

Section I Notice of Development of Proposed Rules and Negotiated Rulemaking

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:	RULE TITLES:
40E-1.021	Definitions
40E-1.607	Permit Application Processing Fees
40E-1.6107	Transfer of Surface Water Management, or Water Use, or Wetland Resource Permit
40E-1.615	Coordinated Agency Review Procedures for the Florida Keys Area of Critical State Concern
40E-1.659	Forms and Instructions
40E-1.702	Environmental Resource, Surface Water Management Permit and Consumptive Use Enforcement Guidelines

PURPOSE AND EFFECT: The District is proposing to amend its general/procedural rules to address comments from the Joint Administrative Procedures Committee (JAPC) and make other minor corrections.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendments are as follows: 1) delete definitions in Rule 40E-1.021, F.A.C., that are redundant of statutes and add applicable rule chapters; 2) correct the fee table in Rule 40E-1.607, F.A.C., to delete “Noticed” from “Noticed General Permit” and move fee for the “Individual permit for a phase of construction that is consistent with an existing conceptual approval permit” from the major modifications category to the “new applications” category; 3) correct a rule reference in Rule 40E-1.6107, F.A.C., and update contact information; 4) delete references in Rule 40E-1.615, F.A.C., to repealed rules and replace with applicable statute; 5) update contact information and correct the date listed in Rule 40E-1.659, F.A.C., for Form 0483, Request for Surface Water Management, Water Use or Wetland Resource Permit Transfer; and 6) address comments received from JAPC regarding the incorporation of enforcement guidelines that apply to the environmental resource permitting, consumptive use, and surface water management enforcement programs in Rule 40E-1.702, F.A.C.

RULEMAKING AUTHORITY: 218.075, 373.044, 373.109, 373.113, 373.171, 373.4131, 373.4135, 373.4136, 373.416, 373.421(2), 373.421(6)(b), 380.051, 695.03, 704.06, FS.

LAW IMPLEMENTED 120.60, 120.69, 218.075, 373.083, 373.085, 373.103, 373.106, 373.109, 373.116, 373.118, 373.119, 373.171, 373.216, 373.219, 373.308, 373.309, 373.323, 373.413, 373.4131, 373.4136, 373.414, 373.416, 373.418, 373.421(2), 373.421(6)(b), 373.426, 373.429,

373.436, 380.051, 403.201, 668.003, 668.004, 668.50, 704.06, 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: Melinda Parrott, Lead Environmental Analyst, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, telephone (toll free): 1(800)432-2045, ext. 6324, email: mparrott@sfwmd.gov or Susan Martin, Sr. Practice Expert, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, telephone (toll free): 1 (800)432-2045, ext. 6251, telephone: (561)682-6251, email: smartin@sfwmd.gov. For questions regarding the rulemaking process, contact Jan Sluth, Sr. Paralegal, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, telephone (toll free): 1(800)432-2045, ext. 6299, telephone: (561)682-6299, email: jsluth@sfwmd.gov.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40E-1.021 Definitions.

When used in this Chapter, Chapters 40E-0, 40E-2, 40E-3, 40E-4, 40E-5, 40E-41, and 40E-61, and 40E-63, F.A.C.:

(1) through (3) No change.

~~(4) “Electronic record” means information that is stored in an electronic medium and is retrievable in a perceivable form, including public records as defined in Section 119.011, F.S.~~

~~(5) “Electronic signature” means an electronic sound, symbol, or process attached to an electronic record and executed or adopted by a person with the intent to sign the record.~~

~~(4)(6)~~ “Electronic Posting” means placing notice through a link on the home page of the District’s website.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented ~~668.003, 668.004~~, 668.50 FS. History–New 10-1-06, Amended 10-23-12, 1-19-14, 7-14-14, _____.

40E-1.607 Permit Application Processing Fees.

Introductory paragraph – No change.

(1) and (2) No change.

(3)(a) Environmental Resource Permit Application processing fees are in the following table:

1. and 2. No change.	No change.
3. Verification of qualification to use a Noticed General Permit.	No change...
4. No change.	
4.a.(I) through (XIII) No change.	No change...
(XIV) An Individual Permit for a phase of construction that is consistent with an existing Conceptual Approval Permit.	\$1500
b. NO CHANGE..	
(I) An Individual Permit or modification for a phase of construction that is consistent with an existing Conceptual Approval Permit.	\$1500
(I) (H) No change.	No change...
(II) (H) No change.	No change.
c. No change.	No change.
5. through 13. No change.	No change.

- (b) No change.
- (4) through (7) No change.

Rulemaking Authority 373.044, 373.109, 373.113, 373.171, 373.421(2), 373.421(6)(b), 373.4131 FS. Law Implemented 218.075, 373.109, 373.4131, 373.421(2), 373.421(6)(b), 403.201 FS. History–New 1-8-89, Amended 1-2-91, 11-15-92, 6-1-93, 1-23-94, 10-3-95, 4-1-96, 11-8-99, 5-24-00, 6-26-02, 7-11-02, 8-10-03, 8-14-03, 11-18-07, 11-1-09, 12-15-11, 10-23-12, 10-1-13, 7-31-14, 9-7-15, .

40E-1.6107 Transfer of Environmental Resource, Surface Water Management, or Water Use, or Wetland Resource Permit.

(1) The procedures for the transfer of environmental resource permits are set forth in Rule ~~62-330.340~~ 62-330.340, F.A.C. To transfer a surface water management, water use, or wetland resource permit, the permittee, in addition to satisfying the applicable provisions in Rule 40E-2.351, F.A.C., must submit Form No. 0483, (October 1, 2013), <http://www.flrules.org/Gateway/reference.asp?No=Ref-02753>, Request for Surface Water Management, Water Use, or Wetland Resource Permit Transfer, incorporated by reference herein. Form No. 0483 is also available at no cost by contacting the South Florida Water Management District Clerk’s Office, 3301 Gun Club Road, West Palm Beach, FL 33406, ~~4(800) 432-2045, ext. 2729 6436~~, or (561) 682-~~2729 6436~~.

- (2) through (5) No change.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.083, 373.171, 373.219, 373.309, 373.413, 373.4131, 373.414, 373.416, 373.426, 373.429, 373.436, 668.003,

668.004, 668.50 FS. History–New 5-11-93, Amended 10-3-95, 10-1-06, 10-23-12, 10-1-13, 7-14-14,_____.

40E-1.615 Coordinated Agency Review Procedures for the Florida Keys Area of Critical State Concern.

- (1) through (2)

(3) The following coordinated agency review procedures apply to projects which require permits pursuant to Chapters 40E-2 (Consumptive Use), 62-330 and 40E-4 (Environmental Resource), F.A.C.:

- (a) No change.

(b) The District’s Coordinated Review process begins when the District receives the Coordinated Review Application from the Permit Coordinator as required by Section 380.051, F.S. ~~subsection 9J 19.006(3) (Initiation of Coordinated Review)~~, F.A.C.

- (c) No change.

(d) If the applicant waives the time limits required by Chapter 120 and Section 380.051, F.S., ~~as set forth in Rule 9J 19.007, F.A.C.~~, the District shall delay initiation of substantive review until notice is received by electronic mail at the District’s e-Permitting website or in writing from the Permit Coordinator indicating that substantive review should begin, ~~as provided in subsection 9J 19.007(3) (Coordination of Time for Sufficiency Review)~~, F.A.C. If the applicant does not waive the time limits, the District shall begin substantive review when the Coordinated Review Application is complete.

(e) The Certification of the Coordinated Review Application required by Section 380.051(2)(a), F.S., ~~and subsections 9J 19.002(3) (Purpose) and 9J 19.009(1) and (2) (Completion of Substantive Review)~~, F.A.C., shall occur within 60 days after the District begins substantive review, and shall consist of the notice of proposed agency action together with the staff report on the individual permit pursuant to ~~subsection 40E-1.603(6) (Application Procedures for Processing Permit Applications or Notices of Intent)~~, F.A.C., which may recommend denial to the Governing Board, or approval, or approval with conditions to its designee.

- (f) No change.

Rulemaking Authority 373.044, 373.113, 373.171, 373.4131, 380.051 FS. Law Implemented 373.4131, 380.051, 668.003, 668.004, 668.50 FS. History–New 9-22-87, Amended 10-3-95, 10-1-06, 12-1-11, 10-23-12, 10-1-13, 7-14-14,_____.

40E-1.659 Forms and Instructions.

The following forms and instructions are incorporated by reference throughout the District’s rules as specified below and are listed herein for convenience. Hyperlinks are provided in the rules in which the forms and instructions are referenced and copies can be obtained without cost by contacting the South Florida Water Management District Clerk’s Office,

3301 Gun Club Road, West Palm Beach, FL 33406, (800)432-2045, ext. 2729 6436, or (561) 682-2729 6436:

Form No.	Date	Title
0186	No change.	No change.
0483	10-13 10-01	No change.
0779 through DEP Form 4	No change.	No change..

Rulemaking Authority 218.075, 373.044, 373.113, 373.171, 373.4136, 373.416, 695.03, 704.06 FS. Law Implemented 218.075, 373.113, 373.4135, 373.4136, 373.416, 704.06 FS. History—New 9-3-81, Amended 12-1-82, 3-9-83, Formerly 16K-1.90, Amended 7-26-87, 11-21-89, 1-4-93, Formerly 40E-1.901, Amended 5-11-93, 4-20-94, 10-3-95, 6-26-02, 8-14-02, 8-31-03, 9-16-03, 9-20-04, 2-12-06, 1-23-07, 8-7-07, 7-4-10, 12-15-11, 5-20-12, 10-23-12, 10-1-13, 7-14-14, 9-7-15,_____.

40E-1.702 Environmental Resource, Surface Water Management Permit and Consumptive Use Enforcement Guidelines.

~~The following guidelines apply to the District’s Environmental Resource, Consumptive Use and Surface Water Management Permit enforcement programs: is implemented through guidelines concerning Resource Protection, Dispute Resolution and Penalty Assessments.~~

~~(1) The Resource Protection guideline provides that:~~

~~(1)(a) Adverse impacts to water resources shall be recovered by requiring complete restoration,; or~~

~~(2)(b) In those cases where restoration of the adverse impact is not environmentally feasible, the District shall require mitigation to offset such impacts.~~

~~(2) The Dispute Resolution guideline provides that:~~

~~(3)(a) If the violation cannot be resolved in a negotiated, pro-active manner, it is the District’s policy to seek full compliance with District permits and rules through appropriate legal action,; and~~

~~(b) Violations can most effectively be prevented through educating the public about District permitting practices and criteria.~~

~~(3) The Penalty Assessment guideline provides that:~~

~~(4)(a) The District shall provide for prompt resolution of enforcement matters in a manner that best protects the public interest and water resources,; and~~

~~(5)(b) The District shall ensure that violators do not gain an economic advantage over competitors by circumventing District permitting requirements. Enforcement action shall be~~

designed to remove any economic advantage resulting from the failure to comply with District permits and rules.

Rulemaking Authority 120.53(1), 373.044, 373.113 FS. Law Implemented 120.62, 120.69, 373.083(2), 373.119, 373.129, 373.136, 373.430, 373.433, 373.603 FS. History—New 10-3-95, Amended 7-2-98,_____.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:	RULE TITLES:
40E-41.023	Western Canal 9 Basin Boundary
40E-41.063	Conditions for Issuance of Permits in the Western Canal 9 Basin
40E-41.121	Definitions
40E-41.123	Kissimmee River Basin Boundary
40E-41.160	Content of Application
40E-41.321	Definitions
40E-41.323	Water Preserve Area & Water Preserve Area Basin Boundaries
40E-41.363	Conditions for Issuance of Permits in the Water Preserve Area, Water Preserve Area Basin, or Adjacent to the Protective Levees

PURPOSE AND EFFECT: The District is proposing to update the rules to incorporate the Figures, include a hyperlink, and include a statement as to how to obtain a copy, in accordance with Rule 1-1.013, F.A.C., and rename Figures 1 through 6 to Figures 41-9 through 41-14. The District is also proposing to amend Rule 40E-41.160, F.A.C., to address comments received from the Joint Administrative Procedures Committee to replace the Department of Community Affairs with the Department of Economic Opportunity, and correct the rule to delete language that is obsolete.

SUBJECT AREA TO BE ADDRESSED: The Figures that currently appear in the rule text will be removed, replaced with hyperlinks, and incorporated in accordance with Rule 1-1.013, F.A.C. Figures 41-3, Plates 1 of 5 through 5 of 5 that currently appear in Rule 40E-41.165, F.A.C., will now be incorporated in Rule 40E-41.121, F.A.C. Figure 41-4 that currently appears in Rule 40E-41.165, F.A.C., will now be incorporated in Rule 40E-41.123, F.A.C. Figures 1 through 6 that currently appear in Rule 40E-41.363, F.A.C., will be removed and now incorporated in Rule 40E-41.321, F.A.C., and will be renamed. The agency reference in Rule 40E-41.160, F.A.C., will be updated to the Department of Economic Opportunity and language that is no longer accurate will be deleted.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.4131 FS.

LAW IMPLEMENTED: 373.085, 373.086, 373.413, 373.4131, 373.416 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: Melinda Parrott, Lead Environmental Analyst, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, telephone (toll free): 1(800)432-2045, ext. 6324, email: mparrott@sfwmd.gov or Susan Martin, Sr. Practice Expert, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, telephone: (toll free): 1(800)432-2045, ext. 6251, telephone: (561)682-6251, email: smartin@sfwmd.gov. For questions regarding the rulemaking process, contact Jan Sluth, Sr. Paralegal, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, telephone (toll free): 1(800)432-2045, ext. 6299, telephone: (561)682-6299, email: jsluth@sfwmd.gov

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS

40E-41.023 Western Canal 9 Basin Boundary.

The Western Canal 9 Basin is generally depicted in Figure 41-1 (DATE) [HYPERLINK], incorporated by reference herein, and specifically shall include the area within the following boundaries: In Dade and Broward Counties, Florida, as follows:

BEGINNING at the Southeast corner of Section 12, Township 52 South, Range 40 East; Thence, bear Westerly along the Section Lines to the intersection thereof with State Road No. 25; Thence, Northwesterly and Northerly along State Road No. 25 to the intersection thereof with State Road No. 820; Thence, Easterly along State Road No. 820 to the intersection thereof with the East line of Section 14, Township 51 South, Range 40 East; Thence, Southerly along Section Lines to the Northwest corner of Section 1, Township 52 South, Range 40 East; Thence, Easterly along the Section Line to the Northeast corner of said Section 1; Thence, Southerly along the Section Lines to the Southeast corner of said Section 12 to the POINT OF BEGINNING. Figure 41-1 is available at no cost by contacting the South Florida Water Management District Clerk's Office, 3301 Gun Club Road, West Palm Beach, FL 33406, (800) 432-2045, ext. 2729 or (561) 682-2729.

Rulemaking Authority 373.044, 373.113, 373.4131 FS. Law Implemented 373.413, 373.4131, 373.416 FS. History—New 9-3-81, Formerly 16K-34.02, Amended _____.

40E-41.063 Conditions for Issuance of Permits in the Western Canal 9 Basin.

(1) through (3) No change.

(4) Fill encroachment criteria—

(a) and (b) No change.

(c) Typical development schemes using these criteria are depicted in Figure 41-2 (DATE) [HYPERLINK], incorporated by reference herein, and available at no cost by contacting the South Florida Water Management District Clerk's Office, 3301 Gun Club Road, West Palm Beach, FL 33406, (800) 432-2045, ext. 2729 or (561) 682-2729.

Rulemaking Authority 373.044, 373.113, 373.4131 FS. Law Implemented 373.413, 373.4131, 373.416 FS. History—New 9-3-81, Formerly 16K-34.06, Amended 4-20-94, 10-1-13, _____.

40E-41.121 Definitions.

When used in this Part:

(1) No change.

(2) "Floodplain" means that area depicted on Figure 41-3, Plates 1 through 5 (DATE) [HYPERLINK], incorporated by reference herein, and available at no cost by contacting the South Florida Water Management District Clerk's Office, 3301 Gun Club Road, West Palm Beach, FL 33406, (800) 432-2045, ext. 2729 or (561) 682-2729 ~~in Chapter 40E-41, F.A.C.~~

Rulemaking Authority 373.044, 373.113, 373.4131 FS. Law Implemented 373.413, 373.4131, 373.416 FS. History—New 5-1-85, Amended 12-1-11, _____.

40E-41.123 Kissimmee River Basin Boundary.

The Kissimmee River Basin boundary is generally described in Figure 41-4 (DATE) [HYPERLINK], incorporated by reference herein, and shall specifically include the area within the following boundaries:

No change.

Figure 41-4 is available at no cost by contacting the South Florida Water Management District Clerk's Office, 3301 Gun Club Road, West Palm Beach, FL 33406, (800) 432-2045, ext. 2729 or (561) 682-2729.

Rulemaking Authority 373.044, 373.113, 373.4131 FS. Law Implemented 373.413, 373.4131, 373.416 FS. History—New 5-1-85, Amended _____.

40E-41.160 Content of Application.

All projects located within the Kissimmee River Basin requiring permits pursuant to Chapter 62-330, F.A.C., shall submit the information specified by Rule 62-330.060, F.A.C., as appropriate, and the following information:

(1) For projects wholly or partially within the floodplain the status of the project as a development of regional impact must be indicated by a ~~final approved development order or a binding letter issued by the Department of Economic Opportunity Community Affairs.~~

(2) No change.

Rulemaking Authority 373.044, 373.113, 373.4131 FS. Law Implemented 373.413, 373.4131, 373.416 FS. History—New 5-1-85, Amended 4-20-94, 10-1-13, _____.

40E-41.321 Definitions.

(1) “Water Preserve Area” or “WPA” means: those component areas identified in Figures 41-9 through 41-14 (DATE) [HYPERLINK], incorporated by reference herein, and available at no cost by contacting the South Florida Water Management District Clerk’s Office, 3301 Gun Club Road, West Palm Beach, FL 33406, (800) 432-2045, ext. 2729 or (561) 682-2729 1, 2, 3, 4, 5 and 6.

(2) “Water Preserve Area Basin” or “WPAB” means: the WPA and all or a portion of those drainage basins located adjacent to, or planned to discharge into, the WPA as identified in Figures 41-9 through 41-14 1, 2, 3, 4, 5 and 6.

(3) “Protective Levees” means: for the purposes of this rule, those portions of levees L-33, L-35, L-35A, L-36, L-37, L-38 and L-40 adjacent to Water Conservation Areas 1, 2A, 2B, 3A and 3B as identified in Figure 41-11 3.

(4) “Overburden” means: for the purposes of this rule, the layer of existing natural soil material as shown in Figures 41-9, 41-10, 41-12, 41-13, and 41-14 1, 2, 4, 5 and 6.

Rulemaking Authority 373.044, 373.113, 373.4131 FS. Law Implemented 373.085, 373.413, 373.4131, 373.416 FS. History–New 10-21-01, Amended _____.

40E-41.323 Water Preserve Area & Water Preserve Area Basin Boundaries.

(1) The WPA boundaries are shown in Figures 41-9 through 41-14, incorporated by reference in Rule 40E-41.321, F.A.C. 1, 2, 3, 4, 5 and 6.

(2) The WPAB includes all or a portion of the following drainage basins as shown in Figures 41-9 through 41-14, incorporated by reference in Rule 40E-41.321, F.A.C. 1, 2, 3, 4, 5 and 6.

- (a) Palm Beach County: Acme Basin B
 - C-51 East (west of SR 7)
 - C-16 (west of the Florida Turnpike)
 - C-15 (west of the Florida Turnpike)
 - Hillsboro Canal (west of the Florida Turnpike)
- (b) Broward County:
 - C-11 West
 - C-9 West
 - Hillsboro Canal (west of the Florida Turnpike)

Rulemaking Authority 373.044, 373.113, 373.4131 FS. Law Implemented 373.413, 373.4131, 373.416 FS. History–New 10-21-01, Amended _____.

40E-41.363 Conditions for Issuance of Permits in the Water Preserve Area, Water Preserve Area Basin, or Adjacent to the Protective Levees.

- (1) No change.
- (2) (a) through (c) No change.
- (d) Figures 41-9, 41-10, 41-12, 41-13, and 41-14, incorporated by reference in Rule 40E-41.321, F.A.C., 1, 2, 4, 5 and 6 show the thickness of existing overburden within the WPA, WPAB and adjacent to the Protective Levees.
- (3) through (7) No change.

Rulemaking Authority 373.044, 373.113, 373.4131 FS. Law Implemented 373.413, 373.4131, 373.416 FS. History–New 10-21-01, Amended 12-1-11, 10-1-13, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE NO.: 61G1-21.003
 RULE TITLE: Instructions, Applications and General Information for Interior Design Continuing Education

PURPOSE AND EFFECT: The Board proposes the rule amendment to incorporate the updated handbook.

SUBJECT AREA TO BE ADDRESSED: Instructions, Applications and General Information for Interior Design Continuing Education.

RULEMAKING AUTHORITY: 455.2179, 481.215(4) FS.

LAW IMPLEMENTED: 481.215(4) 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: Thomas Campbell, Executive Director, Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE NO.: 61G1-24.002
 RULE TITLE: Instructions, Applications and General Information for Architecture Continuing Education

PURPOSE AND EFFECT: The Board proposes the rule amendment to incorporate the updated handbook.

SUBJECT AREA TO BE ADDRESSED: Instructions, Applications and General Information for Architecture Continuing Education.

RULEMAKING AUTHORITY: 455.2179, 481.215(4) FS.

LAW IMPLEMENTED: 481.215(4) 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: Thomas Campbell, Executive Director, Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF HEALTH

Division of Children’s Medical Services

RULE NOS.: RULE TITLES:
 64C-2.002 Eligibility for CMS Network Services
 64C-2.003 Redetermination of CMS Network Clinical Eligibility

PURPOSE AND EFFECT: The purpose of this rulemaking is to update clinical eligibility criteria and redetermination requirements for the Children’s Medical Services Managed Care Plan.

SUBJECT AREA TO BE ADDRESSED: Clinical eligibility criteria for Children’s Medical Services Managed Care Plan enrollees.

RULEMAKING AUTHORITY: 391.026(18) FS.

LAW IMPLEMENTED: 391.021, 391.026(3), 391.029 FS.

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

DATE AND TIME: Wednesday, April 20, 2016, 9:00 a.m. – 5:00 p.m., ET

PLACE: Florida Department of Health, 4052 Bald Cypress Way, Room 301, Tallahassee, FL 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Kelli Stannard at (850)245-4222 or kelli.stannard@flhealth.gov If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kelli Stannard at (850)245-4222 or kelli.stannard@flhealth.gov
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**Section II
 Proposed Rules**

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NOS.: RULE TITLES:
 59A-17.125 Administration of Medications to Clients by Unlicensed Direct Care Service Staff
 59A-17.126 Training and Validation Required for Unlicensed Direct Care Service Staff

PURPOSE AND EFFECT: The purpose of these rules is to create standards for unlicensed direct care services staff to provide services to clients in transitional living facilities to administer medications. These rules will create standards for medication administration training and validation of the completion of training requirements.

SUMMARY: The creation of these rules will provide standards for unlicensed direct care services staff who provide services to clients in transitional living facilities who administer prescribed, prepackaged and premeasured medications after the completion of a training in medication administration and under the supervision of a registered nurse. These rules will create standards for medication administration training and validation of the completion of training requirements.

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: No SERC was prepared, the Agency prepared a checklist for each rule to determine the necessity for a SERC. 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: 400.9977 FS.

LAW IMPLEMENTED: 400.9977 FS.

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

DATE AND TIME: March 28, 2016, 2:30 p.m. – 4:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room C, Tallahassee, FL 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, FL 32308 or via email at LTCStaff@ahca.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

59A-17.125 Administration of Medications to Clients by Unlicensed Direct Care Service Staff

(1) It is the responsibility of the licensee to ensure that individual unlicensed direct care service staff (UDC) who will be administering medication to clients meet all requirements of this rule.

(2) UDC may administer only prescribed, prepackaged, premeasured oral, topical nasal, and ophthalmic medications.

(3) UDC may administer over the counter (OTC) medications as currently prescribed by the client's health care professional.

(4) UDCs may not:

(a) Administer medications by injection including intramuscular, intravenous or subcutaneous;

(b) Administer medication vaginally or rectally; or

(c) Conduct glucose monitoring.

(5) UDCs may administer medications to a client only after the following requirements are met for that client:

(a) A current informed consent has been signed by the client or client's representative. The consent must acknowledge and permit UDCs to administer specifically listed medications prescribed by a licensed health care professional to the client. The informed consent must be updated and signed at least annually;

(b) A written report for the client that indicates the client's behavior and any past medication reactions must be documented on the Medication Administration Record (MAR). The written report and MAR must be updated if the client's behavior or medication reactions change. Information included in the written report can be provided by the client or client's representative, or another UDC or direct care staff person who is familiar with the client. The person administering medications must be familiar with the information included in the written report and MAR prior to administering medications to clients; and

(c) A determination is made that the client to whom medication will be administered has not been deemed capable of self-administration of his or her medications. The determination is to be made by the facility through assessment and interdisciplinary team (IDT) review.

(6) Administration of medication by UDCs must be under the supervision of a registered nurse or ARNP.

(a) Supervision includes weekly monitoring of medication and 24-hour availability of a registered nurse or ARNP via telephone or paging device.

(b) Prior to assigning tasks to a UDC, the supervisory nurse must verify the training and validation of the unlicensed direct care service staff as required by this Rule Chapter.

(c) The supervisory nurse must communicate the assignment to the UDC and verify that the UDC understands the assignment.

(d) Monitoring and supervision of the completion of the assignment must be documented by the supervising nurse.

(e) The supervising nurse must participate in performance evaluations of the UDC relative to performance of medication administration.

(7) Requirements governing acquiring, receiving, dispensing, administering, disposing, labeling, and storage of medication by UDCs include:

(a) Outdated medication must be properly destroyed by the supervising nurse. The disposal will be witnessed by one other staff of the facility and a record of the medication disposal must be maintained by the facility and signed by the supervising nurse and witness.

(b) Torn, damaged, illegible or mislabeled prescription labels should be reported immediately to the dispensing pharmacy or pharmacist.

(c) Clients must not miss the administration of medications due to delays in refilling a prescription. It shall be the responsibility of the supervising nurse to ensure that refills are ordered and obtained in a timely manner.

(d) No client shall be administered a prescription or OTC medication or treatment, except upon the written order of the client's prescribing health care professional.

(8) When administering medications to clients; the UDC must:

(a) Wash his or her hands with soap and water prior to administration of medication, or supervising the self-administration of medication to clients. They must also wash their hands between the administration of medication to each client and when there is a change in route of administration.

(b) Prepare medications for one individual client at a time in a quiet location that is free from distraction.

(c) Administer medications to one client at a time. To complete a client's medication process, the medication of one client must be returned to the portable or permanent

medication storage unit and documentation made in the MAR before administering medications to, or supervising the self-administration of, medication for another client.

(d) Administer medications to each client, at the time, with the dosage, and by the route prescribed by the client's health care professional. Each time medication is administered:

1. Conduct a triple-check of the dosage and time of administration against the original medication container label and the MAR before administering or supervising the self-administration of the medication;

2. Confirm the client to whom the medication is to be administered is the same client for whom the medication has been prescribed or ordered;

3. Administer as prescribed and via the route instructed by the client's prescribing health care professional;

4. Do not crush, dilute or mix medications without written directions or instructions from the client's prescribing health care professional.

5. Check the expiration date before administering each medication. Medications with an expiration date preceding the current date must not be administered.

6. Facilitate the correct positioning and use any adaptive equipment or techniques required for that client for the proper administration of medications.

(e) Ensure the oral medication administered or supervised during self-administration has been completely ingested before leaving the client. Directly observe the client for a period of at least twenty minutes following the administration of a new medication ordered by the client's prescribing health care professional. This observation period is to immediately detect and react to possible side effects of the medication or to document the effectiveness of the medication. UDCs must review the MAR for special instructions regarding required observation of medications and the UDC must monitor for side effects and effectiveness of all administered drugs.

(f) Immediately record the administration of the medication in the MAR.

Rulemaking Authority 400.9977(4), F.S., Law Implemented 400.9977, F.S., History—New_____.

59A-17.126 Training and Validation Required for Unlicensed Direct Care Service Staff

(1) Required medication administration training must include criteria to ensure that competency is demonstrated through validation of the qualification of the unlicensed direct care services staff (UDC) and all requirements of UDC specified in this Rule Chapter.

(2) Medication administration training will be conducted by a registered nurse, ARNP or physician for UDCs and will

be provided by the transitional living facility (TLF) licensee. Any person providing medication administration training sessions or conducting skills validation tests must first complete a trainer orientation session, which includes requirements of this rule and information to be covered during medication administration training sessions. Documentation of the trainer's completed orientation will be provided to each UDC that he or she trains or validates.

(3) Medication administration training must include the following topics:

(a) Basic knowledge and skills necessary for medication administration charting on the Medication Administration Record (MAR);

(b) Roles of the physician, nurse, pharmacist and direct care staff in medication supervision;

(c) Procedures for recording/charting medications;

(d) Interpretation of common abbreviations used in the administration and charting of medications;

(e) Knowledge of facility medication systems;

(f) Safety precautions used in medication administration;

(g) Methods and techniques of medication administration;

(h) Problems and interventions in the administration of medications;

(i) Observation and reporting of anticipated side effects, adverse effects and desired positive outcome; and

(j) Each duty of UDCs as required in this Rule Chapter.

(4) Validation of the effective completion of the training is required for each UDC to assess that competency has been achieved after completion of required training. To become validated, the UDC must be able to successfully demonstrate, in a practical setting, his or her ability to correctly administer or supervise the self-administration of medications to clients in a safe and sanitary manner and to correctly and accurately document actions related to the administration of medications, in accordance with the requirements of this Rule Chapter. At completion of the training, a UDC must attain an overall score of 100% on knowledge tests that cover the training and facility specific questions. The UDC will have three attempts to achieve a 100% score. If after the third attempt a score of 100% is not achieved, the UDC must repeat the training and may not administer medication to clients until such time as a score of 100% is achieved. Additionally, a UDC must be able to state the purpose, common side effects, and signs and symptoms of adverse reactions for a list of commonly used

medications from memory or demonstrate how they obtain that information and maintain it for easy access.

(5) Validation of competency will be conducted by an RN, physician, or ARNP. The TLF licensee will maintain documentation containing the following information:

(a) The name and address of the validator;

(b) Validation date, with expiration date of 365 days from the validation;

(c) Printed name and signature of the validating health care professional as it appears on his or her license; and

(d) Validating health care professional's license number, with license expiration date.

(6) All training curricula, handouts, testing materials, and documents used to comply with the medication administration training and skills requirements of this rule will be kept on file for five years in the TLF.

(7) The following must be validated for each UDC:

(a) Demonstration of the ability to read and follow medication instructions on a prescription label, physician's order or MAR;

(b) Demonstration of the ability to write legibly, complete required documentation, and convey accurate and discernible information;

(c) Demonstration of the ability to perform as required in this Rule Chapter; and

(d) Demonstration of the ability to state the purpose, common side effects, and signs and symptoms of adverse reactions for a list of commonly used medications from memory or demonstrate how they obtain that information and maintain it for easy access.

(8) UDCs and the TLF licensee must maintain a copy of the UDC's current skills validation document, and documentation of orientation for their medication administration trainer and validator. UDCs are responsible for maintaining a copy of these documents and providing copies to the TLF, if requested.

(9) If requested, a UDC will have available a copy of their signed skills validation documentation to provide to the client or client's representative. UDCs will also have available, if requested, a copy of their annual skills revalidation documentation, within five working days of the revalidation date.

(10) UDCs who have not successfully renewed their validation prior to the expiration date will not be eligible to

administer medications to clients until medication administration retraining and revalidation of skills have been successfully completed.

Rulemaking Authority 400.9977(4), F.S., Law Implemented 400.9977, F.S., History—New

NAME OF PERSON ORIGINATING PROPOSED RULE:

Jacqueline Williams

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Elizabeth Dudek

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 12, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 27, 2015

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: RULE TITLE:

61G4-15.032 Certification of Swimming Pool Specialty Contractors

PURPOSE AND EFFECT: The purpose of the proposed amendment is to clarify the scope of practice of certified swimming pool specialty contractors.

SUMMARY: Clarify scope of practice

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: 455.217, 489.113(6), 489.108, 489.115(4) FS.

LAW IMPLEMENTED: 455.217, 489.113(6), 489.108, 489.115(4) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dan Biggins, Executive Director, Construction Industry Licensing Board, P.O. Box 5257, Tallahassee, Florida 32399-5257

THE FULL TEXT OF THE PROPOSED RULE IS:

61G4-15.032 Certification of Swimming Pool Specialty Contractors.

(1) Scope of Rule. The scope of this rule is to provide for the voluntary certification of swimming pool specialty contractors.

(a) Swimming pool specialty contractors may only perform the services within the scope of work defined for that particular category swimming pool specialty contractor. Nothing in this rule shall limit the scope of a contractor as defined in Sections 489.105(3)(j)-(l), F.S., from performing swimming pool layout, structural work, excavation, trim work, decking, piping, and finishing.

(b) through (c) No change.

(2) through (3) No change.

Rulemaking Authority 455.217, 489.113(6), 489.108, 489.115(4) FS. Law Implemented 455.217, 489.113(6), 489.108, 489.115(4) FS. History—New 1-4-06, Amended 2-11-08, 4-26-12, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Construction Industry Licensing Board

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Construction Industry Licensing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 13, 2015

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 2, 2015

DEPARTMENT OF FINANCIAL SERVICES

Division of Worker’s Compensation

RULE NOS.: RULE TITLES:

- 69L-22.006 Screening Process
- 69L-22.008 Reemployment Services and Programs
- 69L-22.009 Employee Responsibilities
- 69L-22.011 List of Forms

PURPOSE AND EFFECT: The proposed rules are amended to clarify the process injured employees must follow when seeking to obtain Department-sponsored reemployment services. The proposed rules provide injured employees with information and guidance regarding available reemployment services and the terms, conditions, and responsibilities

associated with receiving such services. Additionally, the proposed rulemaking incorporates two new forms and revises two existing forms.

SUMMARY: The proposed rules clarify the process through which injured employees access reemployment services.

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department conducted an economic analysis of the potential impact of the proposed rule and determined that there will be no resulting adverse economic impact or regulatory increases that would require legislative ratification.

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

RULEMAKING AUTHORITY: 440.491(6), 440.591 FS.

LAW IMPLEMENTED: 440.491 FS.

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

DATE AND TIME: Monday, March 28, 2016, 9:00 a.m. – 11:00 a.m.

PLACE: Room 102, Hartman Building, 2012 Capital Circle Southeast, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Stephen Yon, telephone: (850)413-1786, email: Stephen.Yon@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Stephen Yon, Chief, Bureau of Employee Assistance and Ombudsman Office, Division of Workers’ Compensation, Department of Financial Services, address: 200 East Gaines Street, Tallahassee, Florida 32399-4225, telephone: (850)413-1786, email: Stephen.Yon@myfloridacfo.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69L-22.006 Screening Process.

(1) A request for screening ~~must be~~ ~~is~~ made using a Form DFS-F3-DWC-23, Request for Screening. Before the Department will consider a request complete and initiate a screening, the injured employee must: ~~sign the Form DFS F3-DWC-23.~~

(a) Complete, sign and submit Form DFS-F3-DWC-23, Request for Screening;

(b) Complete, sign and submit Form DFS-F3-DWC-27, Reemployment Services Questionnaire;

(c) Provide documentation to establish identity and employment eligibility. Such documentation shall be consistent with the acceptable documents for verifying identity and employment eligibility as required by the U.S. Department of Homeland Security, U.S. Citizenship and Immigration Services' Form I-9, Employment Eligibility Verification (Rev. 03/08/13 N), which is incorporated by reference herein and available at <http://www.uscis.gov/files/form/i-9.pdf>.

(d) Provide the most current DFS-F5-DWC-25, Florida Workers' Compensation Uniform Medical Treatment/Status Report Form, from all authorized treating physicians.

(2) An injured employee may submit an electronic ~~Request~~request for Screening~~screening~~ and Reemployment Services Questionnaire ~~screening~~ through the Injured Employee Web Portal located on the internet at <https://wres.fldfs.com/resportal/ieweb/ielogin.aspx>. An electronically submitted ~~Request~~request for Screening~~screening~~ and Reemployment Services Questionnaire shall be considered electronically signed by the injured employee.

(3) through (8) No change.

(9) The Department shall not provide a vocational evaluation or any reemployment services when Form DFS-F3-DWC-23, Request for Screening, ~~which is signed by the injured employee,~~ and all documents specified in 69L-22.006(1), F.A.C., ~~are~~ is received by the Department more than one (1) year from the date of last payment of indemnity benefits or the furnishing of remedial treatment, care, or attendance from the employer or carrier.

(10) through (11) No change.

Rulemaking Authority 440.491(6), 440.591 FS. Law Implemented 440.491 FS. History—New 7-1-96, Amended 6-26-01, Formerly 38F-55.009, Amended 5-5-04, 5-7-09, Formerly 6A-22.006, Amended 3-31-14, _____.

69L-22.008 Reemployment Services and Programs.

(1) through (3) No change.

(4) The Department will approve entry into a recommended training and education program at the next available start date.

(5) The Department will not approve training and education programs at a community college when the injured employee must complete more than two (2) remedial courses.

(6) The Department will not approve training and education programs at a career center when the injured employee must remediate more than two (2) grade levels to meet the exit requirements of the program.

(7) The Department will approve an individual course or multiple courses when it is demonstrated that the skills to be gained are necessary for the injured employee to secure suitable gainful employment.

(8)~~(4)~~ The Department will ~~shall~~ approve training and education programs which exceed 52 weeks only when there is no program shorter than 52 weeks which would enable the injured employee to return to suitable gainful employment, the injured employee provides a plan for living expenses during the period in excess of 52 weeks, and the injured employee has no formal marketable vocational training and education.

(9)~~(5)~~ If the Department determines a training and education program is necessary to return an injured employee to suitable gainful employment, the Department shall have the exclusive right to approve training and education programs and facilities at which to sponsor the injured employee.

(a) through (d) No change.

(10)~~(6)~~ The Department will ~~shall~~ not approve the transfer ~~its approval~~ of reemployment services unless the Department determines that the substantially same services are available in the location to which ~~they~~services would be transferred.

(11)~~(7)~~ The Department will ~~shall~~ not approve reemployment services if the vocational evaluation does not recommend reemployment services.

Rulemaking Authority 440.491(6), 440.591 FS. Law Implemented 440.491 FS. History—New 7-1-96, Amended 2-9-00, 6-26-01, Formerly 38F-55.011, Amended 3-1-05, 5-7-09, Formerly 6A-22.008, Amended 3-31-14, _____.

69L-22.009 Employee Responsibilities.

(1) Upon approval of training and education by the Department, the injured employee and Department staff shall sign and date:

(a)~~(2)~~ ~~Form A Department and student agreement for sponsorship of training and education form~~ DFS-F3-DWC-24, Department and Student Agreement for Sponsorship of Training and Education, which is adopted ~~incorporated by~~ ~~reference~~ in Rule 69L-22.011, F.A.C.; and,

(b)~~(3)~~ An Individualized Written Reemployment Plan.

(2) Upon approval of reemployment services, including job-seeking assistance, by the Department, the injured employee and Department staff must sign and date Form DFS-

F3-DWC-26, Department and Injured Employee Agreement for the Provision of Contracted Placement Services, which is adopted in Rule 69L-22.011, F.A.C.

Rulemaking Authority 440.491(6), 440.591 FS. Law Implemented 440.491 FS. History—New 7-1-96, Amended 6-26-01, Formerly 38F-55.012, Amended 3-1-05, 5-7-09, Formerly 6A-22.009, Amended 3-31-14,_____.

69L-22.011 List of Forms.

(1) The following forms are to be used with this rule chapter and are hereby incorporated by reference:

(a) Form DFS-F3-DWC-23 (Revised: 12/2015), Request for Screening;

(b) Form DFS-F3-DWC-24 (Revised: 12/2015), Department and Student Agreement for Sponsorship of Training and Education;

(c) Form DFS-F3-DWC-26 (Effective: 12/2015), Department and Injured Employee Agreement for the Provision of Contracted Placement Services.

(d) Form DFS-F3-DWC-27 (Effective: 12/2015), Reemployment Services Questionnaire;

(2) No change.

Rulemaking Authority 440.491(6), 440.591 FS. Law Implemented 440.491 FS. History—New 7-1-96, Amended 6-26-01, Formerly 38F-55.014, Amended 5-5-04, 5-7-09, Formerly 6A-22.011, Amended 3-31-14,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Stephen Yon, Chief, Bureau of Employee Assistance and Ombudsman Office, Division of Workers' Compensation, Department of Financial Services

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

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 7, 2016

Section III
Notice of Changes, Corrections and
Withdrawals

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

RULE NOS.:	RULE TITLES:
5J-18.001	Definitions
5J-18.0011	Standards Adopted
5J-18.0142	Reporting of Accidents and Mechanical, Structural or Electrical Defects
5J-18.050	Games

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 42 No. 37, February 24, 2016 issue of the Florida Administrative Register.

The address for the rule development workshop scheduled for March 11, 2016 at 2:00 p.m. was incorrect. The workshop will be held at Eyster Auditorium, 3125 Conner Blvd., Tallahassee, Florida 32399.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.:	RULE TITLE:
61H1-33.003	Continuing Professional Education

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 41 No. 239, December 11, 2015 issue of the Florida Administrative Register.

The changes are in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The changes are as follows:

61H1-33.003 Continuing Professional Education.

(1) through (4) No change.

(5) Each Florida certified public accountant shall, as a part of the biennial licensure renewal, on or before December 31 prior to his/her biennial license renewal, comply with the continuing professional education requirements during the applicable reestablishment period. Each Florida certified public accountant's documentation supporting such compliance shall be retained through the two years following a two-year reestablishment period. Documentation is to be retained to support evidence of completion of the required hours to enable an audit by the Department of Business and Professional Regulation (DBPR) to determine compliance with the requirements. Documentation for each course shall be in a format to include course title and date, number of hours

earned, attendee name, certified public accountant course provider name, number, and signature of the provider furnishing said certificate, and when requested shall be recorded using form DBPR CPA 41, entitled Continuing Professional Education Reporting Form, hereby incorporated by reference and effective January 2016 ~~September 2015~~, and available at <http://www.myfloridalicense.com/dbpr/cpa/forms.html>, or in electronic format prescribed by the Board at <http://fl.cpetracking.com> or at <http://www.flrules.org/Gateway/reference.asp?No=Ref-> If staff review or review by the Committee on Continuing Professional Education determines that courses are either improperly classified or do not otherwise meet the requirements of the chapter, then the Florida certified public accountant shall be notified and given 60 days from the date of notification to comply with the continuing professional education requirements. Florida certified public accountants who complete the continuing professional education requirements timely but who are found to be deficient after December 31 of their renewal year must correct the error and pay a \$50 fine within 60 days of the aforementioned notice. Failure to timely correct the error and pay the fine shall constitute grounds for disciplinary action pursuant to section 455.227 or 473.323, F.S.

(6) No change.

Rulemaking Authority 455.213(6), ~~455.2177, 455.2178,~~ 455.2179, 473.304, ~~473.305,~~ 473.312 FS. Law Implemented 455.213(6), ~~455.2177, 455.2178,~~ 455.2179, ~~473.305,~~ 473.312(1)(a), (c) FS. History—New 12-4-79, Amended 2-3-81, 4-5-83, 10-19-83, 8-20-85, Formerly 21A-33.03, Amended 9-18-88, 7-7-92, 12-2-92, Formerly 21A-33.003, Amended 12-14-93, 1-26-98, 12-17-00, 8-21-01, 3-21-05, 5-18-05, 7-10-05, 7-23-06, 12-10-09, 7-7-10, 11-7-12, 8-7-13, .

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Veloria Kelly, Division Director, Board of Accountancy, 240 NW 76th Dr., Suite A, Gainesville, Florida 32607.

DEPARTMENT OF FINANCIAL SERVICES

OIR – Insurance Regulation

RULE NOS.:	RULE TITLES:
69O-143.046	Registration of Insurers
69O-143.047	Standards
69O-143.056	Acquisition of Controlling Stock

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 41 No. 249, December 29, 2015 issue of the Florida Administrative Register.

69O-143.046 Registration of Insurers.

(1) Every insurer which is authorized to do business in this state and which is a member of an insurance holding company system shall register with the Office by April 1, except a foreign insurer subject to disclosure requirements and standards adopted by statute or regulation in the jurisdiction of its domicile which are substantially similar to those contained in this rule and Rule 69O-143.047, F.A.C. Any insurer which becomes ~~is~~ subject to registration under this rule after April 1 shall register ~~within sixty days after the effective date of this rule or~~ within fifteen days after it becomes subject to registration, ~~whichever is later, unless the Director for good cause shown extends the time for registration, and then within such extended time.~~ The Office may require any authorized insurer which is a member of a holding company system which is not subject to registration under this rule to furnish a copy of the registration statement or other information filed by such insurance company with the insurance regulatory authority of domiciliary jurisdiction.

(2) through (6) No change.

(7) In addition to the registration statement required in subsection (3), each registered insurer, except foreign insurers subject to disclosure requirements and standards adopted by statute or regulation in the jurisdiction of its domicile which are substantially similar to those contained in this rule and Rule 69O-143-047, F.A.C., shall also provide on Form OIR-A1-2118, “Form F – Enterprise Risk Report”, new 5/16, ~~rev. 12/14,~~ the information required under Section 628.801(2), F.S.

(8) through (14) No change.

(15) The following forms are hereby adopted and incorporated by reference and are available at www.flair.com:

- (a) Form OIR-D0-516, “Form B - Insurance Company Holding System Registration Statement,” rev. 5/16 ~~12-14~~;
- (b) Form OIR-A1-2116, “Form C - Summary of Changes to Registration Statement,” rev. 5/16 ~~12-14~~; and
- (c) Form OIR-A1-2118, “Form F - Enterprise Risk Report”, rev. 5/16 ~~12-14~~.

69O-143.047 Standards.

(1) Material transactions by registered insurers with their affiliates shall be subject to the following standards:

- (a) through (e) No change.
- (f) For cost sharing services and management services, such agreements shall, as applicable:

1. through 2. No change.

3. Require timely settlement, not less frequently than on a quarterly basis, and compliance with the requirements in the National Association of Insurance Commissioner’s Accounting Practices and Procedures Manual; as adopted in rule 69O-137.001(4), F.A.C.

4. through 12. No change.

13. Specify that the affiliate will continue to maintain any systems, programs, or other infrastructure notwithstanding the initiation of receivership proceedings pursuant to Chapter 631, F.S. a seizure by the commissioner, and will make them available to the receiver, for so long as the affiliate continues to be contractually and legally obligated to receive timely payment for the cost of services rendered.

(2) No change.

(3) No domestic stock insurer shall pay any extraordinary dividend or make any other extraordinary distribution to its shareholders until:

(a) No change.

(b) The Office shall have approved such payment within such 30 calendar day period.

A notice to the Office shall commence to run from the date of receipt as may be evidence by transmitting electronically to the Office via, Regulatory Electronic Filing System, "REFS", return receipt if sent certified or registered mail, return receipt requested or signed receipt by Office if otherwise delivered.

For purposes of this rule, an extraordinary dividend or distribution includes any dividend or distribution that is in excess of that permitted without the approval of the Office pursuant to Section 628.371, F.S., but shall not include prorata distributions of any class of the insurer's own securities.

Notwithstanding any other provision of law, an insurer may declare an extraordinary dividend or distribution which is conditional upon the Office's approval thereof, and such a declaration shall confer no rights upon shareholders until the Office has approved the payment of such dividend or distribution.

69O-143.056 Acquisition of Controlling Stock.

(1) through (3) No change.

(4) The acquiring person shall comply with the instructions contained on Form OIR-C1 918, "Acquisition of Controlling ~~Stock Interest~~ of a Florida Domestic Insurer," rev. 5/16 ~~8/92~~, and submit the following applicable forms. Forms relating to specific kinds of insurance are to be submitted only by companies issuing policies relating to the kind of insurance specified on the form:

(a) Form OIR-C1~~D0~~-922, "Waiver of Hearing From Seller," rev. 9/91;

(b) Form OIR-C1-1524 "Uniform Consent to Service of Process" rev. 8/14.

(c) No change.

(d) Form OIR-D0-904, UCAA Proformas Financial Statements, Life & Health Insurer Companies, pages 1-4, rev. 8/14 ~~5/91~~.

(e)Form OIR-D0-896, "UCAA Proformas Financial Statements, Property and Casualty Insurance Companies, pages 1-18," rev. 08/14 ~~5/91~~.

(f) Form OIR-D0-2119 "UCAA Proformas Financial Statements, Title Insurance Companies, rev 08/14.

(g) Form OIR-D0-2165 UCAA Proformas Financial Statements, Health Companies rev. 01/15.

(h) through (m) No change.

(5) No change.

Section IV Emergency Rules

NONE

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF LAW ENFORCEMENT
Criminal Justice Standards and Training Commission
RULE NO.: RULE TITLE:

11B-27.002 Certification, Employment or Appointment, Reactivation, and Terminating Employment or Appointment of Officers

NOTICE IS HEREBY GIVEN that on February 18, 2016, the Criminal Justice Standards and Training Commission, received a petition for a 180 day temporary waiver of paragraph 11B-27.002(4)(a), F.A.C. from Nathan Kerbel. The Petitioner wishes to temporarily waive that portion of the rule that states: within four years of the beginning date of a Commission-approved Basic Recruit Training Program, an individual shall successfully complete the program, achieve a passing score on the applicable State Officer Certification Examination, and gain employment, and certification as an officer. Petitioner states his four year window for becoming employed as an officer will run out on February 26, 2016. Petitioner states he graduated from the Police Academy at Miami-Dade College in 2012 and passed the certification exam on his first attempt. Petitioner states that he applied for several positions after graduation however he had to return to Rhode Island in 2013 to assist in the care of his grandmother and was unable to actively process with any Florida police agency. Petitioner states that he is currently being considered for a position with the Sweetwater Police Department as a reserve officer however, they will not continue to process him unless the waiver is granted. Petitioner states that strict application of the rule violates principles of fairness and creates a substantial hardship because he would again have to

pay for and attend basic recruit training. Petitioner states the purpose of the underlying statute would be achieved if the waiver is granted.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Linton B. Eason, Assistant General Counsel, Florida Department of Law Enforcement, P.O. Box 1489, Tallahassee, FL 32302 or by telephone at: (850)410-7676.

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 March 2, 2016, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Johns Eastern Company Inc., Lakewood Ranch, FL. Petitioner seeks a permanent variance of the requirements of 2500.2(c), A17.1b-1995 edition, 2501.2, A17.1b-1995 edition, and an unspecified rule as adopted by subsection 61C-5.001(1), F.A.C., that requires Machine rooms, Buffers, and Bumpers. Any interested person may file comments within 14 days of the publication of this notice with Michelle Comingore, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2016-041). dhr@myfloridalicense.com

A copy of the Petition for Variance or Waiver may be obtained by contacting: Michelle Comingore, Bureau of Elevator Safety, 1940 North Monroe Street, 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

NOTICE IS HEREBY GIVEN that on March 2, 2016, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Tierra Isle Marina Residences Condominium, Lakewood, FL. Petitioner seeks an emergency variance of the requirements of 7.4.1.6, NFPA 101 Lifes Safety code, 2003 edition as adopted by paragraph 61C-5.001(1)(a), F.A.C., that requires elevator lobbies to have access to at least one exit. Such exit shall not require the use of a key, tool, special tool, special knowledge, or special effort. Any interested person may file comments within 5 days of the publication of this notice with Michelle Comingore, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2016-040).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Michelle Comingore, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. dhr.elevators@myfloridalicense.com.

DEPARTMENT OF HEALTH

Board of Psychology

NOTICE IS HEREBY GIVEN that on March 2, 2016, the Board of Psychology, received a petition for waiver or variance filed by Raychel Powers, Psy.D., from Rule 64B19-11.005, F.A.C., with regard to the requirements of the rule regarding appropriate supervised experience. Comments on this petition should be filed with the Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, FL 32399-3255, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allen Hall, Executive Director, Board of Psychology, at the above address or telephone: (850)245-4373.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

Division of Historical Resources

The Bureau of Historic Preservation, Florida Historical Marker Council announces a public meeting to which all persons are invited.

DATE AND TIME: March 16, 2016, 9:00 a.m. to conclusion

PLACE: R.A. Gray Building, Room 307, 500 South Bronough Street, Tallahassee, Florida 32399-0250

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review applications for the Florida Historical Marker Program.

A copy of the agenda may be obtained by contacting: Michael Hart at 1(800)847-7278 or Michael.Hart@dos.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Michael Hart at 1(800)847-7278 or Michael.Hart@dos.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Michael Hart at 1(800)847-7278 or Michael.Hart@dos.myflorida.com.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

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

DATE AND TIME: Wednesday, March 16, 2016, 10:00 a.m.

PLACE: Palm Coast Holdings, Inc.; 145 City Place; Palm Coast, Florida 32164

GENERAL SUBJECT MATTER TO BE CONSIDERED:

This is a meeting of the Board of Trustees to discuss general business.

A copy of the agenda may be obtained by contacting: Andrew Morrow at (386)446-7630

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: Andrew Morrow at (386)446-7630. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

REGIONAL PLANNING COUNCILS

Tampa Bay Regional Planning Council

The Tampa Bay Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: March 14, 2016, 10:00 a.m.

PLACE: 4000 Gateway Centre Blvd., #100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Council.

A copy of the agenda may be obtained by contacting: www.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: Ms. Wren Krahl, wren@tbrpc.org or (727)570-515,1 ext. 22. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

REGIONAL PLANNING COUNCILS

Tampa Bay Regional Planning Council

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

DATE AND TIME: March 14, 2016, 9:00 a.m.

PLACE: 4000 Gateway Centre Blvd., #100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Executive/Budget Committee.

A copy of the agenda may be obtained by contacting: wren@tbrpc.org or (727)570-5151, ext. 22.

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@tbrpc.org or (727)570-5151, ext. 22. 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@tbrpc.org or (727)570-5151, ext. 22.

REGIONAL PLANNING COUNCILS

Treasure Coast Regional Planning Council

The Treasure Coast Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: March 18, 2016, 9:30 a.m.

PLACE: Tradition, 10799 SW Civic Lane, Port St. Lucie, FL 34987

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The Treasure Coast Regional Planning Council will conduct its monthly meeting.

A copy of the agenda may be obtained by contacting: Liz Gulick at (772)221-4060 or lgulick@tcrpc.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: Liz Gulick at (772)221-4060 or lgulick@tcrpc.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: Liz Gulick at (772)221-4060 or lgulick@tcrpc.org.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

The Harris Chain of Lakes Restoration Council announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, March 4, 2016, 9:00 a.m.

PLACE: Lake County Administration Building, second floor, County Commission meeting room, 315 West Main Street
GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion, review and evaluation of various issues and topics having specific reference to the Harris Chain of Lakes in Lake County.

A copy of the agenda may be obtained by contacting: The St. Johns River Water Management District, Attn: Susan Davis, 4049 Reid Street, Palatka, FL 32177, by email at sdavis@sjrwmd.com, by phone at (407)659-4838.

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 days before the workshop/meeting by contacting: District Clerk at (386)329-4500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

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

DATE AND TIME: March 14, 2016, 5:00 p.m.

Water Resource Advisory Commission (WRAC) – Recreational Issues Meeting

PLACE: Okeechobee Service Center, 3800 NW 16th Boulevard, Suite A, Okeechobee, FL 34972

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Public Workshop sponsored by the Water Resources Advisory Commission (WRAC) regarding recreational issues and opportunities within the South Florida Water Management District. The public is advised that it is possible that one or more members of the Governing Board of the South Florida Water Management District may attend and participate in this meeting.

A copy of the agenda may be obtained by contacting: Yvette Bonilla, (561)682-6286, ybonilla@sfwmd.gov or at our website: <http://sfwmd.link/SFWMDmtgs>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Brenda Low at (561)682-6805. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Yvette Bonilla, (561)682-6286.

DEPARTMENT OF THE LOTTERY

The Department of the Lottery announces CANCELLATION of the following public meeting:

DATE AND TIME: Friday, March 4, 2016, 9:00 a.m., Eastern Time

PLACE: Florida Lottery Headquarters, 250 Marriott Drive, Tallahassee, Florida 32301

CANCELLATION OF PUBLIC MEETINGS: The public meeting scheduled for March 4, 2016, for the Evaluation Team to discuss, evaluate and score the Replies submitted in response to Invitation to Negotiate (ITN), Project Number 066-14/15: Lottery Gaming System and Related Commodities & Services have been cancelled and will not be re-scheduled. The public meeting was noticed in the February 19, 2016, edition of the Florida Administrative Register.

DEPARTMENT OF FINANCIAL SERVICES

Division of Funeral, Cemetery, and Consumer Services

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

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

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a public meeting to reconsider the following disciplinary case with prior findings of probable cause: Calvin Sweeting., Case No. 150305-14-FC.

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

FLORIDA ATLANTIC RESEARCH AND DEVELOPMENT AUTHORITY

The Florida Atlantic Research & Development Authority announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, March 23, 2016, 8:00 a.m.

PLACE: Technology Business Incubator - Conference Room, 3651 FAU Blvd., Suite 400, Boca Raton, FL 33431

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board of Directors Meeting.

A copy of the agenda may be obtained by contacting: Christine Bures - cc@research-park.org.

FLORIDA ATLANTIC RESEARCH AND DEVELOPMENT AUTHORITY

The Florida Atlantic Research & Development Authority announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 6, 2016, 8:00 a.m.

PLACE: Technology Business Incubator, 3651 FAU Blvd., Suite 400, Boca Raton, FL 33431

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Board meeting.

A copy of the agenda may be obtained by contacting:
cc@research-park.org.

ORANGE COUNTY RESEARCH AND DEVELOPMENT
AUTHORITY

The Orange County Research and Development Authority
announces a public meeting to which all persons are invited.

DATE AND TIME: March 17, 2016, 11:30 a.m.

PLACE: Central Florida Research Park, 12424 Research
Parkway, Suite 100, Orlando, FL 32826

GENERAL SUBJECT MATTER TO BE CONSIDERED:
General Business Meeting.

A copy of the agenda may be obtained by contacting: Joe
Wallace, (407)282-3944.

TREASURE COAST EDUCATION AND RESEARCH
DEVELOPMENT AUTHORITY

The Treasure Coast Education Research & Development
Authority announces a public meeting to which all persons are
invited.

DATE AND TIME: March 10, 2016, 3:00 p.m.

PLACE: USDA ARS, 2001 South Rock Road, Fort Pierce, FL
34952

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Any matters that may come before the TCERDA Board for
their consideration/authorization, including but not limited to
minutes, treasurer’s report, etc.

A copy of the agenda may be obtained by contacting: The
Treasure Coast Research Park office at (772)467-3017.

Pursuant to the provisions of the Americans with Disabilities
Act, any person requiring special accommodations to
participate in this workshop/meeting is asked to advise the
agency at least 48 hours before the workshop/meeting by
contacting: The Treasure Coast Research Park office at
(772)467-3107. 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 Treasure Coast
Research Park office at (772)467-3107.

CITIZENS PROPERTY INSURANCE CORPORATION

The Citizens Property Insurance Corporation Board of
Governors announces a public meeting to which all persons
are invited.

DATE AND TIME: March 16, 2016, 9:00 a.m.

PLACE: Sheraton Orlando North, 600 N. Lake Destiny Drive,
Maitland, FL 32751 or Dial In: 1(888)942-8686, Conf. ID:
5743735657#

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Topics to include but are not limited to Board Committee
Reports.

A copy of the agenda may be obtained by contacting: our
website at www.citizensfla.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: Barbara Walker at (850)513-3744. 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).

CITIZENS PROPERTY INSURANCE CORPORATION

The Citizens Board of Governors FMAP Committee
announces a public meeting to which all persons are invited.

DATE AND TIME: March 16, 2016 to convene immediately
following the Board of Governors Meeting beginning at 9am

PLACE: Sheraton Orlando North, 600 N. Lake Destiny Drive,
Maitland, FL 32751 or Dial In: 1(888)942-8686; Conf. ID:
574 373 5657#

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Subjects to include but not limited to the 2015 Florida Market
Assistance Plan (FMAP) Report.

A copy of the agenda may be obtained by contacting: our
website at www.citizensfla.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: Barbara Walker at (850)513-3744. 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).

FLORIDA INDEPENDENT LIVING COUNCIL

The Florida Independent Living Council, Inc. announces a
telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, March 23, 2016, 3:00 p.m.

EXECUTIVE COMMITTEE MEETING

PLACE: CALL IN NUMBER: 1(888-670)3525, CODE:
5073148497, FILC Administrative Office, 1416 N. Adams
Street, Tallahassee, Florida 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED:
COMMITTEE AND TASK FORCE MEETINGS: Please note
that committees and task forces of the Florida Independent
Living Council will meet at various times throughout the year
to carry out the work of the council; the meeting dates and

times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meetings may request to be put on the mailing list for such notices by writing to Jenny Bopp at the council address.

A copy of the agenda may be obtained by contacting: Florida Independent Living Council, 1416 N. Adams Street, Tallahassee, Florida 32303, (850)488-5624 or Toll Free 1(877)822-1993.

Any person who needs an accommodation to participate in this meeting because of a disability, including alternative formats, should submit a request for such accommodation in writing at least one week before the meeting date.

FLORIDA INDEPENDENT LIVING COUNCIL

The Florida Independent Living Council, Inc. announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, March 17, 2016, 10:00 a.m. until conclusion of agenda

MEETING: SPIL Writing Committee

DATE AND TIME: Thursday, March 24, 2016, 10:00 a.m. until conclusion of agenda

MEETING: SPIL Writing Committee

DATE AND TIME: Thursday, March 31, 2016, 10:00 a.m. until conclusion of agenda

MEETING: SPIL Writing Committee

PLACE: CALL IN: 1(888)670-3525, CODE: 8976202783, FILC Administrative Office, 1416 N. Adams Street, Tallahassee, Florida 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED:

COMMITTEE AND TASK FORCE MEETINGS: Please note that committees and task forces of the Florida Independent Living Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meetings may request to be put on the mailing list for such notices by writing to Jenny Bopp at the council address.

A copy of the agenda may be obtained by contacting: Florida Independent Living Council, 1416 N. Adams Street, Tallahassee, Florida 32303, (850)488-5624 or Toll Free 1(877)822-1993.

Any person who needs an accommodation to participate in this meeting because of a disability, including alternative formats, should submit a request for such accommodation in writing at least one week before the meeting date.

COUNCIL OF COMMUNITY COLLEGE PRESIDENTS

The Florida College System Council of Presidents announces a public meeting to which all persons are invited.

DATE AND TIME: March 10, 2016, 6:00 p.m.

PLACE: Governor's Club, 202 S Adams St., Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Issues pertaining to the Florida College System.

For more information, you may contact: Michael Brawer, (850)222-3222.

COUNCIL OF COMMUNITY COLLEGE PRESIDENTS

The Florida College System Council of Presidents announces a public meeting to which all persons are invited.

DATE AND TIME: March 11, 2016, 8:30 a.m.

PLACE: TCC Capitol Center, 300 West Pensacola Street, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Issues pertaining to the Florida College System.

A copy of the agenda may be obtained by contacting: Tina Ingramm-Ward, (850)222-3222.

For more information, you may contact: Michael Brawer, (850)222-3222.

FLORIDA WORKERS' COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC.

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

DATE AND TIME: March 11, 2016 beginning at 10:00 a.m., ET

PLACE: Contact Kathy Coyne at (941)378-7408 to participate

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Agenda topics include, investment policy & guidelines review, and portfolio compliance review.

A copy of the agenda may be obtained by contacting: Ms. Coyne, or at www.fwcjua.com.

Section VII

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Condominiums, Timeshares and Mobile Homes

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Hans R. DeVaughn, Unit Owner, In Re: Coconut Palms Beach Resort Owner's Association, Inc., Docket No. 2016001533, on January 07, 2016. The following is a summary of the agency's declination of the petition:

The Division declined to issue a Declaratory Statement because it may not issue a statement concerning events that have already taken place; and cannot issue a statement without competent substantial evidence, including a complete, current

set of governing documents. The order was filed with the Agency Clerk on March 3, 2016.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Rikki Anderson at Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217, (850)717-1415, Rikki.Anderson@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Condominiums, Timeshares and Mobile Homes

NOTICE IS HEREBY GIVEN that that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Charles H. Wigo III, Unit Owner, In Re: Leisure Beach South, Inc., Docket No. 2016001654, on January 12, 2016. The following is a summary of the agency's declination of the petition:

The Division declined to issue a Declaratory Statement because the question seeks approval of past actions already conducted by the Association; and because the Petitioner has raised a hypothetical question that does not relate to the particular circumstances; and because an administrative agency may not use a statement as a vehicle for the adoption of broad agency policy or to provide statutory or rule interpretations that apply to an entire class of persons.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Rikki Anderson at Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217, (850)717-1415, Rikki.Anderson@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

NOTICE IS HEREBY GIVEN that on February 22, 2016, the Construction Industry Licensing Board has received the petition for declaratory statement from Roger W. Feicht. The petition seeks the agency's opinion as to the applicability of 455.227 and 489.129 F.S., as it applies to the petitioner.

The petitioner seeks a declaratory statement regarding 455.227 and 489.129 F.S., as to whether a reporting deadline would bar or otherwise limit a complaint based on conduct of a contractor which occurred during the years 2007, 2008, and 2009. 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: Dan Biggins, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399, (850)487-1395 or by electronic mail: Amanda.Wynn@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

NOTICE IS HEREBY GIVEN that the Construction Industry Licensing Board has issued an order disposing of the petition for declaratory statement filed by John Senninger on June 23, 2015. The following is a summary of the agency's disposition of the petition:

The Notice of Petition for Declaratory Statement was published in Volume 41, No. 210, of the October 28, 2015, Florida Administrative Register. The Petitioner seeks a declaratory statement as to whether the installation of conveyor systems falls under the licensure requirements of 489.105, F.S. The Board's Order, filed on February 4, 2016, declines to issue a declaratory statement in this matter because the Petitioner is not a substantially affected party and does not have standing to request a declaratory statement, and because the petition does not relate to a particular set of circumstances.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Dan Biggins, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0783, telephone: (850)487-1395 or by electronic mail: Amanda.Wynn@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

NOTICE IS HEREBY GIVEN that the Construction Industry Licensing Board has issued an order disposing of the petition for declaratory statement filed by National Metering Services, Inc. on July 13, 2015. The following is a summary of the agency's disposition of the petition:

The Notice of Petition for Declaratory Statement was published in Volume 41, No. 141, of the July 22, 2015, Florida Administrative Register. The Petitioner seeks a declaratory statement regarding the phrase "up to and including the meter location," used in 489.105(3)(n), Florida Statutes, as it may relate to the replacement of water meters. The Board's Corrected Order, filed on September 23, 2015, issued a declaratory statement that the installation or replacement of residential water meters is permitted under the scope of practice of the Underground Utility and Excavation Contractor's license.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Dan Biggins, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0783, telephone: (850)487-1395 or by electronic mail: Amanda.Wynn@myfloridalicense.com.

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

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

NONE

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

NONE

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

NONE

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

NONE

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

DEPARTMENT OF EDUCATION

School Districts

New Security Camera Installation at J.E.B. Stuart Middle School

No. 207/DCSB No. M-83980/OFDC-ITB-016-16

DUVAL COUNTY PUBLIC SCHOOLS ADVERTISEMENT FOR BIDS-Invitation to Bid For an Electrical Contractor. Publish Date – March 4, 2016. Sealed bids will be received by Duval County Public Schools, Division of Facilities, Room

535, 1701 Prudential Drive, Jacksonville, FL 32207 until the time and date(s) recorded below and immediately thereafter publicly opened and recorded in the Duval County Public Schools, School Board Building, located at 1701 Prudential Drive, Jacksonville, Florida, 5th Floor, Room 538. BIDS ARE DUE ON OR BEFORE APRIL 5, 2016 AND WILL BE ACCEPTED UNTIL 2:00 PM. OFFICIAL PROJECT TITLE: New Security Camera Installation at J.E.B. Stuart Middle School No. 207/DCSB Project No. M-83980/OFDC-ITB-016-16. SCOPE OF WORK: The project consists of new security camera installation at the school. The estimated construction cost is not to exceed \$100,000. All contractors that are interested in bidding are required to attend a mandatory pre-bid conference to be held March 17, 2016 at 10:30 AM at J.E.B. Stuart Middle School No. 207, 4815 Wesconnett Blvd., Jacksonville, FL 32210. Failure to attend the pre-bid conference shall result in disqualification of that firm's proposal. Attendees will be required to sign an attendance register. Project funding is subject to availability of funds as authorized by the Owner. The District reserves the right to reject any and all bids. Contract documents for bidding may be obtained at the office of: ARC Document Solutions/4613 Phillips Highway, Suite 202/Jacksonville, FL 32207/(904)399-8946. Contract documents for bidding may be examined at the Duval County Public Schools Administration Building located at 1701 Prudential Drive, Jacksonville, FL 32207. Name of A/E Firm: John Searcy & Associates, Inc., 6320 St. Augustine Road, Suite 2, Jacksonville, FL 32217/(904)739-1231. Office of Economic Opportunity (OEO) Participation Goal: Sheltered, only SBE's certified with Duval County Public Schools can participate. All Contractors submitting bids must be prequalified with Duval County Public Schools at the time of the bid opening. No bids will be accepted from Contractors who are not prequalified with Duval County Public Schools. Prequalification forms and information may be obtained at www.duvalschools.org under Departments/Facilities/Forms and Standards/General Documents/Contractor Prequalification Procedures. The Bid Award Recommendation will be posted on the first floor bulletin board at the Duval County School Board Building, 1701 Prudential Drive, Jacksonville, Florida 32207-8182.

DEPARTMENT OF EDUCATION

School Districts

Request for Qualifications (RFQ)-Professional Services for Facility Condition Assessment and Planning Services Consultant/OFDC-RFQ-003-16

NOTICE TO PROFESSIONAL CONSULTANTS-OFFICE OF FACILITIES DESIGN AND CONSTRUCTION-Duval County Public Schools-Request for Qualifications (RFQ) OFDC-RFQ-003-16. Professional Services for Facility

Condition Assessment and Planning Services Consultant-Publish date March 4, 2016. The Office of Facilities Design and Construction announces that professional services are required for a contract for Facility Condition Assessment and Planning Services Consultant for Duval County Public Schools. The firm selected under this contract will be responsible for specific assigned tasks associated with Facility Condition Assessments and planning services. This will be a multiple award contract for an initial period of one year with an option to renew for four additional one-year periods. The selected firm shall be required to execute the Duval County School Board standard form of agreement. Applicants are advised that studies, plans, drawings, data, and software become the property of the Owner. Applications are to be sent to: Duval County Public Schools, Facilities Design and Construction, 1701 Prudential Drive, 5th Floor, Jacksonville, FL 32207-8182, PROJECT MANAGER: Richard Beaudoin, PHONE NO.: (904)390-2358. RESPONSE DUE DATE: RFQ RESPONSES ARE DUE ON OR BEFORE APRIL 7, 2016 AND WILL BE ACCEPTED UNTIL 4:00 PM. OEO GOALS: Encouragement. Information on the selection process can be found at <http://www.duvalschools.org/> Follow website to Departments / Facilities/ Professional Services Selection Booklets / Selection of the FCI-Planning Services Consultant (DOCX).

DEPARTMENT OF JUVENILE JUSTICE

“ITN 10321 - Public Meetings”

ITN 10321 – The Department of Juvenile Justice is seeking replies for a forty-two (42) bed Residential Program for boys appropriate for non-secure residential placement, ages fourteen (14) to eighteen (18) years old with innovations in delinquency programming and treatment services. Services are to include Mental Health Overlay Services and/or Substance Abuse Overlay Services, to be located in the North Region. All public meetings for this ITN are advertised on the Vendor Bid System at: http://www.myflorida.com/apps/vbs/vbs_www.ad_r2.view_ad?advertisement_key_num=125183.

BRASFIELD & GORRIE, LLC

INVITATION TO BID

Brasfield & Gorrie, LLC will now be taking sealed bid proposals for the CONCRETE PAVING SCOPE on the UF Stephen C. O’Connell Center Expansion and Renovation project in Gainesville, FL. Sealed Bids are due by no later than March 30, 2016. Sealed bids must either be hand delivered or mailed to the following address:

Brasfield & Gorrie, LLC
 c/o Adam Cowan
 941 West Morse Blvd., Suite 200
 Winter Park, FL 32789

For any questions, please contact:
 Steven Nickels
 snickels@brasfieldgorrie.com
 (407)562-4661

Section XII
 Miscellaneous

DEPARTMENT OF EDUCATION

State Board of Education

Annual State Application under Part B of the Individuals with Disabilities Education Act

In order to receive a grant under Part B of the Individuals with Disabilities Education Act (IDEA), states must submit an application annually. The public participation requirements relevant to Part B are set forth in the Part B regulations at 34 CFR 300.165 and in section 441(b)(7) of the General Education Provisions Act (GEPA). States are required to make the Part B Application available to the public for a period of 60 days, and accept comments for a period of at least 30 days. Florida’s Part B Application will be available to the public through May 4, 2016, on the Florida Department of Education, Bureau of Exceptional Education and Student Services Web site at <http://www.fldoe.org/academics/exceptional-student-edu/index.stml>. Comments will be accepted between March 4, 2016, and April 4, 2016. Comments may be submitted in writing to Renee Jenkins and Heidi Metcalf, Bureau of Exceptional Education and Student Services, 325 West Gaines Street, Suite 614, Tallahassee, Florida 32399; via email at renee.jenkins@fldoe.org or heidi.metcalf@fldoe.org or via fax at (850)245-0953.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

Final Order No.: DEO-16-032

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-16-032 on March 3, 2016, in response to an application submitted by Ocean Harbour Villas Owners Association, Inc. for covenant revitalization under Chapter 720, Part III, Florida Statutes.

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

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

DEPARTMENT OF ECONOMIC OPPORTUNITY
 Division of Community Development
 Final Order No.: DEO-16-029
 In re: A LAND DEVELOPMENT REGULATION
 ADOPTED BY LAKE COUNTY
 ORDINANCE NO. 2015-55

FINAL ORDER

APPROVING LAKE COUNTY ORDINANCE NO. 2015-55

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to section 380.05(6) and (11), Florida Statutes, approving land development regulations adopted by Lake County, Florida, Ordinance No. 2015-55 (the “Ordinance”).

FINDINGS OF FACT

1. The Green Swamp Area is designated by section 380.0551, Florida Statutes, as an area of critical state concern. Lake County is a local government within the Green Swamp Area.

2. The Ordinance was adopted by Lake County on December 15, 2015, and rendered to the Department on January 7, 2016.

3. The Ordinance amends Appendix E, Chapter II (Definitions), and Appendix E, Chapter X (Accessory or Temporary Structures and Uses), Section 10.01.01 (General Requirements for Accessory Structures); and creates Appendix E, Chapter III (Zoning District Regulations), Section 3.14.00 (Temporary Portable Storage Containers) and Section 3.14.04 (Exemptions). These amendments and creation of the new section provide criteria for the location of temporary portable storage containers, including size, location, and time limits.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are adopted by any local government in the Green Swamp Area of Critical State Concern.

§ 380.05(6) and (11), Fla Stat.

5. Lake County is a local government within the Green Swamp Area of Critical State Concern. §380.0551, Fla. Stat.; *see also* Chapter 28-26, F.A.C.

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

7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. § 380.05(6) and (11), Fla. Stat. The Principles for Guiding Development for the Green Swamp Area of Critical

State Concern are set forth in Rule 28-26.003(1), Florida Administrative Code.

8. The Ordinance is consistent with Policy I-1.1.8 and Policy I-4.1.5 of the Lake County Comprehensive Plan.

9. The Ordinance is consistent with the Principles for Guiding Development in Rule 28-26.003(1), as a whole and furthers all of the Principles, which are:

(a) Minimize the adverse impacts of development on resources of the Floridan Aquifer, wetlands, and flood-detention areas;

(b) Protect the normal quantity, quality and flow of ground water and surface water which are necessary for the protection of resources of state and regional concern;

(c) Protect the water available for aquifer recharge;

(d) Protect the functions of the Green Swamp Potentiometric High of the Floridan Aquifer;

(e) Protect the normal supply of ground and surface water;

(f) Prevent further salt-water intrusion into the Floridan Aquifer;

(g) Protect or improve existing ground and surface-water quality;

(h) Protect the water-retention capabilities of wetlands;

(i) Protect the biological-filtering capabilities of wetlands;

(j) Protect the natural flow regime of drainage basins; and

(k) Protect the design capacity of flood-detention areas and the water-management objectives of these areas through the maintenance of hydrologic characteristics of drainage basins.

WHEREFORE, IT IS ORDERED that the Department finds that Lake County Ordinance No. 2015-55 is consistent with the Principles for Guiding Development for the Green Swamp Area of Critical State Concern and is hereby APPROVED.

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

DONE AND ORDERED in Tallahassee, Florida.

/s/

Taylor Teepell, Director

Division of Community Development

NOTICE OF ADMINISTRATIVE RIGHTS

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

FOR THE REQUIRED CONTENTS OF A PETITION CHALLENGING AGENCY ACTION, REFER TO RULES

28-106.104(2), 28-106.201(2), AND 28-106.301, FLORIDA ADMINISTRATIVE CODE.

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

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

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

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

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 3rd day of March, 2016.

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

By Certified U.S. Mail:

The Honorable Sean M. Parks, Chairman
Lake County Board of County Commissioners
P. O. Box 7800
Tavares, FL 32778-7800

Neil Kelly, Clerk
Lake County Board of County Commissioners
P. O. Box 7800
Tavares, FL 32778-7800

Robert Chandler, Director
Lake County Department of Growth Management
P. O. Box 7800
Tavares, FL 32778-7800

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.
