

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: RULE TITLE:

68A-1.004 Definitions

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to make technical corrections to the terms “Gun” and “Muzzleloading gun”. The effect of the proposed rule amendment will be to clarify these terms based on the incompatibility of federal firearm definitions with the term “Muzzleloading gun”, as defined in Florida Administrative Code. Additionally, the proposed rule amendment also corrects grammatical errors.

SUBJECT AREA TO BE ADDRESSED: Subject area covered in this rule development effort pertains to the definitions for gun and muzzleloading gun.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution
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: Paul Scharine, Public Hunting Areas Program Coordinator, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)617-9487.

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: RULE TITLE:

68A-9.004 Permits for Hunting or Other Recreational Use on Wildlife Management Areas

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to revise regulations pertaining to recreational user permits (RUPs) for Flint Rock Wildlife Management Area (WMA). The effect of the proposed rule amendment will be to remove obsolete regulations for this WMA.

SUBJECT AREA TO BE ADDRESSED: Subject area covered in this rule development effort pertains to the permit fees and numbers for Flint Rock WMA.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution
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FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: RULE TITLE:

68A-9.008 Permits for Physically Disabled

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to revise the regulations for crossbow permits to allow functionally similar methods and alternative mobility permits to conform with federal regulations. The effect of the proposed rule amendment will be to enable the agency to better accommodate hunters seeking crossbow and alternative mobility permits.

SUBJECT AREA TO BE ADDRESSED: Subject area covered in this rule development effort pertains to the regulations for crossbow and alternative mobility permits.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution
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.

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FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: RULE TITLE:
68A-12.002 General Methods of Taking Game and Crows; Prohibitions

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to make a correction resulting from the incompatibility of the term “Muzzleloading gun”, as defined in Florida Administrative Code, with federal firearm definitions. The effect of the proposed rule amendment will be to allow muzzleloading guns in addition to rifles, shotguns, pistols, and revolvers. Additionally, the proposed rule amendment makes a non-substantive, grammatical change.

SUBJECT AREA TO BE ADDRESSED: Subject area covered in this rule development effort pertains to the use of muzzleloading guns for taking non-migratory game, crows, and migratory game birds.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution
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FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: RULE TITLE:
68A-12.003 Protection of Certain Deer and Turkey; Tagging of Deer, Bear, and Turkey; Deer and Wild Turkey Harvest Reporting; Evidence of Sex Required

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to simplify regulations pertaining to evidence of legal harvest for deer and wild turkey. The effect of the proposed rule changes will be to enable the agency to better

manage deer and wild turkey populations throughout the state. Additionally, the proposed rule amendment corrects grammatical errors.

SUBJECT AREA TO BE ADDRESSED: Subject area covered in this rule development effort pertains to evidence of legal harvest for deer and wild turkey.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution
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FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: RULE TITLE:
68A-12.007 Hunting Dogs; Molesting Game in Closed Season; Training; Field Trials; Prohibited for Certain Hunting

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to update rule language regarding license and permit requirements for participating in organized field trial events on Wildlife Management Areas (WMAs). The effect of the proposed rule changes will be to clarify existing regulations to reduce public confusion and simplify law enforcement.

SUBJECT AREA TO BE ADDRESSED: Subject area covered in this rule development effort pertains to license and permit requirements for participating in organized field trial events on WMAs.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution
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FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: RULE TITLE:
68A-12.008 Use of Pen-raised Quail for Training Bird Dogs

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to make a correction resulting from the incompatibility of the term “Muzzleloading gun”, as defined in Florida Administrative Code, with federal firearm definitions. The effect of the proposed rule amendment will be to allow muzzleloading shotguns in addition to centerfire shotguns. Additionally, the proposed rule amendment makes a non-substantive, grammatical change.

SUBJECT AREA TO BE ADDRESSED: Subject area covered in this rule development effort pertains to the use of muzzleloading guns firing two or more balls when taking quail for the purpose of bird dog training.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution
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FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: RULE TITLE:
68A-13.004 Hunting Regulations for Non-Migratory Game and Issuance of Antlerless Deer

Permits and Private Lands Deer Management Permits

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to revise hunting regulations for gray squirrel on lands outside the Wildlife Management Area (WMA) system. The effect of the proposed rule amendment will be to provide increased hunting opportunities for gray squirrel.

SUBJECT AREA TO BE ADDRESSED: Subject area covered in this rule development effort pertains to year-round hunting of gray squirrel on lands outside of the WMA system.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution
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FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: RULE TITLE:
68A-13.007 Hunting Regulations on Public Small-Game Hunting Areas

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to make a correction resulting from the incompatibility of the term “Muzzleloading gun”, as defined in Florida Administrative Code, with federal firearm definitions. The effect of the proposed rule amendment will be to allow muzzleloading shotguns in addition to centerfire shotguns. Additionally, the proposed rule amendment makes a non-substantive, grammatical correction.

SUBJECT AREA TO BE ADDRESSED: Subject area covered in this rule development effort pertains to the use of muzzleloading guns firing two or more balls when taking wildlife on public small-game hunting areas.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution
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FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-15.004 RULE TITLE: General Regulations Relating to Wildlife Management Areas

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to revise regulations regarding hunting equipment and deer-dog hunting on Wildlife Management Areas (WMAs). The effect of the proposed rule amendment will be to reduce confusion on hunting equipment regulations and improve management of deer-dog hunting on WMAs. Additionally, the proposed rule amendment also clarifies existing rules; removes unnecessary, redundant, or conflicting language; corrects prior mistakes; and makes non-substantive, technical corrections.

SUBJECT AREA TO BE ADDRESSED: Subject area covered in this rule development effort pertains to defining hunting equipment and requiring a Commission-issued no-cost permit for taking deer with dogs on WMAs.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution
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FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-15.005 RULE TITLE: Quota Permits; Antlerless Deer Permits; Special-Opportunity Permits

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to revise regulations pertaining to special opportunity quota permits. The effect of the proposed rule amendment will be to enable the agency to better manage wildlife populations throughout the state. Additionally, the proposed rule amendment makes non-substantive, technical changes to correct prior mistakes.

SUBJECT AREA TO BE ADDRESSED: Subject area covered in this rule development effort pertains to the transferability of special-opportunity permits.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution
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FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-15.006 RULE TITLE: Regulations Relating to Miscellaneous Areas

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to revise regulations on Miscellaneous Areas. The effect of the proposed rule amendment will be to enable the agency to better manage fish and wildlife resources and public use on miscellaneous areas. Additionally, the proposed rule amendment also clarifies existing rules; removes unnecessary, redundant, or conflicting language; corrects prior mistakes; and makes non-substantive, technical corrections.

SUBJECT AREA TO BE ADDRESSED: Subject area covered in this rule development effort pertains to specific area regulations on miscellaneous areas.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution
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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Paul Scharine, Public Hunting Areas Program Coordinator, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)617-9487.

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FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-15.061 RULE TITLE: Specific Regulations for Wildlife Management Areas - Southwest Region

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to revise regulations on Wildlife Management Areas (WMAs) in the Southwest Region. The effect of the proposed rule amendment will be to enable the agency to better manage fish and wildlife resources and public use on WMAs. Additionally, the proposed rule amendment also clarifies existing rules; removes unnecessary, redundant, or conflicting language; corrects prior mistakes; and makes non-substantive, technical corrections.

SUBJECT AREA TO BE ADDRESSED: Subject area covered in this rule development effort pertains to specific area regulations on WMAs in Southwest Region.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution
IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mark Schulz, Southwest Region Public Hunting Areas Biologist, Fish and Wildlife Conservation Commission, Southwest Regional Office, 3900 Drane Field Road, Lakeland, Florida 33811, (863)648-3865.

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-15.062 RULE TITLE: Specific Regulations for Wildlife Management Areas - North Central Region

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to revise specific area regulations on wildlife management areas (WMAs) in the North Central Region. The effect of the proposed rule amendment will be to enable the agency to better manage fish and wildlife resources and public use on WMAs. Additionally, the proposed rule amendment also clarifies existing rules; removes unnecessary, redundant, or conflicting language; corrects prior mistakes; and makes non-substantive, technical corrections.

SUBJECT AREA TO BE ADDRESSED: Subject area covered in this rule development effort pertains to specific area regulations on WMAs in North Central Region.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution
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: Holli Nichols, Public Hunting Area Biologist, Fish and Wildlife Conservation Commission, North Central Regional Office, 3377 E U.S. Highway 90, Lake City, Florida 32055, (386)466-3240.

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-15.063 RULE TITLE: Specific Regulations for Wildlife Management Areas - Northwest Region

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to revise regulations for Wildlife Management Areas (WMAs) in the Northwest Region. The effect of the proposed rule amendment will be to enable the agency to better manage fish and wildlife resources and public use on these

WMAs. Additionally, the proposed rule amendment also clarifies existing rules; removes unnecessary, redundant, or conflicting language; corrects prior mistakes; and makes non-substantive, technical corrections.

SUBJECT AREA TO BE ADDRESSED: Subject area covered in this rule development effort pertains to specific area regulations on WMAs in Northwest Region.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution
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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Justin Bingham, Northwest Region Public Hunting Areas Biologist, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)617-9651.

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: RULE TITLE:
 68A-15.064 Specific Regulations for Wildlife Management Areas - South Region

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to revise regulations on Wildlife Management Areas (WMAs) in the South Region. The effect of the proposed rule amendment will be to enable the agency to better manage fish and wildlife resources and public use on WMAs. Additionally, the proposed rule amendment also clarifies existing rules; removes unnecessary, redundant, or conflicting language; corrects prior mistakes; and makes non-substantive, technical corrections.

SUBJECT AREA TO BE ADDRESSED: Subject area covered in this rule development effort pertains to specific area regulations on WMAs in South Region.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution
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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: Cheyenne Walker, South Region Public Hunting Areas Biologist, Fish and Wildlife Conservation Commission, 8535 Northlake Blvd, West Palm Beach, FL 33412, (561) 882-5730.
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FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: RULE TITLE:
 68A-15.065 Specific Regulations for Wildlife Management Areas - Northeast Region

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to revise regulations on Wildlife Management Areas (WMAs) in the Northeast Region. The effect of the proposed rule amendment will be to enable the agency to better manage fish and wildlife resources and public use on WMAs. Additionally, the proposed rule amendment also clarifies existing rules; removes unnecessary, redundant, or conflicting language; corrects prior mistakes; and makes non-substantive, technical corrections.

SUBJECT AREA TO BE ADDRESSED: Subject area covered in this rule development effort pertains to specific area regulations on WMAs in Northeast Region.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution
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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Andrea Boliek, Northeast Public Hunting Areas Biologist, Fish and Wildlife Conservation Commission, Northeast Regional Office, 1239 SW 10th Street, Ocala, Florida 34471, (352) 620-7349.

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FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: RULE TITLE:
68A-17.004 General Regulations Relating to Wildlife and Environmental Areas

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to revise regulations regarding hunting equipment and deer-dog hunting on Wildlife and Environmental Areas (WEAs). The effect of the proposed rule amendment will be to reduce confusion on hunting equipment regulations and improve management of deer-dog hunting on WEAs. Additionally, the proposed rule amendment also clarifies existing rules; removes unnecessary, redundant, or conflicting language; corrects prior mistakes; and makes non-substantive, technical corrections.

SUBJECT AREA TO BE ADDRESSED: Subject area covered in this rule development effort pertains to defining hunting equipment and requiring a no-cost permit for taking deer with dogs on WEAs.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution
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FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: RULE TITLE:
68A-17.005 Specific Regulations for Wildlife and Environmental Areas

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to revise specific area regulations on Wildlife and Environmental Areas (WEAs). The effect of the proposed rule amendment will be to enable the agency to better manage fish and wildlife resources and public use on WEAs. Additionally, the proposed rule amendment also clarifies existing rules; removes unnecessary, redundant, or conflicting language;

corrects prior mistakes; and makes non-substantive, technical corrections.

SUBJECT AREA TO BE ADDRESSED: Subject area covered in this rule development effort pertains to specific area regulations on WEAs.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution

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FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: RULE TITLE:
68A-24.002 Methods of Taking Fur-Bearing Animals; Possession; Open Season

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to make a correction resulting from the incompatibility of the term “Muzzleloading gun”, as defined in Florida Administrative Code, with federal firearm definitions. The effect of the proposed rule amendment will be to allow muzzleloading shotguns in addition to centerfire shotguns.

SUBJECT AREA TO BE ADDRESSED: Subject area covered in this rule development effort pertains to the use of a single-shot, .410-gauge muzzleloading gun, firing shot no larger than No. 6, for taking raccoon or opossum at night.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution
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FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: RULE TITLE:

68A-24.005 Transporting and Shipping Live Raccoons

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to modify regulations for transporting live raccoons. The effect of the proposed rule amendment will be to remove unnecessary restrictions for wildlife rehabilitators.

SUBJECT AREA TO BE ADDRESSED: Subject area covered in this rule development effort pertains to the transport of wild-trapped, live raccoons by persons possessing a valid wildlife rehabilitation permit.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution

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: Paul Scharine, Public Hunting Areas Program Coordinator, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)617-9487.

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

**Section II
Proposed Rules**

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-1.09442 Process and Minimum Standards for the Award of High School Credit for Career and Technical Student Organization Participation

PURPOSE AND EFFECT: As required by SB 240 (2023) and section 1003.4282, F.S., this new rule enables students to receive work-based learning or credit in electives for completing a threshold level of demonstrable participation in

extracurricular activities associated with career and technical student organizations (CTSOS).

SUMMARY: This is a new rule due to the passage of SB 240 (2023) that amended section 1003.4282, F.S., to require the State Board of Education to establish a process for students to receive work-based learning or credit in electives for completing a threshold level of demonstrable participation in extracurricular activities associated with CTSOs.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: This proposed rule provides a way for students to earn elective or work-based learning credit towards the diploma for completion of certain activities. This is not expected to have adverse impact on economic growth, business competitiveness, or any other factor in s.120.541(2)(a) F.S., and will not require legislative ratification. No increase in regulatory costs are anticipated as a result of this new rule.

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: 1002.02(1), (2)(n), 1003.4282(7)(a)4., F.S.

LAW IMPLEMENTED: 1003.4282, F.S.

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

DATE AND TIME: January 17, 2024, 9:00 a.m.

PLACE: Tallahassee Community College, Student Union Ballroom, 444 Appleyard Drive, Tallahassee, FL 32304.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kathleen Taylor, Bureau Chief, Division of Career and Adult Education, (850)245-9062 or Kathleen.Taylor@fldoe.org.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.09442 Process and Minimum Standards for the Award of High School Credit for Career and Technical Student Organization Participation.

(1) Purpose. The purpose of this rule is to establish a process that enables a school district to award high school credit

to a student with demonstrable participation in a career and technical student organization.

(2) Intent. It is the intent of this rule that school districts facilitate opportunities for students in grades 6 through 12 to actively participate in a wide variety of career and technical student organizations that foster development of practical skills, leadership qualities, and overall career readiness.

(3) Definitions.

(a) "Career and technical education program" means a comprehensive program of secondary instruction for which a curriculum framework has been adopted in accordance with Rule 6A-6.0571, F.A.C.

(b) "Career and technical student organization" or "CTSO" means organizations for students enrolled in a career and technical education program that engages in career and technical education activities as an integral part of the instructional program to develop knowledge and skills by participating in activities, events, and competitions.

(c) "Career and technical student organization advisor" means the instructional personnel, as defined in s. 1012.01(2), F.S., that is responsible for the management of the CTSO chapter and student members at the local level. The advisor is also responsible for student involvement and participation in local, regional, and state CTSO activities.

(d) "District" means a Florida school district or district school board, a charter school governing board, the Florida Virtual School (s. 1002.37, F.S.), the Florida School for the Deaf and the Blind (s. 1002.36, F.S.), and Developmental Research (Laboratory) Schools (s. 1002.32, F.S.).

(4) Minimum requirements to receive credit for CTSO participation.

(a) Beginning in the 2023-24 school year, a student in grades 6 through 12 may be awarded one high school credit upon providing his or her school with verifiable documentation showing an accumulation of at least one hundred thirty-five (135) hours of participation in CTSO activities that occur outside of regular class time. The 135-hour threshold may be accumulated over the course of one or more academic years.

(b) To count toward high school credit, CTSO experiences and activities must provide the opportunity for students to apply academic and technical content to career experiences. These activities may include events, projects, competitions, and workshops, including preparation or practice time for such activities, supervised agricultural experiences or any other activity that meets the definition of work-based learning under s. 446.0915, F.S., that is related to a CTSO.

(5) Process for awarding high school credit.

(a) A school district may award one high school credit for demonstrable participation in CTSO activities, in accordance with district policies and its student progression plan under s. 1008.25, F.S.

(b) Credit awarded must satisfy an elective requirement for a standard high school diploma, adult standard high school diploma, or certificate of completion under s. 1003.4282, F.S., or an elective credit for the Academically Challenging Curriculum to Enhance Learning (ACCEL) Option under s. 1002.3105, F.S.

(c) For students pursuing a standard diploma through the career and technical education pathway option under s. 1003.4282, F.S., the high school credit will satisfy one credit in work-based learning.

(d) The school district must use the transfer number provided in the Course Code Directory, adopted in 6A-1.09441, F.A.C., for granting credit that must be recorded on student records and transcripts. Districts must not report the course or credit earned through CTSO participation for funding through the Florida Education Finance Program (FEFP).

(6) Required Procedures. Districts must develop procedures to evaluate and award high school credit for demonstrable participation in CTSO activities in accordance with this rule. Such procedures must describe:

(a) Acceptable forms of verifiable documentation of demonstrable CTSO participation;

(b) A process for evaluating if a student has achieved the minimum standards to evidence demonstrable CTSO participation;

(c) An explanation of how and when high school credit will be awarded;

(d) A process for students transferring into the district to present verifiable documentation of demonstrable CTSO participation;

(e) Key timelines and deadlines for submission of verifiable documentation; and

(f) Training for CTSO advisors, teachers, and other relevant school-based or school district personnel on the requirements to award credit for CTSO participation.

Rulemaking Authority 1001.02(1), (2)(n), 1003.4282(7)(a)4. FS. Law Implemented 1003.4282, FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Kathleen Taylor, Bureau Chief, Division of Career and Adult Education.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Manny Diaz Jr., Commissioner, Department of Education.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 12, 2023

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 21, 2023

DEPARTMENT OF HEALTH

Board of Chiropractic Medicine

RULE NO.: RULE TITLE:
64B2-13.004 Continuing Education

PURPOSE AND EFFECT: The purpose of the amendment is to update the rule requirements for continuing education.

SUMMARY: The proposed amended rule adds Over All in Charge (OIC) or Patient Trainer (PT) to receive up to nineteen (19) hours of general continuing education credit.

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: 456.013, 456.025(7), 460.408(3) FS.

LAW IMPLEMENTED: 456.013(6), (8), (9), 456.025(7), 456.036(10), 460.408, 460.4165(13)(b) 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: Dayle DeCastro Mooney, Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257, or by telephone: (850)488-0595 or by electronic mail – Dayle.Mooney@flhealth.gov

THE FULL TEXT OF THE PROPOSED RULE IS:

64B2-13.004 Continuing Education.

(1) Through (9) No Change.

(10) Alternative Means of Earning Continuing Education Credits.

(a) Through (e) No Change.

(f) NBCE Test Examiners or Graders. In addition to the continuing chiropractic education credits authorized above, any Florida licensee who participates as an examiner/grader, Over All in Charge (OIC) or Patient Trainer (PT) for the National Board of Chiropractic Examiners (NBCE) shall receive up to nineteen (19) hours of general continuing chiropractic education for each examination administration in which he/she participates.

(g) No Change.

Rulemaking Authority 456.013, 456.025(7), 460.408(3) FS. Law Implemented 456.013(6), (8), (9), 456.025(7), 456.036(10), 460.408, 460.4165(13)(b) FS. History–New 1-10-80, Amended 11-25-80, 1-13-82, Formerly 21D-13.04, Amended 6-22-86, 7-5-87, 1-25-88, 10-17-90, 10-15-92, Formerly 21D-13.004, Amended 10-26-93, Formerly 61F2-13.004, Amended 3-16-95, 7-18-95, 6-11-96, Formerly 59N-13.004, Amended 6-24-98, 8-4-99, 7-11-02, 11-30-03, 4-17-05, 11-14-06, 11-13-07, 7-1-09, 5-17-10, 8-22-11, 10-21-12, 7-10-13, 7-8-15, 11-15-16, 5-30-17, 1-22-18, 8-5-18, 9-5-19, 7-22-21, 11-17-21, 5-3-23, 9-17-23,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Board of Chiropractic Medicine

NAME OF AGENCY HEAD WHO APPROVED THE

PROPOSED RULE: Board of Chiropractic Medicine

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: November 9, 2023

DATE NOTICE OF PROPOSED RULE DEVELOPMENT

PUBLISHED IN FAR: November 28, 2023

DEPARTMENT OF HEALTH

Board of Chiropractic Medicine

RULE NO.: RULE TITLE:
64B2-18.003 Approval of Training Programs

PURPOSE AND EFFECT: The Board purposes a rule amendment to update the requirements for approval of training programs.

SUMMARY: The proposed rule amendment removes the requirement that 200 classroom hours be completed in no less than 24 months.

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: 460.405, 460.4165(9) FS.

LAW IMPLEMENTED: 460.4165(5) 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: Dayle DeCastro Mooney, Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257, or by telephone: (850)488-0595 or by electronic mail – Dayle.Mooney@flhealth.gov

THE FULL TEXT OF THE PROPOSED RULE IS:

64B2-18.003 Approval of Training Programs.

(1) Through (2) No Change.

(3) The curriculum must provide adequate instruction in the basic sciences underlying chiropractic practice and shall include, at a minimum, instruction and training in the principles and practice of chiropractic, the nature of disease processes and symptoms, diagnostic tests, history taking, physical examination, venipuncture, therapeutic procedures, radiation safety, diet and nutrition, public health and first aid, and spinal anatomy. The curriculum must include both clinical and didactic training and must consist of a minimum of 200 classroom hours ~~to be completed in no less than 24 months~~. A classroom hour is defined as 50 consecutive minutes of uninterrupted clinical or didactic instruction. The curriculum should be in sufficient depth to enable the graduate to integrate and organize historical and physical findings. The didactic instruction shall follow a planned and progressive outline and shall include an appropriate mixture of classroom lectures, text book assignments, discussions, demonstrations, and similar activities. The clinical instruction shall include practical instruction and chiropractic clinical experience under qualified supervision sufficient to provide understanding of and skill in performing those functions which the assistant may be asked to perform. There must be sufficient evaluative procedures to assure adequate evidence of minimal competence. The program

must insure that the student possesses a broad general understanding of chiropractic practice and therapeutic techniques.

(4) Through (7) No Change.

Rulemaking Authority 460.405, 460.4165(9) FS. Law Implemented 460.4165(5) FS. History—New 11-25-81, Amended 11-23-82, Formerly 21D-18.03, 21D-18.003, 61F2-18.003, 59N-18.003, Amended 6-7-00,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Chiropractic Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2023

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 28, 2023

DEPARTMENT OF HEALTH

Board of Hearing Aid Specialists

RULE NO.: RULE TITLE:

64B6-8.002 Qualifications for Trainees, Sponsors and Designated Hearing Aid Specialists

PURPOSE AND EFFECT: The Board proposes a rule amendment to update the requirements regarding qualifications for trainees, sponsors, and designated hearing aid specialists.

SUMMARY: The proposed changes clarify that a sponsor must be a licensed hearing aid specialist but can have obtained their experience as a licensed audiologist.

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: 484.044, 484.0445, 484.0447(4) FS.

LAW IMPLEMENTED: 456.013, 456.0635, 484.0445, 484.0447(4), 484.045(2)(c) 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: Ashleigh K. Irving, Executive Director, Board of Hearing Aid Specialists, 4052 Bald Cypress Way Bin C-08, Tallahassee, FL 32399-3258, (850)245-4462 or by electronic mail – Ashleigh.Irving@flhealth.gov

THE FULL TEXT OF THE PROPOSED RULE IS:

64B6-8.002 Qualifications for Trainees, Sponsors and Designated Hearing Aid Specialists.

(1) No Change.

(2) The Department shall temporarily certify as a sponsor, until the next Board meeting, only those persons who meet the following requirements, in addition to those imposed by law:

(a) The prospective sponsor must be a licensed hearing aid specialist and must have possessed an active hearing aid specialist or audiologist license and have been actively practicing as either a hearing aid specialist or audiologist for at least two (2) consecutive years immediately prior to sponsorship, and must be Board certified by the National Board for Certification in Hearing Instrument Sciences. (NBCHIS), except that audiologists who are also licensed hearing aid specialists licensed under Chapter 484, Part II, F.S., are not required to be NBCHIS certified.

(b) Through (c) No Change.

(3) The sponsor may designate only those persons who meet the ~~following~~ requirements pursuant to paragraphs (2)(a) and (b) above, in addition to those imposed by law, to assist in the training of a trainee pursuant to Section 484.0445, F.S., and this chapter.:

~~(a) The designated person must have possessed an active hearing aid specialist license and have been actively practicing for at least two (2) consecutive years immediately prior to being designated to assist in a training program; and must be Board certified by the National Board for Certification in Hearing Instrument Sciences, except that audiologists who are also licensed hearing aid specialists licensed under Chapter 484, Part II, F.S., are not required to be NBCHIS certified; and;~~

~~(b) The designated person must not have been disciplined during the past four (4) years.~~

Rulemaking Authority 484.044, 484.0445, 484.0447(4) FS. Law Implemented 456.013, 456.0635, 484.0445, 484.0447(4), 484.045(2)(c) FS. History—New 1-12-84, Formerly 21JJ-8.02, Amended 8-12-87, 9-13-90, Formerly 21JJ-8.002, Amended 12-6-94,

Formerly 61G9-8.002, Amended 6-2-03, 3-4-08, 5-26-09, 2-1-17, 1-12-21, 10-15-23,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Hearing Aid Specialists

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Hearing Aid Specialists

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 3, 2023

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 28, 2023

Section III

Notice of Changes, Corrections and Withdrawals

NONE

Section IV

Emergency Rules

NONE

Section V

Petitions and Dispositions Regarding Rule Variance or Waiver

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:

40D-22.201 Year-Round Water Conservation Measures

The Southwest Florida Water Management District hereby gives notice: that on December 13, 2023, the Southwest Florida Water Management District has issued an order granting a variance.

Petitioner’s Name: Hallam Preserve; File Tracking No. 23-4376

Date Petition Filed: September 26, 2023

Rule No.: Fla. Admin. Code R. 40D-22.201

Nature of the rule for which variance or waiver was sought: Lawn and landscape irrigation

Date Petition Published in the Florida Administrative Register: September 29, 2023.

General Basis for Agency Decision: Petitioner demonstrated substantial hardship and proposed an alternative means of achieving the purpose of the statute implemented by the rule.

A copy of the Order or additional information may be obtained by contacting:

Talia Paolilo, 7601 US Highway 301, Tampa, Florida 33637,
1(813)985-7481, water.variances@watermatters.org.
(M2023044)

AGENCY FOR HEALTH CARE ADMINISTRATION

Certificate of Need

RULE NO.: RULE TITLE:

59C-1.040 New Hospital Inpatient Psychiatric Services

NOTICE IS HEREBY GIVEN that on December 01, 2023, the Agency for Health Care Administration, received a petition for Waiver of paragraph 59C-1.040(3)(c) and subsection (d), Fla. Admin. Code, from Lakeland Regional Medical Center, Inc. seeking a temporary waiver to allow the use of an inpatient hospital unit to be used as a swing-bed unit to provide child and adolescent inpatient psychiatric care or adult inpatient care as seasonal demand requires. The Petition has been assigned case number 2023 017525. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing James.McLemore@ahca.myflorida.com

A copy of the Petition for Variance or Waiver may be obtained by contacting: James McLemore, Agency for Health Care Administration, Certificate of Need Unit, 2727 Mahan Drive, Mail Stop # 28, Tallahassee, Florida 32308 or emailing James.McLemore@ahca.myflorida.com.

DEPARTMENT OF COMMERCE

Division of Community Development

RULE NO.: RULE TITLE:

73C-23.0041 Application Process

NOTICE IS HEREBY GIVEN that on December 12, 2023, the Florida Department of Commerce, received a petition for Waiver from the funding ceiling requirements of paragraph 73C-23.0041(2)(c), F.A.C., from Gilchrist County. Paragraph 73C-23.0041(2)(c), F.A.C, limits the amount of funds that an applicant of an Economic Development subgrant may request. A copy of the Petition for Variance or Waiver may be obtained by contacting: Karis De Gannes, Agency Clerk, Florida Department of Commerce, 107 E. Madison Street, MSC 110, Tallahassee, Florida 32399; agency.clerk@commerce.fl.gov; (850)245-7150.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

The Florida Agricultural Museum Board of Trustees announces a public meeting to which all persons are invited.

DATE AND TIME: December 20, 2023, 1:00 p.m., Committee Meeting; 2:00 p.m., Regular Board Meeting

PLACE: Virtual only via Zoom meeting link: <https://us02web.zoom.us/j/86386457431>

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting is to discuss general business.

A copy of the agenda may be obtained by contacting: Kara Hoblick O: (386)446-7630, C: (386)527-1467.

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: Kara Hoblick O: (386)446-7630, C: (386)527-1467. 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 Hoblick O: (386)446-7630, C: (386)527-1467.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Plant Industry

RULE NOS.:RULE TITLES:

5B-54.001 Definitions

5B-54.003 Regulated Honey Bee Pests, Races, and Regulated Articles

5B-54.006 Movement of Regulated Articles

5B-54.010 Registration with the Department

5B-54.0105 Location of Managed Honey Bee Colonies

5B-54.011 Apiary Inspection Procedures

5B-54.0115 Special Inspection and Certification Fees

5B-54.013 Identification of Ownership of Honey Bee Hives

5B-54.017 Destruction or Treatment of Infested or Infected Colonies

5B-54.0175 Irradiation of Beekeeping Equipment

5B-54.018 Compensation for Infested or Infected Colonies

5B-54.019 Procedures for Abandoned Apiaries

The Honey Bee Technical Council announces a public meeting to which all persons are invited.

DATE AND TIME: CANCELED: December 15, 2023, 9:00 a.m. - 11:00 a.m.

PLACE: Please join the meeting from your computer, tablet, or smartphone.

GENERAL SUBJECT MATTER TO BE CONSIDERED: CANCELATION of the annual meeting of the Honey Bee Technical Council.

Original Notice ID: 27848426 Vol.49/239

A copy of the agenda may be obtained by contacting: Branden Stanford, Branden.Stanford@FDACS.gov

DEPARTMENT OF CHILDREN AND FAMILIES
Substance Abuse Program

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

DATE AND TIME: Wednesday, December 20, 2023, 10:00 a.m., EST

PLACE: The Florida Department of Health in Duval County, 921 N. Davis Street, Jacksonville, Florida 32209

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Cabinet is charged with promoting and implementing collaboration, creativity, increased efficiency, information sharing, and improved service delivery between and within state agencies and organizations. Cabinet members will meet to conduct regular business.

A copy of the agenda may be obtained by contacting: Pat Smith, Dept. of Children and Families, (850)717-4452, 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 5 days before the workshop/meeting by contacting: Pat Smith, Dept. of Children and Families, (850)717-4452, 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).

For more information, you may contact: Pat Smith, Dept. of Children and Families, (850)717-4452, pat.smith@myflfamilies.com.

DEPARTMENT OF FINANCIAL SERVICES
Division of State Fire Marshal

The Fire and Emergency Incident Information System Technical Advisory Panel (FFIRS) announces a public meeting to which all persons are invited.

DATE AND TIME: January 9, 2024, 2:00 p.m.

PLACE: Orange County Convention Center, 9800 International Drive, Orlando, FL 32819

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting. Topics to include but not limited to a FFIRS and EMS update.

A copy of the agenda may be obtained by contacting: MaryAnn.Benson@myfloridacfo.com

DEPARTMENT OF FINANCIAL SERVICES
Division of State Fire Marshal

The Firefighters Employment, Standards, and Training Council (FFESTC) announces a public meeting to which all persons are invited.

DATE AND TIME: January 9, 2024, ten minutes after adjournment of the FFIRS meeting which begins at 2:00 p.m.

PLACE: Orange County Convention Center, 9800 International Drive, Orlando, FL 32819

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting. Topics to include but not limited to a Division and Bureau Update.

A copy of the agenda may be obtained by contacting: MaryAnn.Benson@myfloridacfo.com

Section VII
Notice of Petitions and Dispositions
Regarding Declaratory Statements

DEPARTMENT OF FINANCIAL SERVICES
Finance

NOTICE IS HEREBY GIVEN that the Florida Office of Financial Regulation has received the petition for declaratory statement from 677 Financial US LLC. The petition seeks the agency's opinion as to the applicability of Chapter 560, Florida Statutes, as it applies to the petitioner.

On December 13, 2023, the Florida Office of Financial Regulation received a Petition for Declaratory Statement from 677 Financial US LLC. The petition seeks a declaratory statement from the Office on whether Florida Money Transmitter Statute, Chapter 560, Florida Statutes licensing requirement applies to Petitioner's proposed activity to "engage in proprietary virtual currency trading on a risk-based, principal-to-principal basis with third-party counterparties using its own capital." Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice.

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

Please refer all comments to: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9889, Agency.Clerk@flofr.gov.

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 JUVENILE JUSTICE

"RFP 10790 – Public Meetings"

The Department is seeking a seventy-two (72) bed non secure program for males, between the ages of fifteen (15) and eighteen (18), who are assessed as appropriate for residential placement, and who need Mental Health Overlay Services (MHOS), or Substance Abuse Treatment Overlay Services. Program services are to include innovations in delinquency programming and treatment services, as described in Attachment A, Services Sought, Attachment A-1, Health and Nursing Services, and all additional or relevant Office of Health Services (OHS) Attachments. The Department shall allow for the flexibility of beds, based on the Department’s needs for treatment services. The program shall be located in a Department-owned building at 4055 Northwest 105th Street, Ocala, Florida 34482 in DJJ’s Northeast region, or a Respondent-owned/leased building located in the State of Florida.

All public meetings for this RFP are advertised on the Vendor Bid System at:

<https://vendor.myfloridamarketplace.com/search/bids/detail/7375>

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, December 7, 2023 and 3:00 p.m., Wednesday, December 13, 2023.

Rule No.	File Date	Effective Date
12-3.007	12/12/2023	1/1/2024
12-11.002	12/12/2023	1/1/2024
12-22.005	12/12/2023	1/1/2024
12-24.011	12/12/2023	1/1/2024
12-26.008	12/12/2023	1/1/2024
12-28.008	12/12/2023	1/1/2024
12-29.001	12/12/2023	1/1/2024
12-29.002	12/12/2023	1/1/2024
12-29.003	12/12/2023	1/1/2024
12-29.005	12/12/2023	1/1/2024
12-29.006	12/12/2023	1/1/2024
12AER23-17	12/12/2023	1/1/2024
12ER23-18	12/12/2023	12/12/2023
12A-1.001	12/12/2023	1/1/2024
12A-1.0092	12/12/2023	1/1/2024
12A-1.020	12/12/2023	1/1/2024
12A-1.0371	12/12/2023	1/1/2024
12A-1.044	12/12/2023	1/1/2024
12A-1.047	12/12/2023	1/1/2024
12A-1.056	12/12/2023	1/1/2024
12A-1.066	12/12/2023	1/1/2024
12A-1.087	12/12/2023	1/1/2024
12A-1.097	12/12/2023	1/1/2024
12A-1.107	12/12/2023	1/1/2024
12A-16.008	12/12/2023	1/1/2024
12A-19.050	12/12/2023	1/1/2024
12B-5.020	12/12/2023	1/1/2024

12B-5.150	12/12/2023	1/1/2024
12B-8.001	12/12/2023	1/1/2024
12B-8.003	12/12/2023	1/1/2024
12B-8.015	12/12/2023	1/1/2024
12C-1.0188	12/12/2023	1/1/2024
12C-1.0198	12/12/2023	1/1/2024
12C-1.01991	12/12/2023	1/1/2024
12C-1.051	12/12/2023	1/1/2024
12C-3.0015	12/12/2023	1/1/2024
12C-3.008	12/12/2023	1/1/2024
59G-4.002	12/11/2023	12/31/2023
61C-4.0161	12/11/2023	12/31/2023
65D-30.0036	12/12/2023	1/1/2024
65E-5.350	12/8/2023	12/28/2023
69A-71.001	12/12/2023	1/1/2024
69A-71.004	12/12/2023	1/1/2024
69G-20.0011	12/12/2023	1/1/2024
69O-138.003	12/13/2023	1/2/2024
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
40C-4.091	3/31/2023	**/**/****
40C-41.043	3/31/2023	**/**/****
40E-4.091	6/26/2023	**/**/****
60FF1-5.009	7/21/2016	**/**/****
62-330.010	4/28/2023	**/**/****
62-330.050	4/28/2023	**/**/****
62-330.055	4/28/2023	**/**/****
62-330.301	4/28/2023	**/**/****
62-330.310	4/28/2023	**/**/****
62-330.311	4/28/2023	**/**/****
62-330.350	4/28/2023	**/**/****
62-330.405	4/28/2023	**/**/****
64B8-10.003	12/9/2015	**/**/****
65C-9.004	3/31/2022	**/**/****

**WATER MANAGEMENT DISTRICTS
St. Johns River Water Management District
ST. JOHNS RIVER WATER MANAGEMENT DISTRICT
AND SUWANNEE RIVER WATER MANAGEMENT
DISTRICT GIVE NOTICE OF DISTRICT DECISIONS**

The St. Johns River Water Management District (SJRWMD) and the Suwannee River Water Management District (SRWMD) (collectively, the Districts) give notice of their respective decisions on December 12, 2023, approving the 2023 North Florida Regional Water Supply Plan with appendices (2020-2045 Planning Horizon) (the 2023 NFRWSP), which was jointly developed by the Districts in coordination with stakeholders. The 2023 NFRWSP and associated appendices are available at the following link: <https://northfloridawater.com/watersupplyplan/index.html>.

The NFRWSP Planning Region includes 14 counties (Alachua, Baker, Bradford, Clay, Columbia, Duval, Flagler, Gilchrist, Hamilton, Nassau, Putnam, St. Johns, Suwannee, and Union). The 2023 NFRWSP was developed and approved to implement 373.709, Florida Statutes (F.S.). In the 2023 NFRWSP, the Districts have determined that existing sources of water are not adequate in the geographic region covered by 2023 NFRWSP (Planning Region) to supply water for all existing and future reasonable-beneficial uses and to sustain the water resources and related natural systems through 2045. The Planning Region is considered a Water Resource Caution Area (WRCA) for the purposes of Section 403.064, F.S. The 2023 NFRWSP identifies alternative water supply (AWS) projects from which water suppliers may choose for meeting water supply needs within the designated WRCA. Although AWS projects added to the 2023 NFRWSP are potentially eligible for certain District funding, there is no assurance of funding.

SJRWMD’s file(s) containing the 2023 NFRWSP are available for inspection Monday through Friday, except for legal holidays from 8:00 a.m. to 5:00 p.m., at the St. Johns River Water Management District Headquarters, 4049 Reid Street, Palatka, Florida 32177-2529. If you wish to receive a copy, please submit your request to the Office of Records and Regulatory Support, St. Johns River Water Management District. You may also review these documents by using your web browser to go to the website described above.

SRWMD’s files(s) containing the 2023 NFRWSP are available for inspection Monday through Friday, except for legal holidays, from 8:00 a.m. to 5:00 p.m. at the Suwannee River Water Management District Headquarters, 9225 CR 49, Live Oak, Florida, 32060. If you wish to receive a copy, please submit your request to the Office of Administration, Records Manager at that address. You may also review these documents by using your web browser to go to the website described above.

A person whose substantial interests are or may be affected by the District’s decision on this regional water supply plan or on SJRWMD’s designation of the portion of the NFRWSP Planning Region within its jurisdictional boundary as a Water Resource Caution Area may have the right to request an administrative hearing in accordance with Sections 120.569 and

120.57, F.S., and Chapter 28-106, Florida Administrative Code (F.A.C.). A person whose substantial interests are or may be affected has the right to an informal administrative hearing pursuant to Sections 120.569 and 120.57(2), F.S., where no material facts are in dispute. A petition for an informal hearing must comply with the requirements set forth in Rule 28-106.301, F.A.C.

Mediation pursuant to section 120.573, F.S., is not available. Because the administrative hearing process is designed to formulate final agency action, the timely filing of a request for hearing may result in the District's final action being different from its original action. Any person who receives written notice of the District's decision and fails to file a written request for hearing within the timeframe described below waives the right to request a hearing on that decision.

For those whose substantial interests are affected within the SJRWMD, a petition for hearing must be filed with (received by) the SJRWMD either by delivery at the office of the District Clerk at District Headquarters, P.O. Box 1429, Palatka, Florida 32178-1429 (4049 Reid Street, Palatka, Florida 32177) or by e-mail with the District Clerk at Clerk@sjrwmd.com within 21 days from publication of this notice. A petition must comply with Sections 120.54(5)(b)4 and 120.569(2)(c), F.S., and Chapter 28-106, F.A.C. A petition for an administrative hearing is deemed filed upon receipt of the complete petition by the District Clerk at the District Headquarters in Palatka, Florida. Petitions received by the District Clerk after 5:00 p.m., or on a Saturday, Sunday, or legal holiday, shall be deemed filed as of 8:00 a.m. on the next regular District business day. The District's acceptance of petitions filed by e-mail is subject to certain conditions set forth in the District's Statement of Agency Organization and Operation (issued pursuant to Rule 28-101.001, F.A.C.), which is available at www.sjrwmd.com/agency_statement.pdf. These conditions include, but are not limited to, the petition being in the form of a PDF or TIFF file and being capable of being stored and printed by the District. Further, pursuant to the District's Statement of Agency Organization and Operation, attempting to file a petition by facsimile is prohibited and shall not constitute filing. If you wish to do so, please visit http://www.sjrwmd.com/nor_dec/ to read the complete Notice of Rights to determine any legal rights you may have concerning SJRWMD's decision on the NFRWSP or its designation of the Water Resource Caution Area. You can also request the Notice of Rights by contacting the Director, Office of Records and Regulatory Support, P.O. Box 1429, Palatka, FL 32178, tele. no. (386)329-4268.

For those whose substantial interests are affected within the SRWMD, a petition for hearing must be filed with (received by) the SRWMD either by delivery at the office of the District Clerk at District Headquarters, 9225 CR49, Live Oak, Florida 32060

or by e-mail with the District Clerk at DistrictClerk@srwmd.org within 21 days from publication of this notice. A petition must comply with Sections 120.54(5)(b)4 and 120.569(2)(c), F.S., and Chapter 28-106, F.A.C. A petition for an administrative hearing is deemed filed upon receipt of the complete petition by the District Clerk at the District Headquarters in Live Oak, Florida. Petitions received by the District Clerk after 5:00 p.m., or on a Saturday, Sunday, or legal holiday, shall be deemed filed as of 8:00 a.m. on the next regular District business day. The District's acceptance of petitions filed by e-mail is subject to certain conditions set forth in the District's Statement of Agency Organization and Operation (issued pursuant to Rule 28-101.001, F.A.C.), which is available at <https://srwmd.org/15/The-District>. These conditions include, but are not limited to, the petition being in the form of a PDF or TIFF file and being capable of being stored and printed by the District.

AGENCY FOR HEALTH CARE ADMINISTRATION

Certificate of Need

RECEIPT OF EXPEDITED APPLICATION

The Agency for Health Care Administration received the following CON application for expedited review:

CON #10757 Received: 12/13/2023

County: Hillsborough District: 6-1

Applicant/Facility/Project: PruittHealth – 6-1, LLC

Project Description: Transfer CON #10719 from PruittHealth – Brandon, LLC to the applicant to establish a new 119-bed community nursing home

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

State Plan Amendment

The Agency for Health Care Administration is requesting an amendment to the Medicaid State Plan. The amendment adds language to allow the state to enter value-based contract arrangements. This amendment to the State Plan will have no federal fiscal impact for federal fiscal year (FFY) 2023-24 and FFY 24-25. The effective date for this amendment will be January 1, 2024.

Interested parties may contact the following staff for further information: Francisco Burgin, Bureau of Medicaid Policy, located at 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407; by telephone at: (850)412-4233 or by e-mail at: Francisco.Burgin@ahca.myflorida.com.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF PROPOSED WATER QUALITY STUDY

Pursuant to subsection 62-650.500(6), Florida Administrative Code (F.A.C.), the Florida Department of Environmental Protection (FDEP) gives notice of the intent for Mosaic Fertilizer, LLC to conduct a water quality study in three

tributaries to Charlie Creek: Old Town Creek, unnamed tributary, and unnamed ditch (Hardee County). The water quality study is conducted in accordance with the Plan of Study approved by FDEP pursuant to Rule 62-650.500, F.A.C. The purpose of this study is to assess water quality to establish appropriate Water Quality Based Effluent Limits (WQBELs) associated with the proposed new discharge from the Eastern Extension of the Mosaic South Fort Meade Mine (Permit ID # FL0037958) to meet existing water quality criteria for the selected receiving stream that flows to Charlie Creek. Three potential receiving streams will be evaluated. There are no other potentially affected dischargers.

Upon request, the Plan of Study is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays at the following location: Florida Department of Environmental Protection, 2600 Blair Stone Road, Room 205A, Tallahassee, FL 32399, (850)245-8429, or the Department of Environmental Protection, Phosphate Management Section, 13051 N. Telecom Parkway, Temple Terrace, FL 33637-0926, (813)470-5911. Electronic copies of the POS are also available during normal business hours.

Any interested person may submit written comments on the Plan of Study to Kaitlyn Sutton, Water Quality Standards Program, Department of Environmental Protection, 2600 Blair Stone Road, M.S. 6511, Tallahassee, FL 32399, Kaitlyn.Sutton@FloridaDEP.gov. Comments must be received within 14 days of publication of this notice.

The Plan of Study is free-form agency decision-making and does not constitute proposed agency action until notice of such is given pursuant to subsection 62-650.500(8), F.A.C.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Water Restoration Assistance
Clean Water State Revolving Fund

NOTICE OF AVAILABILITY

FLORIDA CATEGORICAL EXCLUSION NOTICE (FCEN)

CITY OF PORT ORANGE

CW64040

The Florida Department of Environmental Protection (DEP) has determined that the City of Port Orange project involving wastewater treatment, upgrade and improvements is not expected to generate controversy over potential environmental effects. The proposed project includes West Master Lift Station Improvements, Primary screening, Influent Headworks, Biological Nutrient Removal (BNR) Facilities, Secondary Deep Bed Filters, Disinfection and Effluent Disposal, Sludge Handling Improvements, WWTP Support Facilities, Reclaimed Water and Effluent Disposal. The estimated cost for this project is \$84.5 million. The project may qualify for Clean Water SRF loans composed of federal and state funds. DEP will consider

public comments about the environmental impacts of the proposed projects that are postmarked or delivered at the address below within 30 days of this notice. A copy of the FCEN can be obtained by writing to: Pankaj Shah, DEP, 3900 Commonwealth Blvd., MS 3505, Tallahassee, Florida 32399-3000, or calling (850)245-2962 or emailing Pankaj.Shah@FloridaDep.gov.

DEPARTMENT OF COMMERCE

Division of Community Development
Commerce Final Order No. COM-23-049

FINAL ORDER

APPROVING CITY OF MARATHON ORDINANCE NO. 2023-22

The Department of Commerce (“Commerce”) hereby issues its Final Order, pursuant to Section 380.05(6), Florida Statutes, approving land development regulations adopted by the City of Marathon (the “City”), Ordinance No. 2023-22 (the “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 City is a local government within the Florida Keys Area.
- 2.The Ordinance was adopted by the City on October 10, 2023, and rendered to Commerce on November 2, 2023.
- 3.The Ordinance amends Chapter 107, Article 2, Section 107.15 of the City’s Land Development Code to modify the provisions regarding receiver site criteria for transfer of building rights. The Ordinance requires a parcel to be classified by the City Biologist as “not more” environmentally sensitive than the sending site rather than “less” environmentally sensitive.

CONCLUSIONS OF LAW

- 4.Commerce is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. See Section 380.05(6), Florida Statutes.
- 5.“Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. Section 380.031(8), Florida Statutes. The regulations adopted by the Ordinance are land development regulations.
- 6.The Ordinance is consistent with the City’s Comprehensive Plan as required by Section 163.3177(1), Florida Statutes, generally, and is specifically consistent with Policy 1-3.5.16. and Policy 1-3.3.1.[1]
- 7.All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. See Section 380.05(6), Florida Statutes. The Principles for Guiding Development for the Florida Keys Area of Critical

State Concern are set forth in Section 380.0552(7), Florida Statutes.

8.The Ordinance is consistent with the Principles for Guiding Development in Section 380.0552(7), Florida Statutes and is specifically consistent with the following Principles:

- (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.
- (b)Protecting shoreline and marine resources, including mangroves, coral reef formations, seagrass beds, wetlands, fish and wildlife, and their habitat.
- (c)Protecting upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation (for example, hardwood hammocks and pinelands), dune ridges and beaches, wildlife, and their habitat.
- (d)Ensuring the maximum well-being of the Florida Keys and its citizens through sound economic development.
- (e)Limiting the adverse impacts of development on the quality of water throughout the Florida Keys.
- (n)Protecting the public health, safety, and welfare of the citizens of the Florida Keys and maintaining the Florida Keys as a unique Florida resource.

WHEREFORE, IT IS ORDERED that Commerce finds that the City of Marathon Ordinance No. 2023-22 is consistent with the City of Marathon’s Comprehensive Plan and the Principles for Guiding Development for the Florida Keys Area of Critical State Concern and is hereby APPROVED.

This Final Order becomes final 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/ Meredith Ivey , Meredith Ivey, Deputy Secretary, Division of Community Development, Florida Department of Commerce

Notice of Administrative Rights

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

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

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

Any petition must be filed with the Agency Clerk of the Florida Department of Commerce within 21 calendar days of the final order being published in the Florida Administrative Register. A petition is filed when it is received by:

Agency Clerk, Florida Department of Commerce, Office of the General Counsel, 107 East Madison St., MSC 110

Tallahassee, Florida 32399-4128, Fax (850)921-3230

You waive the right to any administrative proceeding if you do not file a petition with the Agency Clerk within 21 calendar days of the final order being published in the Florida Administrative Register.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 13th day of December 2023.

/s/ Karis De Gannes, Agency Clerk, Florida Department of Commerce, 107 East Madison Street, MSC 110, Tallahassee, FL 32399-4128.

By U.S. Mail:

The Honorable Luis Gonzalez, Mayor, City of Marathon, City Council, 9805 Overseas Highway, Marathon, FL 33050

Diane Clavier, City Clerk, City of Marathon, City Clerk, 9805 Overseas Highway, Marathon, FL 33050

Brian Shea, Planning Director, City of Marathon, Planning Department, 9805 Overseas Highway, Marathon, FL 33050.

[1] The City originally adopted the land development regulation under Ordinance 2023-07, which was rejected by Commerce for being inconsistent with the City’s Comprehensive Plan (Plan). The City has since amended the Plan and Commerce is now determines that the proposed language is consistent with the amended Plan.

DEPARTMENT OF COMMERCE

Division of Community Development

Commerce Final Order No. COM-23-048

FINAL ORDER

APPROVING CITY OF KEY WEST ORDINANCE NO. 23-27

The Florida Department of Commerce (“Commerce”) hereby issues its Final Order, pursuant to Section 380.05(6), Florida Statutes, approving land development regulations adopted by the City of Key West, Florida (“City”), by Ordinance No. 23-27 (“Ordinance”).

FINDINGS OF FACT

- 1.The City is designated within an area of critical state concern. See § 380.0552, Fla. Stat., and Rule 28-36.002, Fla. Admin. Code.
- 2.The City adopted the Ordinance on September 14, 2023, and rendered it to Commerce on October 17, 2023.
- 3.The Ordinance amends Chapter 14 of the City’s Code of Ordinances to update and amend certain floodplain regulations. Specifically, the Ordinance amends Section 14-35, Amendment to Building Code, to make various modifications. The

Ordinance also amends Section 14-38, Minimum Floor Elevation, to prohibit the floor of any habitable residential or commercial building erected at any location in the City be less than the elevation required by the Florida Building Code when located in flood hazard areas.

CONCLUSIONS OF LAW

4.Commerce is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. See Section 380.05(6), Florida Statutes.

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

6.The Ordinance is consistent with the City’s Comprehensive Plan generally, as required by Section 163.3177(1), Florida Statutes, and is specifically consistent with Goal 5-1, Objective 5-1.5, Policy 5-1.5.1, Goal 6-1, Objective 6-1.3, Policy 6-1.3.1, Objective 9-1.2, and Policy 9-1.2.1.

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

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

- (a) Strengthen local government capabilities for managing land use and development;
- (d) Protection of scenic resources of the City of Key West and promotion of the management of unique, tropical vegetation; and
- (h) Protection of the public health, safety, welfare and economy of the City of Key West, and the maintenance of Key West as a unique Florida resource.

WHEREFORE, IT IS ORDERED that Commerce finds that Ordinance No. 23-27 is consistent with the City’s Comprehensive Plan and the Principles for Guiding Development for the City and is hereby APPROVED.

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

DONE AND ORDERED in Tallahassee, Florida.

/s/ Meredith Ivey, Meredith Ivey, Deputy Secretary, Division of Community Development, Florida Department of Commerce
NOTICE OF ADMINISTRATIVE RIGHTS

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

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

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

Any petition must be filed with the agency clerk of the Florida Department of Commerce within 21 calendar days of the final order being published in the Florida Administrative Register. A petition is filed when it is received by:

Agency Clerk, Florida Department of Commerce, Office of the General Counsel, 107 East Madison St., MSC 110, Tallahassee, Florida 32399-4128, Fax (850)921-3230, agency.clerk@commerce.fl.gov.

You waive the right to any administrative proceeding if you do not file a petition with the agency clerk within 21 calendar days of the final order being published in the Florida Administrative Register.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 13th day of December 2023.

/s/ Karis De Gannes, Karis De Gannes, Agency Clerk, Florida Department of Commerce, 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, FL 33041-1409

Keri O’Brien, City Clerk, City of Key West, P.O. Box 1409, Key West, FL 33041-1409

Katie Halloran, Director, City of Key West Planning Department, P.O. Box 1409, Key West, FL 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.
