) Cone Ranch 5</del>   | <del>105.2</del> | <del>28 05 53</del> | <del>82 04 56</del> |
| <del>(ff)(gg) Cone Ranch 6</del>   | <del>96.0</del>  | <del>28 07 32</del> | <del>82 05 57</del> |
| <del>(gg)(hh) North Pasco 3</del>  | <del>44.4</del>  | <del>28 19 00</del> | <del>82 34 32</del> |
| <del>(hh)(ii) North Pasco 21</del> | <del>44.5</del>  | <del>28 17 23</del> | <del>82 34 30</del> |

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.036, 373.0361, 373.0395, 373.042, 373.0421 FS. History—New 8-7-00, Amended 4-6-20, 11-11-20, \_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Southwest Florida Water Management District  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Southwest Florida Water Management District Governing Board  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 15, 2020

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: February 1, 2021

**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

RULE NO.: RULE TITLE:

40D-8.624 Guidance and Minimum Levels for Lakes

PURPOSE AND EFFECT: The purpose of this rulemaking is to remove minimum and guidance levels for Pasco Lake, located in Pasco County, from the rule. The effect of the rule is to support the District’s water supply planning, water use permitting, and environmental resource permitting programs.

SUMMARY: Section 373.042, F.S., requires the District to establish minimum flows and levels for lakes, wetlands, rivers and aquifers within the District’s boundaries. Section 373.0421(3), F.S., further requires the District to periodically reevaluate and revise adopted minimum flows and levels. The establishment and periodic evaluation of minimum levels is required to ensure that the minimum hydrologic requirements of the water resources and ecology of the area are maintained. This rulemaking is necessary to remove the previously established minimum levels for a lake previously listed in the rule.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The District conducted an economic review of the revisions to the rule and determined that the impact or regulatory cost, if any, of the revisions will not exceed any one of the economic analysis criteria in a SERC as set forth in Section 120.541(2)(a), F.S. The removal of this lake from the rule is unlikely to constitute an additional significant regulatory constraint on groundwater or surface water withdrawals in the area due to existing resource conditions and regulatory constraints in the basin.

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: 373.044, 373.113, 373.171, FS.

LAW IMPLEMENTED: 373.036, 373.042, 373.0421, 373.086, 373.709, 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: Mark Hurst, Senior Environmental Scientist, SWFWMD, 2379 Broad Street, Brooksville, FL 34604, (352)796-7211, ext. 4271.

THE FULL TEXT OF THE PROPOSED RULE IS:

40D-8.624 Guidance and Minimum Levels for Lakes.

(1) through (11) No change.

(12) Levels for lakes established during or after August 7, 2000, are set forth in the following table. After the High Minimum Lake Level and Minimum Lake Level elevation for each lake is a designation indicating the Method used, as described in subsection 40D-8.624(8), F.A.C., to establish the level. Compliance with the High Minimum and Minimum Lake Levels is determined pursuant to paragraphs (6)(b) and (7)(b) above. Guidance Levels established prior to August 7, 2000, are set forth in Table 8-3 in subsection 40D-8.624(13), F.A.C., below.

Table 8-2 Minimum and Guidance Levels Established During or After August 7, 2000. Levels are elevations, in feet above the National Geodetic Vertical Datum of 1929.

| Location by County and Basin | Name of Lake and Section, Township and Range Information | High Guidance Level | High Minimum Lake Level | Minimum Lake Level | Low Guidance Level |
|------------------------------|--|---------------------|-------------------------|--------------------|--------------------|
| (a) through (p) No change.   |  |                     |                         |                    |                    |

| Table 8-2 Minimum and Guidance Levels Established During or After August 7, 2000. Levels are elevations, in feet above the National Geodetic Vertical Datum of 1929. |  |   |  |  |  |
|--|--|---|--|--|--|
| Lo<br>cat<br>ion<br>by<br>Co<br>unt<br>y<br>an<br>d<br>Ba<br>sin   | Nam<br>e of<br>Lake<br>and<br>Secti<br>on,<br>Tow<br>nshi<br>p<br>and<br>Rang<br>e<br>Infor<br>mati<br>on                        | Hig<br>h<br>Gui<br>dan<br>ce<br>Lev<br>el | Hig<br>h<br>Min<br>imu<br>m<br>Lak<br>e<br>Lev<br>el | Min<br>imu<br>m<br>Lak<br>e<br>Lev<br>el | Lo<br>w<br>Gui<br>dan<br>ce<br>Lev<br>el |
| (q)<br>In<br>Pasc<br>o<br>Cou<br>nty<br>With<br>in<br>the<br>Coas<br>tal<br>Rive<br>rs<br>Basi<br>n  | Big<br>Fish,<br>Lake<br>S-21, T-<br>24,<br>R-19E<br>throug<br>h<br>Moon,<br>Lake<br>S-28,<br>T-25,<br>R-17E<br>No<br>change<br>. |   |  |  |  |
|  | <del>Pasco</del><br>Lake<br>S-22, T-<br>24S,<br>R-18E  | 66.1'                                     | 65.3'<br>(CAT<br>3)                                  | 61.8'<br>(CAT<br>3)                      | 59.<br>7'                                |

| Table 8-2 Minimum and Guidance Levels Established During or After August 7, 2000. Levels are elevations, in feet above the National Geodetic Vertical Datum of 1929. |   |   |  |  |  |
|--|---|---|--|--|--|
| Lo<br>cat<br>ion<br>by<br>Co<br>unt<br>y<br>an<br>d<br>Ba<br>sin   | Nam<br>e of<br>Lake<br>and<br>Secti<br>on,<br>Tow<br>nshi<br>p<br>and<br>Rang<br>e<br>Infor<br>mati<br>on                                   | Hig<br>h<br>Gui<br>dan<br>ce<br>Lev<br>el | Hig<br>h<br>Min<br>imu<br>m<br>Lak<br>e<br>Lev<br>el | Min<br>imu<br>m<br>Lak<br>e<br>Lev<br>el | Lo<br>w<br>Gui<br>dan<br>ce<br>Lev<br>el |
|  | Pierce<br>Lake<br>S-9, T-<br>25S,<br>R-18E<br>throug<br>h<br>Unna<br>med<br>Lake<br>No. 22<br>S-27,<br>T-24S,<br>R-18E<br>No<br>change<br>. |   |  |  |  |
| (r)<br>throug<br>h<br>(dd),<br>No<br>chan<br>ge.   |   |   |  |  |  |

(13) No change.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.036, 373.042, 373.0421, 373.086, 373.709 FS. History—New 6-7-78, Amended 1-22-79, 4-27-80, 10-21-80, 12-22-80, 3-23-81, 4-14-81, 6-4-81, 10-15-81, 11-23-81, 1-5-82, 3-11-82, 5-10-82, 7-4-82, 9-2-82, 11-8-82, 1-10-83, 4-3-83, 7-5-83, 9-5-83, 10-16-83, 12-12-83, 5-8-84, 7-8-84, 12-16-84, 2-7-85, 5-13-85, 6-26-85, 11-3-85, 3-5-86, 6-16-86, Formerly 16J-8.678, Amended 9-7-86, 2-12-87, 9-2-87, 2-18-88, 6-27-88, 2-22-89, 3-23-89, 9-26-89, 7-26-90, 10-30-90, 3-3-91, 9-30-91, 10-7-91, 7-26-92, 3-1-93, 5-11-94, 6-6-96, 2-23-97, 8-7-00, 1-8-04, 12-21-04 (13), 12-21-04 (13), 6-5-05, 5-2-06, 1-1-07, 2-12-07, 1-10-08, 2-18-08, 4-7-08, 5-20-08, 5-10-09, 4-13-11, 3-12-12, 11-25-12, 2-21-13 (12)(f), 2-21-13 (12)-(13), 9-3-13, 1-7-15, 7-1-15, 9-21-15, 11-30-16, 12-28-16, 2-12-17 (12)(s), 2-12-17 (12)(z), 2-12-17 (12)(z), 2-19-17 (12)(l), 2-19-17 (12)(q), 3-2-17 (12)(l), 3-2-17 (12)(z), 3-22-17, 4-2-17 (12)(q), 4-2-17 (12)(z), 4-20-17 (12)(i), 4-20-17 (12)(i), 2-5-18, 3-20-18, 5-30-18, 1-23-19, 2-11-19, 3-20-19, 4-28-19, 7-17-19, 5-27-20, 8-9-20, \_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Southwest Florida Water Management District  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Southwest Florida Water Management District Governing Board  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 15, 2020  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: February 1, 2021

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Veterinary Medicine**

RULE NO.: RULE TITLE:

61G18-22.001 Active Status License

PURPOSE AND EFFECT: The rule is being repealed as it is no longer in use.

SUMMARY: To repeal rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 455.271 FS.

LAW IMPLEMENTED: 455.271, 474.211(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ruthanne Christie, Executive Director, Board of Veterinary Medicine, 2601 Blair Stone Road, Tallahassee, FL 32399-0751, N13, or by electronic mail - Ruthanne.Christie@myfloridalicense.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

61G18-22.001 Active Status License.

Rulemaking Authority 455.271 FS. Law Implemented 455.271, 474.211(1) FS. History—New 2-6-95, Repealed \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Veterinary Medicine  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Veterinary Medicine  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 17, 2020

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE NO.: RULE TITLE:

64B8-9.001 Physician Office Adverse Incident Reporting

PURPOSE AND EFFECT: The proposed rule amendment is intended to incorporate the revised application form into the rule.

SUMMARY: The proposed rule amendment incorporates the revised application form into the rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is



required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board 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: 458.309(1), 458.351(7) FS.

LAW IMPLEMENTED: 458.351 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: Paul Vazquez, J.D., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin # C03, Tallahassee, Florida 32399-3253 or Paul.Vazquez@flhealth.gov.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-9.001 Physician Office Adverse Incident Reporting.

(1) Any “adverse incident” as defined in section 458.351(4), F.S., shall be reported to the Department of Health in accordance with section 458.351, F.S., on form DH-MQA1030 (Revised 12/20 03/2019), entitled “Physician Office Adverse Incident Report,” which is hereby incorporated by reference and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-40651>.

(2) through (3) No change.

Rulemaking Authority 458.309(1), 458.351(7) FS. Law Implemented 458.351 FS. History—New 3-9-00, Amended 11-11-15, 6-25-19,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Rules/Legislative Committee, Board of Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 03, 2020

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 22, 2021

**DEPARTMENT OF HEALTH**

**Board of Osteopathic Medicine**

RULE NO.: 64B15-13.0025  
 RULE TITLE: Requirement for Continuing Education Course on Prescribing Controlled Substances

PURPOSE AND EFFECT: The proposed rule amendment is intended to alleviate unnecessary language from the rule.

SUMMARY: The proposed rule amendment will alleviate unnecessary language.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board 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: 456.0301(2) FS.

LAW IMPLEMENTED: 456.0301 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: Kama Monroe, J.D., Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin # C06, Tallahassee, Florida 32399-3256, or by email at Kama.Monroe@flhealth.gov.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B15-13.0025 Requirement for Continuing Education Course on Prescribing Controlled Substances.

(1) Pursuant to section 456.0301, F.S., by January 31, 2019, all physicians who are registered with the United States Drug Enforcement Agency and authorized to prescribe controlled substances must complete a 2-hour course on prescribing controlled substances.

~~(2) The Board approves the controlled substance prescribing courses offered by the Florida Medical Association, the Florida Osteopathic Medical Association, the Florida Academy of Family Physicians, the Florida College of Emergency Physicians, Baptist Health South Florida/Quality Network, and InforMed, for the purpose of meeting this continuing education requirement. The course may be offered in a distance learning format.~~

(3) through (4) renumbered (2) through (3) No change.  
 Rulemaking Authority 456.0301(2) FS. Law Implemented 456.0301 FS. History--New 7-11-18, Amended 11-15-18, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Board of Osteopathic Medicine  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Osteopathic Medicine  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 20, 2020  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 25, 2021

**DEPARTMENT OF HEALTH**

**Board of Osteopathic Medicine**

RULE NO.: RULE TITLE:  
 64B15-14.0075 Osteopathic Physician Office Incident Reporting

PURPOSE AND EFFECT: The proposed rule amendment will clarify and revise the adverse incident form.

SUMMARY: The proposed rule amendment incorporates the revised application form into the rule

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board 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: 459.005(1), 459.026(7) FS.

LAW IMPLEMENTED: 459.026 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: Kama Monroe, J.D., Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin # C06, Tallahassee, Florida 32399-3256, or by email at Kama.Monroe@flhealth.gov.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B15-14.0075 Osteopathic Physician Office Incident Reporting.

(1) No change.

(2) Incident Reporting System. An incident reporting system shall be established for each osteopathic physician office.

(a) Incident Reports. The incident reporting system shall include the prompt, postmarked and sent by certified mail within 15 calendar days after the occurrence of the adverse incident, reporting of incidents to the Department of Health, Consumer Services Unit, 4052 Bald Cypress Way, Bin C75, Tallahassee, Florida 32399-3275. The report shall be made on the Physician Office Adverse Incident Report, Form #DH-MQA 1030, Revised 12/20 ~~5/2019~~, which is incorporated herein by reference and available from <http://www.flrules.org/Gateway/reference.asp?No=Ref-40906>.

The report must be submitted by every licensee who was involved in the adverse incident. If multiple licensees are involved in the adverse incident, they may meet this requirement by signing off on one report; however, each signee is responsible for the accuracy of the report. This report shall contain the following information:

1. through 5. No change.

(b) No change

(3) No change.

Rulemaking Authority 459.005(1), 459.026(7) FS. Law Implemented 459.026 FS. History—New 2-12-02, Amended 8-12-19,\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Osteopathic Medicine  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Osteopathic Medicine  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 20, 2020  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 22, 2021

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

| RULE NOS.: | RULE TITLES:   |
|------------|--|
| 62-41.300  | Central Florida Water Initiative Area, Scope of Rule   |
| 62-41.301  | Central Florida Water Initiative Area, Uniform Conditions for Issuance of Permits  |
| 62-41.302  | Central Florida Water Initiative Area, Supplemental Applicant’s Handbook   |
| 62-41.304  | Central Florida Water Initiative Area, Uniform Process for Setting Minimum Flows and Minimum Water Levels and Water Reservations |

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 46 No. 226, November 19, 2020 issue of the Florida Administrative Register.

62-41.300 Central Florida Water Initiative Area, Scope of Rules

(1) Rules 62-41.300 through 62-41.305, F.A.C., and the Central Florida Water Initiative Area Supplemental Applicant’s Handbook (Supplemental Applicant’s Handbook), incorporated by reference in Subsection 62-41.302(1), F.A.C., implements section 373.0465(2)(d), F.S. These rules apply to consumptive use permit applicants and permittees with withdrawal points within ~~in~~ the Central Florida Water Initiative (CFWI) Area as defined in section 373.0465(2)(a), F.S, and supersede those portions of Chapters 40C-2, 40D-2 and 40E-2, F.A.C., regulating the consumptive use of water in the CFWI area explicitly identified in this chapter. These rules only supersede the rules of the St. Johns River Water Management District (SJRWMD), Southwest Florida Water Management District (SWFWMD) or South Florida Water Management District (SFWMD) (collectively, the “Districts”) when explicitly provided in Rules 62-41.300 through 62-41.305 or the Supplemental Applicant’s Handbook.

(2) through (7) No change.  
Rulemaking Authority 373.043, 373.0465, 373.171 FS. Law Implemented 373.019, 373.036, 373.042, 373.0421, 373.0465, 373.171, 373.219, 373.223, 373.229, 373.709, FS. History—New.

62-41.301 Central Florida Water Initiative Area, Uniform Conditions for Issuance of Permits

For consumptive use applicants with withdrawal points within the CFWI Area, this rule supersedes in their entirety subsections 40C-2.301(1) and (2) and subsections 40D-2.301(1) and (2); and subsection 40E-2.301(1), F.A.C.

(1) To obtain a consumptive use permit, renewal, or modification within the CFWI Area, an applicant must provide reasonable assurance that the proposed consumptive use of water, on an individual and cumulative basis:

(2) In order to provide reasonable assurances that the consumptive use is reasonable-beneficial, an applicant shall demonstrate that the consumptive use:

- (a) through (g) No change.
- (h) Is in accordance with any minimum flow or level and implementation, ~~prevention, or recovery~~ strategy established pursuant to sections 373.042 and 373.0421, F.S.; and

(3) No change.

(4) Across the CFWI Area, cumulative harm to ~~on~~ the water resources exists is existing and is expected to increase ~~increasing~~ because of groundwater withdrawals from the Upper Floridan aquifer. The ~~Thus~~, cumulative uses of the Upper Floridan aquifer across the CFWI Area has ~~have~~ caused detrimental effects to other users and the water resources of the state. Following the effective date of these rules, each District shall modify all applicable existing Consumptive Use Permits with withdrawal points within the CFWI to be consistent with Rules 62-41.301 through 62-41.305, F.A.C., and applicable permit conditions specified in Section 5.0, of the Supplemental Applicant’s Handbook, incorporated by reference in rule 62-41.302 ~~62-41.300 through 62-41.302~~, F.A.C., are incorporated into all CUPs within the CFWI.

Rulemaking Authority 373.043, 373.0465, 373.171 FS. Law Implemented 373.019, 373.036, 373.042, 373.0421, 373.0465, 373.171, 373.219, 373.223, 373.229, 373.709, FS. History—New

62-41.304: Central Florida Water Initiative Area, Uniform Process for Setting Minimum Flows and Minimum Water Levels and Water Reservations

- (1) through (2) No change.
- (3) Status of the MFL Waterbody. When determining whether the flow(s) and/or level(s) of a specific MFL water body are below or projected to fall below the adopted MFL criteria, the District within which the MFL is located shall use the status assessment approach that includes a screening level analysis and a causation analysis, when applicable pursuant to

the 62-41.304(3)(a)-(c), F.A.C. This status assessment is independent from and not a determination of consumptive use permit compliance or environmental resource permit compliance. Permit compliance is a regulatory function that is not within the scope of this subsection.

(a) through (b) No change.

(c) If the screening level analysis indicates that the MFL is not being met, or is trending toward not being met based on the flows and levels adjusted by rainfall trends, the District will conduct a causation analysis to independently evaluate the potential impacts of various stressors on the MFL water body being assessed.

1. Factors other than consumptive uses of water (e.g., long-term drought) can cause the flow or level of a surface watercourse, aquifer, surface water, or spring to drop below an adopted minimum flow or level. The factors to be considered in the determination of causation shall be based on the use of best professional judgment and may include:

a. through i. No change.

Rulemaking Authority 373.043, 373.0465, 373.171 FS. Law Implemented 373.019, 373.036, 373.042, 373.0421, 373.0465, 373.171, 373.219, 373.223, 373.229, 373.709, FS. History—New

The Department revises the CFWI Supplemental Applicant’s Handbook, incorporated in subsection 62-41.302, F.A.C. A copy of the handbook is available at [www.floridadep.gov/water-policy/water-policy/content/office-water-policy-rulemaking](http://www.floridadep.gov/water-policy/water-policy/content/office-water-policy-rulemaking).

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Vessel Registration and Boating Safety**

RULE NOS.: RULE TITLES:

68D-21.001 Requirements for Applications  
 68D-21.004 Criteria for Approval of Ordinances

**NOTICE OF PUBLIC HEARING**

The Florida Fish and Wildlife Conservation Commission announces a hearing regarding the above rule, as noticed in Vol. 47 No. 10, January 15, 2021 Florida Administrative Register.

DATE AND TIME: At the Commission's regularly scheduled meeting, February 25 and 26, 2021, beginning at 9:00 a.m. each day.

PLACE: Virtual, via Adobe Connect and via the Florida Channel. The Adobe Connect link will be provided to the public in advance of the meeting. Public comment will be accepted via call-in number published during the meeting and may also be submitted in writing.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The application and approval process for ordinances creating boating restricted areas.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the ADA Coordinator, at (850)488-6411 If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**Section IV  
 Emergency Rules**

NONE

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

**DEPARTMENT OF MANAGEMENT SERVICES**

Public Employees Relations Commission

RULE NO.: RULE TITLE:

60CC-4.002 Ratification by Members of Bargaining Unit

NOTICE IS HEREBY GIVEN that on February 8, 2021, the Public Employees Relations Commission, received a petition for variance from Rule 60CC-4.002, F.A.C., filed by Mark Davis and the Highlands County Education Support Personnel Association d.b.a. Highlands County Educational Staff Professionals to conduct all aspects of a ratification election electronically. The petition was assigned Case No. MS-2021-007. Any interested person may submit written comments on this petition within 5 days of publication of this notice by mail to Commission Clerk, Public Employees Relations Commission, 4708 Capital Circle Northwest, Suite 300, Tallahassee, Florida 32303-7256 or by facsimile to (850)488-9704.

A copy of the Petition for Variance or Waiver may be obtained by contacting: The Clerk, Public Employees Relations Commission, 4708 Capital Circle Northwest, Suite 300, Tallahassee, Florida 32303-7256 or by email to [Barry.Dunn@perc.myflorida.com](mailto:Barry.Dunn@perc.myflorida.com).

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on February 4, 2021, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Nation Oak Avenue at 210 Oak Avenue, Sanford,

FL. Petitioner seeks an emergency variance of the requirements of ASME A18.1, 2017 edition, Section 2.7.1, as adopted by Rule 61C-5.001, Florida Administrative Code that limits the travel distance of the lift to a maximum of 168 in. Any interested person may file comments within 5 days of the publication of this notice with Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013, (VW2021-012).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013, dhr.elevators@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: On February 5, 2021, the Division issued an order. The Final Order was in response to a Petition for a routine permanent Variance from Immokalee Fire Station #32, 5362 Useppa Dr Ave Maria, FL 34142, filed August 7, 2020, and advertised on August 12, 2020, in Vol. 46, No. 157, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.7.1, ASME A18.1, 2008 edition, as adopted by Rule 61C-5.001, Florida Administrative Code that limits travel of lifts to 14' because the Petitioner has demonstrated that the purpose of the underlying statute has been met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2020-096).

A copy of the Order or additional information may be obtained by contacting: Division of Hotels and Restaurants, Bureau of Elevator Safety, 2601 Blair Stone Road, Tallahassee, Florida 32399-1013, dhr.elevators@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners

RULE NO.: RULE TITLE:

61G14-20.001 Deputy Pilots' and State Pilots' Physical and Mental Capabilities

The Board of Pilot Commissioners hereby gives notice: of the issuance of an Order regarding the Emergency Petition for Waiver or Variance, which was filed on January 15, 2021, by Capt. Brian F. McGee. Petitioner was seeking an emergency waiver or variance from subsection 61G14-20.001(1) and (2),

F.A.C., entitled, "Deputy Pilots' and State Pilots' Physical and Mental Capabilities," subsection (2) states that pilots certification of physical fitness shall be submitted not later than thirteen months following the date the most recent certification of that pilot's physical fitness was submitted. Subsection (1) states that the purpose of the Rule 61G14-20.001, F.A.C., "is to establish minimum standards for the physical and mental capabilities necessary to carry out the professional duties" of state and deputy pilots. The Notice was published in Volume 47, No. 13, of the Florida Administrative Register, on January 21, 2021.

The Board considered the instant Petition at a duly-noticed public telephonic meeting held January 19, 2021. The Board's Order, filed on January 28, 2021, granted the petition in part finding that subparagraphs 61G14-20.001(2)(c)1., 2. and paragraph (3)(b), F.A.C., are waived up to and including March 31, 2021, and that Petitioner must submit proof of successfully passing a physical examination by that date. Petitioner has established that the purpose of the underlying statute would be met by granting a variance or waiver from subparagraphs 61G14-20.001(2)(c)1., 2. and paragraph (3)(b), F.A.C., The Board further finds that Petitioner established that applying the requirements of the aforementioned rule to petitioner's circumstances would impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Amanda Ackerman, Executive Director, Board of Pilot Commissioners, 2601 Blair Stone Road, Tallahassee, FL 32399-0790.

DEPARTMENT OF CHILDREN AND FAMILIES

Substance Abuse Program

RULE NO.: RULE TITLE:

65D-30.0037 Department Licensing Procedures

NOTICE IS HEREBY GIVEN that on February 5, 2021, the Department of Children and Families, received a petition for emergency petition for variance of subsection 65D-30.0037(3), Florida Administrative Code, from CDAC Behavioral Healthcare, Inc., assigned Case No. 21-003W. Subsection 65D-30.0037(3), Florida Administrative Code, states in pertinent part: A provider that is licensed under chapter 397, F.S., to provide day or night treatment, intensive outpatient treatment, outpatient treatment, aftercare, or intervention is permitted to deliver those component services at locations which are leased or owned by an organization other than the provider, but not by another provider.

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

## Section VI

### Notice of Meetings, Workshops and Public Hearings

#### DEPARTMENT OF TRANSPORTATION

Florida Seaport Transportation and Economic Development Council

The Florida Seaport Transportation Economic Development (FSTED) Council Security Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, February 18, 2021, 10:00 a.m. – 12:00 Noon

PLACE: Call-In Number: (646)558-8656, Meeting ID: 970 5705 6431, Passcode: 222894

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business.

A copy of the agenda may be obtained by contacting: Mike Rubin in the Florida Ports Council offices at (850)222-8028 or [mike.rubin@flaports.org](mailto:mike.rubin@flaports.org).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Mike Rubin in the Florida Ports Council offices at (850)222-8028 or [mike.rubin@flaports.org](mailto:mike.rubin@flaports.org). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Mike Rubin in the Florida Ports Council offices at (850)222-8028 or [mike.rubin@flaports.org](mailto:mike.rubin@flaports.org).

#### REGIONAL PLANNING COUNCILS

East Central Florida Regional Planning Council

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

DATE AND TIME: Wednesday, February 17, 2021, 10:30 a.m.

PLACE: Virtual Meeting - Information on [www.ECFRPC.org](http://www.ECFRPC.org)

GENERAL SUBJECT MATTER TO BE CONSIDERED: A meeting of the Council Subcommittee for Regional Resilience Collaborative

A copy of the agenda may be obtained by contacting: Jenifer Rupert at [jrupert@ecfrpc.org](mailto:jrupert@ecfrpc.org) or (407)245-0300, ext. 302.

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 two (2) days before the workshop/meeting by contacting: Jenifer Rupert at [jrupert@ecfrpc.org](mailto:jrupert@ecfrpc.org) or (407)245-0300, ext. 302. 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: Jenifer Rupert at [jrupert@ecfrpc.org](mailto:jrupert@ecfrpc.org) or (407)245-0300, ext. 302.

#### REGIONAL PLANNING COUNCILS

Tampa Bay Regional Planning Council

The Tampa Bay Regional Planning Council's Local Emergency Planning Committee announces a public meeting to which all persons are invited.

DATE AND TIME: February 24, 2021, 10:30 a.m.

PLACE: This meeting will be held via a virtual communication platform. Persons wishing to participate in this meeting should dial: (646)558-8656. The meeting ID is: 843 3599 3207. The Passcode is: 260240. The Zoom Meeting Link is: <https://us02web.zoom.us/j/84335993207?pwd=QmRDZVplVUpCYkk2bFQrWGQ5eERYQT09>

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Tampa Bay Regional Planning Council's Local Emergency Planning Committee.

A copy of the agenda may be obtained by contacting: Wren Krahl, [Wren@tbrpc.org](mailto:Wren@tbrpc.org).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting: Wren Krahl, [Wren@tbrpc.org](mailto:Wren@tbrpc.org). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Wren Krahl, [Wren@tbrpc.org](mailto:Wren@tbrpc.org).

#### DEPARTMENT OF MANAGEMENT SERVICES

Division of Communications

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

DATE AND TIME: Tuesday, February 23, 2021, 9:30 a.m. – 5:00 p.m.

PLACE: Teleconference only: Dial in (Toll Free): 1(866)899-4679, United States: (571)317-3116, Access Code: 488-454-357, Audio Pin: (None) Select #

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Joint Task Force (JTF) Board of the Statewide Law Enforcement Radio System (SLERS) will meet together to discuss matters pertaining to the network.

The agenda and handouts will be made available closer to the date of the meeting at the following web address:

[https://www.dms.myflorida.com/business\\_operations/telecommunications/public\\_safety\\_communications/radio\\_communications\\_services/statewide\\_law\\_enforcement\\_radio\\_system\\_slers/upcoming\\_joint\\_task\\_force\\_meetings](https://www.dms.myflorida.com/business_operations/telecommunications/public_safety_communications/radio_communications_services/statewide_law_enforcement_radio_system_slers/upcoming_joint_task_force_meetings)

A copy of the agenda may be obtained by contacting: Millie Marchiano, (850)922-7435, Millicent.Marchiano@dms.fl.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: Millie Marchiano, (850)922-7435, Millicent.Marchiano@dms.fl.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: Millie Marchiano, (850)922-7435, Millicent.Marchiano@dms.fl.gov.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Cosmetology**

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

**DATE AND TIME:** March 1, 2021, 2:00 p.m.

**PLACE:**

**HTTPS://GLOBAL.GOTOMEETING.COM/JOIN/270778813**

You can also dial in using your phone: United states: (408)650-3123, ACCESS CODE: 270-778-813

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
General board business.

A copy of the agenda may be obtained by contacting: Florida Board of Cosmetology, 2601 Blair Stone, Tallahassee, Florida, 32399, (850)487-1395.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Florida Board of Cosmetology, 2601 Blair Stone, Tallahassee, Florida, 32399, (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Florida Board of Cosmetology, 2601 Blair Stone, Tallahassee, Florida, 32399, (850)487-1395.

**DEPARTMENT OF HEALTH**

**BOARD OF OPTICIANRY**

The Department of Health, Board of Opticianry announces a Probable Cause Panel meeting via teleconference call in which reconsiderations will be heard. All interested parties are invited to attend the teleconference call, which is open to the public.

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

**PLACE:** Teleconference Meeting: 1(888)585-9008, Conference Room Number 123-475-828#

**PURPOSE:** Probable Cause Panel with Reconsiderations.

A copy of the agenda may be obtained by contacting the board office at (850)245-4292 or by visiting our website at <https://floridasopticianry.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 the board office at (850)245-4292.

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

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

For more information, you may contact the board office at (850)245-4292.

**DEPARTMENT OF ECONOMIC OPPORTUNITY**

**Division of Workforce Services**

The Reemployment Assistance Appeals Commission announces a public meeting to which all persons are invited.

**DATE AND TIME:** February 17, 2021, 9:30 a.m.

**PLACE:** Reemployment Assistance Appeals Commission, 1211 Governors Square Boulevard, Suite 300, Tallahassee, Florida 32301. Call (850) 988-5144, and enter phone conference ID: 756 701 156#.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Disposition of cases pending before the Reemployment Assistance Appeals Commission that are ready for final review and the Chairman's report. No public testimony will be taken.

A copy of the agenda may be obtained by contacting: The Reemployment Assistance Appeals Commission at [RAAC.Inquiries@deo.myflorida.com](mailto:RAAC.Inquiries@deo.myflorida.com).

**SPECIAL COVID-19 CONSIDERATIONS:** As the Governor of the State of Florida and Leon County have declared a state of emergency due to the COVID-19 Pandemic, the Commission must limit the manner in which the public may participate; accordingly, no member of the public may attend in person. Any interested person who would like to attend telephonically

should call (850)988-5144 and enter phone conference ID: 756 701 156#.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: Reemployment Assistance Appeals Commission at (850)487-2685 or RAAC.Inquiries@deo.myflorida.com.

**EMERGENCY CANCELLATION OF MEETING:** If a named storm or other disaster requires cancellation of the meeting, Commission staff will attempt to give timely notice. Notice of cancellation will be provided on the Commission's website ([www.raac.myflorida.com](http://www.raac.myflorida.com)). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Reemployment Assistance Appeals Commission, 1211 Governors Square Boulevard, Suite 300, Tallahassee, Florida 32301, (850)487-2685. RAAC.Inquiries@deo.myflorida.com.

**MARION SOIL AND WATER CONSERVATION DISTRICT**

The Marion Soil & Water Conservation District announces a workshop to which all persons are invited.

**DATE AND TIME:** February 23, 2021, 9:30 a.m.

**PLACE:** 2710 E Silver Springs Blvd, Ocala

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** District Business

A copy of the agenda may be obtained by contacting: (352)438-2475.

**MRGMIAMI**

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

**DATE AND TIME:** Tuesday, February 23, 2021, 5:30 p.m. – 7:00 p.m.

**PLACE:** GoToWebinar - To participate in this or virtual meeting from your computer, tablet or smartphone please click here to register: <https://attendee.gotowebinar.com/register/438263548373327629>

Participants can also use their phone by dialing into (631)992-3221, Access code: 235-680-283.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Florida Department of Transportation (FDOT) District Six will hold a Virtual Public Meeting for the design of a roadway improvement project along State Road (SR) 5/Overseas Highway from south of Tollgate Boulevard (MM 73.75) to Lignumvitae Channel (MM 77.5), in Monroe County. The project identification number is 443893-1-52-01. The Virtual Public Meeting will consist of a formal presentation followed by an open discussion. Staff will be available to answer

questions in the order they are received and as time permits. If your question is not responded to during the event, a response will be provided in writing following the Virtual Public Meeting. Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

A copy of the agenda may be obtained by contacting: Community Outreach Specialist, Paulette Summers at (786)510-3921, email: [psummers@mrqmiami.com](mailto:psummers@mrqmiami.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: Nicholas Danu, P.E. at (305)470-5219 or in writing at FDOT, 1000 NW 111 Avenue, Miami, FL 33172 or by email at: [Nicholas.Danu@dot.state.fl.us](mailto:Nicholas.Danu@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: Community Outreach Specialist Paulette Summers at (786)510-3921, email: [psummers@mrqmiami.com](mailto:psummers@mrqmiami.com).

**INFINITE SOURCE COMMUNICATIONS GROUP, LLC**

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

**DATE AND TIME:** Wednesday, February 24, 2021, 6:00 p.m. – 7:30 p.m.

**PLACE:** GoToWebinar - To participate in this virtual meeting from your computer, tablet or smartphone please click on the registration link: (Here Link - <https://attendee.gotowebinar.com/register/423724706036414478>)

Participants can also use their phone by dialing in to (631)992-3221, Access code: 255-581-124.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Florida Department of Transportation (FDOT) District Six will hold a Virtual Public Meeting for a roadway improvement project along State Road (SR) 9/NW 27 Avenue from NW 116 Street to NW 122 Street, in Miami-Dade County. The project identification number is 443940-1-52-01. The Virtual Public Meeting will consist of a formal presentation followed by an open discussion. Staff will be available to answer questions. Questions will be responded to as time permits, in the order received. If your question is not responded to during the event, a response will be provided in writing following the virtual public meeting.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

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



Outreach Specialist, Rodolfo Roman at (786)519-7160, email: Roman@iscprgroup.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: Nicholas Danu at (305)470-5219 or in writing at FDOT, 1000 NW 111 Avenue, Miami, FL 33172 or by email at: Nicholas.Danu@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: Community Outreach Specialist Rodolfo Roman at (786)519-7160, email: Roman@iscprgroup.com.

**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**

NONE

**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., Tuesday, February 2, 2021 and 3:00 p.m., Monday, February 6, 2021.

| <b>Rule No.</b> | <b>File Date</b> | <b>Effective Date</b> |
|-----------------|------------------|-----------------------|
| 60FF1-5.003     | 2/3/2021         | 2/23/2021             |
| 61J1-7.004      | 2/3/2021         | 2/23/2021             |
| 61J1-7.005      | 2/3/2021         | 2/23/2021             |
| 64B-9.007       | 2/2/2021         | 2/22/2021             |
| 64B7-27.001     | 2/5/2021         | 2/25/2021             |
| 64B7-29.001     | 2/3/2021         | 2/23/2021             |
| 64B7-29.007     | 2/3/2021         | 2/23/2021             |
| 64B9-4.001      | 2/5/2021         | 2/25/2021             |
| 64B9-15.005     | 2/4/2021         | 2/24/2021             |
| 64B17-3.001     | 2/4/2021         | 2/24/2021             |
| 64B17-3.002     | 2/4/2021         | 2/24/2021             |
| 64B17-5.001     | 2/5/2021         | 2/25/2021             |
| 64B17-7.0027    | 2/4/2021         | 2/24/2021             |
| 64B17-9.001     | 2/4/2021         | 2/24/2021             |
| 68B-48.001      | 2/4/2021         | 3/1/2021              |
| 68B-48.003      | 2/4/2021         | 3/1/2021              |

|   |                  |                       |
|---|------------------|-----------------------|
| 68B-48.004  | 2/4/2021         | 3/1/2021              |
| 68B-48.005  | 2/4/2021         | 3/1/2021              |
| 68B-48.006  | 2/4/2021         | 3/1/2021              |
| 69A-37.065  | 2/4/2021         | 2/24/2021             |
| 69O-142.015   | 2/2/2021         | 2/22/2021             |
| 73A-5.001   | 2/4/2021         | 2/24/2021             |
| 73A-5.002   | 2/4/2021         | 2/24/2021             |
| 73A-5.003   | 2/4/2021         | 2/24/2021             |
| 73A-5.004   | 2/4/2021         | 2/24/2021             |
| 73A-5.005   | 2/4/2021         | 2/24/2021             |
| 73A-5.006   | 2/4/2021         | 2/24/2021             |
| 73B-10.023  | 2/4/2021         | 2/24/2021             |
| 73B-10.024  | 2/4/2021         | 2/24/2021             |
| 73B-10.025  | 2/4/2021         | 2/24/2021             |
| 73B-10.026  | 2/4/2021         | 2/24/2021             |
| 73B-10.037  | 2/4/2021         | 2/24/2021             |
| <b>LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES</b> |                  |                       |
| <b>Rule No.</b>   | <b>File Date</b> | <b>Effective Date</b> |
| 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 HIGHWAY SAFETY AND MOTOR VEHICLES**

Division of Motor Vehicles

Establishment of Sun Sports Cycle And Watercraft Inc., line-make SHNG

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 Value Group Enterprises, Inc., intends to allow the

establishment of Sun Sports Cycle And Watercraft Inc, as a dealership for the sale of motorcycles manufactured by Shandong Pioneer Motorcycle Co Ltd (line-make SHNG) at 3441 Colonial Boulevard, Fort Myers, (Lee County), Florida 33966, on or after March 11, 2021.

The name and address of the dealer operator(s) and principal investor(s) of Sun Sports Cycle And Watercraft Inc are dealer operator(s): Iain Johnstone, 12150 Shoreview Dr., Matlacha, Florida 33993; principal investor(s): Iain Johnstone, 12150 Shoreview Dr., Matlacha, Florida 33993.

The notice indicates intent to establish the new point location in a county of more 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.

A copy of such petition or complaint must also be sent by US Mail to: Jeff Li, Value Group Enterprises, Inc, 12825 Alondra Blvd, Norwalk, California 90650.

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 Twin Power Dynamics LLC, dba Track and Field Motors, line-make NEBU

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 X Power Motorsports Inc., intends to allow the establishment of Twin Power Dynamics LLC, dba Track and Field Motors as a dealership for the sale of motorcycles manufactured by Taizhou Nebula Power Co. Ltd/ On Road motorcycles (line-make NEBU) at 1047 Harbor Lake Drive Suite A, Safety Harbor, (Pinellas County), Florida 34695, on or after March 11, 2021.

The name and address of the dealer operator(s) and principal investor(s) of Twin Power Dynamics LLC are dealer operator(s): Marlow Miller, 1047 Harbor Lake Drive, Safety Harbor, Florida 34695; principal investor(s): Marlow Miller, 1047 Harbor Lake Drive, Safety Harbor, Florida 34695, Janelle Weber, 1047 Harbor Lake Drive, Safety Harbor, Florida 34695. The notice indicates intent to establish the new point location in a county of more 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.

A copy of such petition or complaint must also be sent by US Mail to: Rurong He, X Power Motorsports Inc., 1715 Lakes Parkway, Lawrenceville, Georgia 30043.

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  
NOTICE OF AVAILABILITY OF REVISED SERC  
RULE NOS.:RULE TITLES:**

- 62-41.300 Central Florida Water Initiative Area, Scope of Rule
- 62-41.301 Central Florida Water Initiative Area, Uniform Conditions for Issuance of Permits
- 62-41.302 Central Florida Water Initiative Area, Supplemental Applicant's Handbook
- 62-41.303 Central Florida Water Initiative Area, Variances to the Uniform Rules
- 62-41.304 Central Florida Water Initiative Area, Uniform Process for Setting Minimum Flows and Minimum Water Levels and Water Reservations
- 62-41.305 Central Florida Water Initiative Area, Applicability of the Dover/Plant City and Southern Water Use Caution Area Recovery Strategies

The Department notices that pursuant to Section 120.541, F.S., it has prepared an updated revised Statement of Estimated Regulatory Costs (SERC) associated with the rulemaking for Rules 62-41.300 through 62-41.305, F.A.C. The latest version

of the SERC is available to the public on the Department's website at [www.floridadep.gov/water-policy/water-policy/content/office-water-policy-rulemaking](http://www.floridadep.gov/water-policy/water-policy/content/office-water-policy-rulemaking) and upon request to Christina Coger at (850)245-3150 or [Christina.G.Coger@FloridaDEP.gov](mailto:Christina.G.Coger@FloridaDEP.gov).

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

**INDEX TO RULES FILED BETWEEN  
FEBRUARY 1, 2021 AND FEBRUARY 5, 2021**

| Rule No. | File Date | Effective Date | Proposed Vol./No. | Amended Vol./No. |
|----------|-----------|----------------|-------------------|------------------|
|----------|-----------|----------------|-------------------|------------------|

**DEPARTMENT OF MANAGEMENT SERVICES  
E911 Board**

|             |        |         |        |       |
|-------------|--------|---------|--------|-------|
| 60FF1-5.003 | 2/3/21 | 2/23/21 | 46/218 | 47/03 |
|-------------|--------|---------|--------|-------|

**DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION**

**Board of Accountancy**

|              |        |         |        |  |
|--------------|--------|---------|--------|--|
| 61H1-20.0093 | 2/1/21 | 2/21/21 | 46/245 |  |
|--------------|--------|---------|--------|--|

**Florida Real Estate Appraisal Board**

|            |        |         |        |  |
|------------|--------|---------|--------|--|
| 61J1-7.004 | 2/3/21 | 2/23/21 | 46/240 |  |
| 61J1-7.005 | 2/3/21 | 2/23/21 | 46/240 |  |

**DEPARTMENT OF HEALTH**

**Division of Medical Quality Assurance**

|           |        |         |        |  |
|-----------|--------|---------|--------|--|
| 64B-9.007 | 2/2/21 | 2/22/21 | 46/230 |  |
|-----------|--------|---------|--------|--|

**Board of Massage**

|             |        |         |        |        |
|-------------|--------|---------|--------|--------|
| 64B7-27.100 | 2/5/21 | 2/25/21 | 46/249 |        |
| 64B7-29.001 | 2/3/21 | 2/23/21 | 46/152 | 46/238 |
| 64B7-29.007 | 2/3/21 | 2/23/21 | 46/152 | 46/238 |

**Board of Nursing**

|            |          |         |        |       |
|------------|----------|---------|--------|-------|
| 64B9-4.001 | 2/5/21   | 2/25/21 | 46/211 | 47/09 |
| 64B9-15.00 | 5 2/4/21 | 2/24/21 | 46/244 |       |

**Board of Physical Therapy Practice**

|              |        |         |        |                 |
|--------------|--------|---------|--------|-----------------|
| 64B17-3.001  | 2/4/21 | 2/24/21 | 46/192 | 46/251<br>47/02 |
| 64B17-3.002  | 2/4/21 | 2/24/21 | 46/192 | 46/251<br>47/02 |
| 64B17-5.001  | 2/5/21 | 2/25/21 | 47/03  |                 |
| 64B17-7.0027 | 2/4/21 | 2/24/21 | 46/210 | 46/251<br>47/02 |

|  |        |         |        |                 |
|--|--------|---------|--------|-----------------|
| 64B17-9.001                                      | 2/4/21 | 2/24/21 | 46/209 | 46/251<br>47/02 |
| <b>FISH AND WILDLIFE CONSERVATION COMMISSION</b> |        |         |        |                 |
| <b>Marine Fisheries</b>                          |        |         |        |                 |
| 68B-48.001                                       | 2/4/21 | 3/1/21  | 46/225 | 46/250          |
| 68B-48.003                                       | 2/4/21 | 3/1/21  | 46/225 | 46/250          |
| 68B-48.004                                       | 2/4/21 | 3/1/21  | 46/225 | 46/250          |
| 68B-48.005                                       | 2/4/21 | 3/1/21  | 46/225 | 46/250          |
| 68B-48.006                                       | 2/4/21 | 3/1/21  | 46/225 | 46/250          |

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of State Fire Marshal**

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| 69A-37.065 | 2/4/21 | 2/24/21 | 46/188 | 46/248 |
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**OIR Insurance Regulation**

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|--------------|--------|---------|--------|--------|
| 69O-142.0152 | 2/2/21 | 2/22/21 | 46/189 | 46/249 |
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**DEPARTMENT OF ECONOMIC OPPORTUNITY**

**Division of Strategic Business Development**

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|-----------|--------|---------|--------|
| 73A-5.001 | 2/4/21 | 2/24/21 | 46/226 |
| 73A-5.002 | 2/4/21 | 2/24/21 | 46/226 |
| 73A-5.003 | 2/4/21 | 2/24/21 | 46/226 |
| 73A-5.004 | 2/4/21 | 2/24/21 | 46/226 |
| 73A-5.005 | 2/4/21 | 2/24/21 | 46/226 |
| 73A-5.006 | 2/4/21 | 2/24/21 | 46/226 |

**Division of Workforce Services**

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| 73B-10.023 | 2/4/21 | 2/24/21 | 46/227 |
| 73B-10.024 | 2/4/21 | 2/24/21 | 46/228 |
| 73B-10.025 | 2/4/21 | 2/24/21 | 46/227 |
| 73B-10.026 | 2/4/21 | 2/24/21 | 46/227 |
| 73B-10.037 | 2/4/21 | 2/24/21 | 46/227 |

**LIST OF RULES AWAITING LEGISLATIVE REVIEW/ APPROVAL PURSUANT TO SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES**

**DEPARTMENT OF MANAGEMENT SERVICES**

**E911 Board**

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| 60FF1-5.009 | 7/21/2016 | **/**/**** | 42/105 |
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**Division of State Employees' Insurance**

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| 60P-1.003 | 11/5/2019 | **/**/**** | 45/191 |
| 60P-2.002 | 11/5/2019 | **/**/**** | 45/191 |
| 60P-2.003 | 11/5/2019 | **/**/**** | 45/191 |

**DEPARTMENT OF HEALTH**

**Board of Medicine**

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| 64B8-10.003 | 12/9/2015 | **/**/**** | 39/95 | 41/49 |
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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.