

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE NOS.:	RULE TITLES:
40C-2.041	Permits Required
40C-2.042	General Permit by Rule
40C-2.101	Publications Incorporated by Reference
40C-2.321	Duration of Permit
40C-2.331	Modification of Permits
40C-2.351	Transfer of Permits
40C-2.361	Renewal of Permits
40C-2.381	Permit Limiting Conditions
40C-2.900	Forms and Instructions

PURPOSE AND EFFECT: The purpose and effect of the proposed amendments to rules in Chapter 40C-2, F.A.C., will be to create prevention or recovery strategies, pursuant to subsection 373.0421(2), F.S., for one or more of the following surface waters, for which the District is required by subsection 373.042, F.S., to adopt minimum flows or levels (MFLs) to protect: Lake Brooklyn and Lake Geneva in Clay and Bradford Counties.

SUBJECT AREA TO BE ADDRESSED: This rule development will cover the possible amendment or development of rules in 40C-2.041, 40C-2.042, 40C-2.101, 40C-2.321, 40C-2.331, 40C-2.351, 40C-2.361, 40C-2.381, and 40C-2.900, F.A.C., as needed to create prevention or recovery strategies for one or more of the above described waterbodies for which the District is required to adopt minimum flows or levels (MFLs) to protect, which may include other rules for which conforming amendments may be needed.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.171, FS.

LAW IMPLEMENTED: 373.042, 373.0421, 373.109, 373.118, 373.219, 373.223, 373.227, 373.229, 373.236, 373.239, 373.246, 373.250, FS.

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

DATE AND TIME: July 26, 2018, 5:00 p.m. – 7:00 p.m. Information on how to attend the workshop by webinar and toll-free telephone will be available one week before the workshop at: <http://www.sjrwmd.com/permitting/rule-development/> under the Notice of Rule Development tab.

PLACE: St. Johns River Water Management District Headquarters, Governing Board Room, Executive Building, 4049 Reid Street, Palatka, Florida 32177.

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: Sandra Bertram, District Clerk, (386)329-4127 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: Thomas Mayton, Jr., Esq., St. Johns River Water Management District, Office of General Counsel, 4049 Reid Street, Palatka, Florida 32177, (386)329-4108, tmayton@sjrwmd.com.

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

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE NOS.:	RULE TITLES:
40C-8.011	Policy and Purpose
40C-8.021	Definitions
40C-8.031	Minimum Surface Water Levels and Flows and Groundwater Levels

PURPOSE AND EFFECT: The purpose and effect of the proposed amendments to rules in Chapter 40C-8, F.A.C., will be to: (1) amend the minimum water levels for Lake Brooklyn and Lake Geneva in Clay and Bradford Counties; and (2) clarify, simplify, and update existing rules.

SUBJECT AREA TO BE ADDRESSED: This rule development will cover the amendment, repeal, or development of rules as needed to establish or amend minimum water levels or flows to meet statutory requirements and reduce regulatory burdens. The proposed rules would amend minimum water levels or flows for the waterbodies mentioned above pursuant to the mandate of section 373.042, F.S. Each water level has an associated MFLs condition exceedance percentile. As with all minimum levels and flows established by the District, if adopted, the minimum levels and flows in this rule amendment would be used as a basis for imposing limitations on withdrawals of groundwater and surface water in the consumptive use permit regulatory process and for reviewing proposed surface water management systems in the environmental resource permit regulatory process.

RULEMAKING AUTHORITY: 373.044, 373.113 FS.

LAW IMPLEMENTED: 373.042, 373.0421, FS.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NO.: RULE TITLE:

61G15-20.002 Experience

PURPOSE AND EFFECT: The purpose of the amendment is to clarify the existing rule language/requirement, that full time experience gained in the 2 years immediately preceding the engineering degree may be credited at 50% of actual time.

SUBJECT AREA TO BE ADDRESSED: Update the experience requirements.

RULEMAKING AUTHORITY: 471.008, 471.013(1)(a) FS.

LAW IMPLEMENTED: 471.005(6), 471.013(1)(a) 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: Zana Raybon, Executive Director, Board of Professional Engineers, 2639 North Monroe Street, Suite B-112, Tallahassee, FL 32303; (850)521-0500.

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 Professional Engineers

RULE NO.: RULE TITLE:

61G15-24.001 Schedule of Fees

PURPOSE AND EFFECT: The purpose of the amendment is to create a \$10 discount for early renewal of an active or inactive status license. The discount is intended as an incentive to renew prior to the deadline and reduce the workload and overtime issues that are created when the licensees wait until the deadline to try to renew.

SUBJECT AREA TO BE ADDRESSED: Create discount to encourage early renewal of active and inactive license.

RULEMAKING AUTHORITY: 455.213, 455.217(3), 455.219, 455.271, 471.008, 471.011 FS.

LAW IMPLEMENTED: 455.217(3), (7), 455.217(3), 471.011, 471.015, 471.021 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: Zana Raybon, Executive Director, Board of Professional Engineers, 2639 North Monroe Street, Suite B-112, Tallahassee, FL 32303; (850)521-0500.

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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NO.: RULE TITLE:

61G15-27.001 Procedures for a Successor Professional Engineer Adopting As His Own the Work of Another Engineer

PURPOSE AND EFFECT: The purpose of the amendment is to update and clarify the rule's requirements, including means of notification of adoption of another's work.

SUBJECT AREA TO BE ADDRESSED: Update and clarify rules requirements and notification of adoption of another's work.

RULEMAKING AUTHORITY: 471.033(2) FS.

LAW IMPLEMENTED: 471.033(1)(j), 471.005(6) 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: Zana Raybon, Executive Director, Board of Professional Engineers, 2639 North Monroe Street, Suite B-112, Tallahassee, FL 32303; (850)521-0500.

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

Section II Proposed Rules

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE NOS.:	RULE TITLES:
40C-21.001	Policy and Purpose
40C-21.051	Definitions
40C-21.221	Evaluating Water Conditions
40C-21.231	Declaring a Water Shortage
40C-21.251	Water Shortage Phases
40C-21.271	General Water Use Restrictions
40C-21.291	Implementing a Water Shortage Declaration
40C-21.331	Declaring a Water Shortage Emergency
40C-21.371	Water Use Restrictions in a Water Shortage Emergency
40C-21.391	Implementing a Water Shortage Emergency Declaration
40C-21.401	Monitoring
40C-21.421	Enforcement
40C-21.511	Classification System
40C-21.531	Source Classes
40C-21.551	Use Classes
40C-21.571	Method of Extraction or Diversion Classes
40C-21.601	Specific Restrictions
40C-21.621	Phase I Moderate Water Shortage
40C-21.631	Phase II Severe Water Shortage
40C-21.641	Phase III Extreme Water Shortage
40C-21.651	Phase IV Critical Water Shortage

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendments will be to update and clarify the District’s existing water shortage plan codified in Rule Chapter 40C-21, F.A.C.

SUMMARY: The proposed rule amendments will: (1) delete unnecessary definitions, modify existing definitions, and add necessary definitions to Rule 40C-21.051; F.A.C., (2) revise the hydrologic indicators and data used in monitoring and evaluating water conditions in Rule 40C-21.221; F.A.C.; (3) clarify the noticing requirements and process for declaring and implementing a water shortage declaration in 40C-21.231 and Rule 40C-21.291; F.A.C.; (4) delete the requirement for percent reduction in overall demand and color coding for water shortage phases in Rule 40C-21.251, F.A.C.; (5) repeal the general use

restrictions in Rule 40C-21.271; F.A.C.; (6) clarify the noticing requirements and process for declaring and implementing a water shortage or water shortage emergency in Rules 40C-21.331 and 40C-21.391; F.A.C.; (7) repeal the monitoring requirements in Rule 40C-21.401, F.A.C.; (8) amend the source classes in Rule 40C-21.53, F.A.C. and use classes in Rule 40C-21.551; F.A.C. to be consistent with the District’s rules in Rule Chapter 40C-2; F.A.C.; (9) repeal the method of extraction or diversion classes in Rule 40C-21.571; F.A.C.; (10) amend Rule 40C-21.601, 40C-21.621, 40C-21.631, 40C-21.641, and 40C-21.651; F.A.C. to clarify the water use restrictions and other measures implemented during each water shortage phase; and (11) make conforming changes, corrections, and clarifications throughout.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The District has completed for the Governor’s Office of Fiscal Accountability and Regulatory Reform (OFARR) the “Is a SERC Required?” form and prepared a summary of the proposed rule amendments, which are both available upon request. Based on the completed “Is a SERC Required?” form and summary and the analysis performed by the District in preparing and completing those documents, the proposed rule amendments are not expected to require legislative ratification pursuant to subsection 120.541(3), F.S.

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

RULEMAKING AUTHORITY: 373.044, 373.113, FS.

LAW IMPLEMENTED: 373.175, 373.246, FS.

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

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: District Clerk, (386)329-4127. 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: Kealey West, Assistant General Counsel, St. Johns River Water Management District, Office of General Counsel, 4049 Reid Street, Palatka, Florida 32177 (386)312-2317 or kwest@sjrwm.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

Part I

40C-21.001 Policy and Purpose.

~~(1) The rules in this Chapter comprise the District's water shortage plan required under Section 373.246(1), F.S., and include restrictions pursuant to Section 373.175, F.S. The purposes of the plan are to protect the water resources of the District from serious harm; to assure equitable distribution of available water resources among all water users during times of shortage, consistent with the goals of minimizing adverse economic, social and health related impacts; to provide advance knowledge of the means by which water apportionments and reductions will be made during times of shortage; and to promote greater security for water use permittees.~~

~~(2) These rules apply to all water uses users including those exempt from permitting pursuant to Chapter 40C-2 Rule 40C-2.0054, F.A.C., with the exception of the domestic use of water as defined in section 373.019(6), F.S., and However, these rules will not apply to users whose sole source of water is reclaimed water treated effluent or seawater. Thus, it is the policy of the District to restrict uses in a fair and equitable manner during periods of a water shortage, regardless of whether those uses are under permit, below the thresholds specified in Rule 40C 2.0041, F.A.C., or otherwise exempt from Chapter 40C 2, F.A.C., permitting.~~

~~Rulemaking Specific Authority 373.044, 373.113 FS. Law Implemented 373.175, 373.246 FS. History—New 1-1-84, Amended _____.~~

Substantial rewording of Rule 40C-21.051 follows. See Florida Administrative Code for present text.

40C-21.051 Definitions.

When used in this Chapter:

(1) "Agricultural Uses" are water uses associated with the production and freeze protection of crops, nursery products, sod, and pasture, as well as the cultivation of animals and plants associated with farming and aquacultural activities.

(2) "Commercial/Industrial/Institutional Uses" are water uses associated with the production of goods or provision of services by a commercial, industrial, or institutional establishment.

(3) "Drought Indicator" is a quantified assessment of the condition of a water supply or resource.

(4) "Drought Condition Level" is the level of drought or other water shortage being experienced, based on the status of Drought Indicators. There are four levels: Moderate, Severe, Extreme, and Critical.

(5) "Environmental Uses" is the use of water to avoid or mitigate environmental harm, such as, enhancing, restoring, or creating wetlands or other surface waters, or the use of water for groundwater remediation.

(6) "Essential Uses" is the classification category for water uses associated with maintaining public health, safety, or welfare, including the operation of military facilities, power generation facilities, hospital and other medical facilities, medical equipment and fire suppression equipment.

(7) "Indoor Uses" are water uses associated with domestic and similar non-domestic needs. Domestic needs include drinking, bathing, cooking, cleaning and necessary sanitary purposes in a household environment. Similar non-domestic needs include drinking, bathing, and necessary sanitary activities outside of the household environment, such as in customer or employee restrooms.

(8) "Landscape Irrigation" means the outside watering of plants in a landscape such as shrubbery, trees, lawns, grass, ground covers, plants, vines, gardens and other such flora that are situated in such diverse locations as residential areas, public, commercial, and industrial establishments, and public medians and rights-of-way, but it does not include agricultural crops, nursery plants, cemeteries, golf course greens, tees, fairways, primary roughs, and vegetation associated with recreational areas such as playgrounds, football, baseball, and soccer fields.

(9) "Landscape/Recreation/Aesthetic Uses" are water uses associated with landscape irrigation, including water to irrigate cemeteries; the use of water associated with the creation, maintenance, and operation of recreational facilities such as golf courses, water-based recreational areas, and athletic fields; or the use of water for ornamental or decorative purposes, such as fountains and waterfalls.

(10) "Micro-Irrigation" is the frequent application of small quantities of water on or below the soil surface as drops or tiny streams of spray through emitters or applicators placed along a water delivery line. Micro-irrigation includes a number of methods or concepts such as bubbler, drip, trickle, mist or microspray, and subsurface irrigation.

(11) "Mining/Dewatering Uses" are the uses of water associated with the extraction of subsurface materials or to control surface water or groundwater when performing activities such as construction or excavation.

(12) "Mobile Equipment" means any public, private or commercial automobile, truck, trailer, railroad car, camper, boat, or any other type of similar equipment.

(13) “Other Water Uses” are all other water uses not specifically included in Rule 40C-21.551, F.A.C., including augmentation of natural or man-made surface water bodies; swimming pools and other water-based non-commercial recreation; cleaning or Pressure Washing of structures, driveways, sidewalks and other impervious surfaces; and wetting roads and other surfaces for dust control or fire suppression when required by federal, state or local standards.

(14) “Pressure Washing” means the use of pressurized water for cleaning purposes, by means of equipment accepted by industry standards. Industry standards specifically include a self-canceling or automatic nozzle, water pressure at a minimum of 1,000 p.s.i. (pounds per square inch), and water volume at a maximum of five (5) gallons per minute.

(15) “Public Supply” is water provided by any municipality, county, regional or multijurisdictional water supply authority, special district, or public or privately-owned water utility for human consumption and other purposes, including water used for maintaining and operating the supply system. For purposes of this Chapter, “Public Supply” means the same as “Water Utility.”

(16) “Source class” means the water resource from which a user is obtaining water either directly or indirectly. Source classes within the District are specified in Rule 40C-21.531, F.A.C.

(17) “Use Class” means the category describing the purpose for which the user is utilizing water. Use classes used in this Chapter are specified in Rule 40C-21.551, F.A.C.

(18) “Water Shortage” means a drought or other situation within all or part of a specifically defined geographic area of the District when insufficient water is or will be available to meet the present and anticipated needs of users, or when conditions are such as to require temporary reduction in total use within a particular area to protect water resources from serious harm.

(19) “Water Shortage Emergency” means a Water Shortage for which a determination has been made that water shortage procedures which can be exercised under Part II of Chapter 40C-21, F.A.C., are not sufficient to protect the public health, safety, or welfare, or the health of animals, fish or aquatic life, or a public water supply, or meet the needs of commercial, industrial, agricultural, recreational or other reasonable uses.

(20) “Water Shortage Plan” or “Plan” means the Water Shortage Plan authorized in Section 373.246, F.S., and contained in this Chapter.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.175, 373.246 FS. History—New 1-1-84, Amended _____.

PART II DECLARING AND IMPLEMENTING A WATER SHORTAGE

40C-21.221 Monitoring and Evaluating Water Conditions.

(1) No change.

(2) Monitoring data - Water data and water demand data will be obtained from any source of information needed to evaluate the following: ~~The District will monitor the condition of the water resources in the District as provided in Rule 40C-21.401, F.A.C.~~

(a) Drought Indicators shown in Table 21-1.

(b) Current regional surface water flows and lake levels and their relationship to low normal values.

(c) Current and recent values of the U.S. Drought Monitor for the National Drought Mitigation Center.

(d) Current precipitation outlooks from the Climate Prediction Center of the National Oceanic and Atmospheric Administration’s National Weather Service.

(e) Public supply storage status.

(3) In evaluating whether or not a Water Shortage or Water Shortage Emergency should be declared, the following evaluation process is followed: ~~Current data will be compared to historical data to determine whether estimated present and anticipated available water supply within any source class will be insufficient to meet the estimated present and anticipated demands of the users from the source class, or whether serious harm to the water resources can be expected.~~

(a) The District will compare current data to values for specific Drought Indicators as shown in Table 21-1. ~~Present and anticipated available water supply will be periodically estimated for each source class. Factors considered in estimating present and anticipated available supply within a source class may include:~~

1. ~~Historic, current and anticipated levels in surface and ground waters, including potentiometric surfaces in confined and semiconfined aquifers;~~

2. ~~Historic, current and anticipated flows in surface waters;~~

3. ~~The extent to which water may be transferred from one source class to another, including the time required for transfer;~~

4. ~~The extent to which present water use restrictions may enhance future supplies, or postpone more stringent restrictions;~~

5. ~~Historic, current and anticipated demand of natural systems, including losses due to evapotranspiration and seepage;~~

6. ~~Historic, current and anticipated seasonal fluctuation in rainfall; and~~

7. ~~Other water quantity and quality factors affecting present and anticipated available water supply.~~

(b) The District will compile these comparisons and consider Drought Condition Levels as shown in Table 21-2 and the factors identified in paragraphs 40C-21.251(4)(a)-(i) to determine the appropriate Drought Condition Level. ~~Present and anticipated user demands for each use and method of-~~

withdrawal class will be periodically estimated for each source class. Factors considered in estimating the present and anticipated demands of the users within a source class may include:

1. Historical and estimated current and anticipated demands of permitted users;
2. Historical and estimated current and anticipated demands of users exempt from permitting, but subject to the provisions of the water shortage plan;
3. Historical and anticipated seasonal fluctuations in user demands;
4. The extent to which user demands may be met from other source classes; and
5. Other factors affecting present and anticipated water demands.

(c) This evaluation will occur on at least a monthly basis. Estimated present and anticipated available water supply will be periodically compared to estimated present and anticipated user demands to determine impact on the water resource. Factors that shall be considered in determining whether serious harm to the water resource may occur include:

1. Potential for increased saltwater intrusion or other ground water contamination;
2. Potential for significant adverse impacts on fish and wildlife, and the ecology of the area;
3. Potential for lowering surface water levels or flows or ground water levels below any minimum level set forth in Rule 40C 8.031, F.A.C.; and
4. Other site specific factors adversely impacting the water resource.

TABLE 21-1: Drought Indicators

<u>DROUGHT INDICATOR VALUE</u>	<u>REGIONAL RAINFALL (12-Month Moving Sum)</u>	<u>REGIONAL RAINFALL (24-Month Moving Sum)</u>	<u>GROUND WATER LEVELS*</u>
Moderate	12-month rainfall at or below: 40 inches	24-month rainfall at or below: 84 inches	At or below 15th percentile
Severe	12-month rainfall at or below: 35 inches	24-month rainfall at or below: 79 inches	At or below 10th percentile
Extreme	12-month rainfall at or below: 30 inches or 4-week duration of rainfall at or	24-month rainfall at or below: 74 inches or 4-week duration of rainfall at or	At or below 10th percentile for greater than 4 weeks

	below the severe indicator	below the severe indicator	
Critical	12-month rainfall at or below: 25 inches or 8-week duration of rainfall at or below severe indicator	24-month rainfall at or below: 69 inches or 8-week duration of rainfall at or below severe indicator	At or below 10th percentile for greater than 8 weeks

* Calculated based on at least 30 years of historical data

TABLE 21-2: Drought Condition Levels

<u>Drought Condition Level</u>	<u>Drought Indicator Values</u>
Moderate	At least two Drought Indicator Values are Moderate
Severe	All Drought Indicator Values are Moderate or at least one is Severe
Extreme	Two or more Drought Indicator Values are Severe or at least one is Extreme
Critical	Two or more Drought Indicator Values are Extreme or at least one is Critical

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.175, 373.246 FS. History—New 1-1-84, Amended 9-16-92, 6-7-93, Amended _____.

40C-21.231 Declaring a Water Shortage.

(1) The Board will declare Water Shortages and issue water use restrictions and other measures as set forth in this Chapter for all or part of the District. The geographic area covered by a Water Shortage declaration will include all or part of the ground or surface water basin(s) within which the affected source of water lies, as well as areas that are supplied water from the affected source. The Board may delineate all or a portion of the boundaries of the area subject to a Water Shortage declaration by reference to roads or local government jurisdictional boundaries so long as such delineation is significantly consistent with the actual affected area. When the affected source extends beyond the District's boundaries, the District will coordinate Water Shortage declarations with the appropriate water management districts to the extent practicable. The Board may issue a water shortage warning when it finds that there is an increased likelihood that there will be an insufficient amount of water to meet the estimated anticipated user demands within a source class or to protect the water resource from serious harm. Such warning period will provide an opportunity for increased data monitoring and

analysis, increased communication with water users and units of local government regarding hydrologic conditions, and may include a call for voluntary reductions in demand.

(2) If the District determines there is a likelihood that insufficient water will be available within a source class to meet the user demands from that source, to meet the requirements of the permit system, or to protect the water resource from serious harm, the Board may declare a Water Shortage for the affected source class or classes based on the factors in subsection 40C-21.251(4). ~~When the affected source extends beyond the District's boundaries, the District will coordinate water shortage declarations with the appropriate water management districts to the extent practicable. When the affected source extends beyond the State's boundaries, the District will attempt to coordinate water shortage declarations with the appropriate agencies in Georgia or elsewhere to the extent practicable.~~

(3) ~~The District will declare a A Water Shortage may also be declared for a source or those Source Class classes not presently experiencing a Water Shortage if the District determines that usage from such source or Source Class sources can be reasonably expected to impact the present or anticipated available water supply from the source or in those Source Class classes identified in subsection (2).~~

(4) The Board will declare a Water Shortage for geographic areas not presently experiencing a Water Shortage if the District determines that usage in such areas can be reasonably expected to impact the present and anticipated available water supply for an affected area. For example, a Water Shortage may be declared for an otherwise unaffected area that contains the alternative supply or emergency supplementation source for an affected area.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.026(4), (5), 373.175, 373.246 FS. History—New 1-1-84, Amended _____.

40C-21.251 Water Shortage Phases.

(1) ~~This rule establishes four phases of Water Shortage severity with associated water restrictions and other measures as a function of the estimated reduction in overall demand required to reduce estimated present and anticipated demand to estimated present and anticipated available water supply. The water shortage phase determines the type of water use restrictions which will be ordered in a declared water shortage.~~

(2) The following Water Shortage phases are established:

		Anticipated % reduction in overall demand
<u>Water Shortage Phase</u>	<u>Color</u>	

(a) Moderate Shortage	Water Yellow			15%
(b) Severe Water Shortage	Orange			30%
(c) Extreme Shortage	Water Red			45%
(d) Critical Shortage	Water Purple			60%

(3) The District will assign a specific Water Shortage phase to each Source Class for which a Water Shortage has been declared, will be assigned a specific water shortage phase. The water shortage phase selected for a source class will be based upon:

(a) The anticipated percent reduction required in overall demand; and

(b) For areas with multiple sources, the extent to which users have the capability to obtain water from a source or sources other than the source class for which a water shortage has been declared.

(4) When assigning a Water Shortage phase for a Source Class, the phase will be based on Tables 21-1 and 21-2, and consideration of the following factors:

(a) Information gathered during the monitoring and evaluation process described in Rule 40C-21.221, F.A.C., and the corresponding Drought Condition Level shall serve as the basis for selecting the initial Water Shortage phase to be considered.

(b) Seasonal characterizations of the information generated or collected, such as whether a value is being seen at the beginning of the annual dry season that is normally not expected until the end of the annual dry season.

(c) The relative impact of withdrawals used to supply various categories of water users on the affected Source Class(es) and any specific water body for which the shortage is declared.

(d) The availability and practicality of alternative sources for each category of water user.

(e) How the District can implement phased restrictions and other measures in a manner that distributes the burden of any required reductions in water use equitably among water users, relative to their impact on the affected Source Class(es) and specific water bodies experiencing the Water Shortage.

(f) The potential for serious harm to natural systems as a result of the Water Shortage.

(g) The appropriate geographic scope of potential water use restrictions and other measures relative to the affected source.

(h) The effectiveness of current and potential water use restrictions and other measures in containing or reducing water use to protect the affected source.

(i) Any adverse impact of current and potential water use restrictions and other measures on public health, safety and welfare.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.175, 373.246 FS. History—New 1-1-84, Amended _____.

40C-21.271 General Water Use Restrictions.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.175, 373.246 FS. History—New 1-1-84, Repealed _____.

40C-21.291 Implementing or Modifying a Water Shortage Declaration.

~~(1) When a Wwater Sshortage is initially declared, ~~or if already declared when more severe restrictions are imposed~~, the District will publish an advertisement notice of the declaration ~~or restrictions at least once in a prominent place~~ in newspapers of general circulation in the areas affected. In addition, the District will inform the ~~general~~ public of the restrictions in effect and the sources of supply which are affected. The newspaper advertisement shall serve as notice to all users and local government officials in the affected area as to the Water Shortage declaration, including identification of the phase and a summary of water use restrictions and other measures.~~

~~(2) The District will send a Notice of Water Shortage by electronic or regular mail to notify each consumptive use permittee whose permit will be affected or whose permitted water use will otherwise be restricted by the Water Shortage declaration within the affected source class of any changes in the conditions of permits within his affected source class, any suspension of permits within his affected source class, or any other restriction on uses of water within his affected source class. Notice will be by regular mail.~~

~~(3) The District will notify local governments of any water shortage declaration. In addition local law enforcement officials will be notified as soon as possible of any water shortage declaration or change of restrictions in effect within their areas of responsibility.~~

~~(4) A declaration of water shortage and any provision or restriction adopted pursuant thereto under the water shortage plan may be modified or rescinded by the Board.~~

~~(3)(5) An order declaring a Wwater Sshortage or modifying an existing declaration shall imposing more severe restrictions will become effective on the day after any notice required in subsection (1) is published. An order declaring a water shortage will remain in effect for the period of time established in the order; or, if no period of time is established, until the order is modified or rescinded by the Board.~~

(4) During a declared Water Shortage, the District shall continue to monitor and evaluate conditions in accordance with Rule 40C-21.221.

(5) Except as set forth in any Water Shortage order or Water Shortage Emergency order, lawn and landscape

irrigation and other uses of water remain subject to applicable consumptive use permit conditions and/or the provisions of Rule 40C-2.042, F.A.C. (the District's Year-Round Water Conservation Measures), and any variances from the year-round water conservation measures for landscape irrigation issued by the District or applicable local government.

(6) When, after considering the data, evaluations, and factors set forth in Rules 40C-21.221, 40C-21.231, and 40C-21.251, F.A.C., it is determined that conditions have changed sufficiently to warrant the declaration and implementation of a different set of water use restrictions and other measures or that conditions no longer warrant the existence of a specific Water Shortage declaration, an order amending or rescinding an existing Water Shortage declaration shall be issued and implemented in accordance with Rules 40C-21.231, 40C-21.251, and 40C-21.291, F.A.C.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.175, 373.246 FS. History—New 1-1-84, Amended _____.

PART III ~~EMERGENCY~~ EMERGENCY PROVISIONS

40C-21.331 Declaring a Water Shortage Emergency.

(1) This rule sets forth the steps the District will take to evaluate water conditions within the District in order to determine whether a Wwater Sshortage ~~E~~emergency exists.

(2) The District will monitor the condition of the water resources of the District and the needs of the users as provided in Rule ~~40C-21.221~~40C-21.401, F.A.C.

(3) If the monitoring and evaluation process indicates that conditions are rapidly deteriorating, or if the District receives a request for emergency assistance related to an ongoing drought or other Water Shortage event, the District will ascertain whether the provisions of Part II of this Chapter are sufficient Current data shall be evaluated to determine whether any user's estimated present and anticipated available water supply will be insufficient to protect the public health, safety or welfare, or the health of animals, fish or aquatic life, a public water supply, or meet the minimum needs of commercial, industrial, agricultural, recreational, or other reasonable beneficial uses use in the affected area. This will be accomplished by considering the following:

(a) The present and anticipated water supply available to affected users including ~~will be estimated. Factors that may be considered include:~~

1. Those factors listed in subsection 40C-21.251(4) paragraph 40C-21.221(3)(a), F.A.C.;

2. The ability of affected users to obtain water from other users on a temporary basis.;

3. The ability of affected users to obtain water from another Ssource Cclass. ~~;~~ and

4. Other factors affecting the present and anticipated available water supply.

(b) ~~Factors related to~~ The potential for adverse impacts on the public health, safety or welfare, or the health of animals, fish or aquatic life, or a public water supply, or commercial, industrial, agricultural, recreational, or other reasonable beneficial uses including use will be evaluated. Factors that may be considered include:

1. Those factors listed in subsection 40C-21.251(4) paragraphs 40C-21.221(3)(b) and (c), F.A.C.;

2. The extent to which adverse impacts can be reduced by imposing additional water use restrictions and other measures upon ~~on~~ other users obtaining water from the same Source Class;

3. The extent to which imposing additional water use restrictions and other measures upon ~~restricting~~ other users obtaining water from the same Source Class will create additional, unintended ~~other~~ adverse impacts; and

4. Other factors relating to potential adverse impacts to public health, safety and welfare.

(c) Information and requests from a local government in the affected area.

(4) No change.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.119, 373.175, 373.246 FS. History—New 1-1-84, Amended 11-11-03, _____.

40C-21.371 Water Use Restrictions in a Water Shortage Emergency.

~~(1) When the District's evaluation of the water resources indicates the existence of a Wwater Sshortage Eemergency has been declared, the Executive Director may issue orders imposing water use restrictions and other required or authorized actions deemed necessary to meet the emergency. Such restrictions may include, but are not limited to, apportioning, rotating, limiting, or prohibiting the use of the water resources of the District.~~

~~(2) All restrictions ordered pursuant to the declaration of a water shortage emergency will be in addition to, and enforced in combination with, any and all restrictions imposed under Part II of this plan, unless specifically stated otherwise within the orders.~~

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.119, 373.175, 373.246 FS. History—New 1-1-84, Amended _____.

40C-21.391 Implementing a Water Shortage Emergency Declaration.

(1) ~~When a Water Shortage Emergency has been declared pursuant to Rule 40C-21.331, F.A.C., the Executive Director will, with the concurrence of the Board, determine that an emergency condition exists due to a water shortage within any area of the District, the Executive Director may, without prior notice, issue orders pursuant to the emergency provisions of~~

~~Section 373.119, F.S. reciting the existence of such an emergency pursuant to the provisions of Chapter 120, F.S. Prior notice is not required for issuance of Water Shortage Emergency orders.~~

(a) Such orders will identify the all water use restrictions and other required or authorized actions deemed necessary by the Executive Director, with the subsequent concurrence of the Board, to meet the emergency;;

(b) No change.

(2) The District will inform all users to whom an emergency order is directed, local governments, law enforcement officials, and other parties of the existence of such order, and all associated restrictions, by the best practicable means available under the circumstances. ~~Particular attention will be given to presenting this information in a form which is easily understood and applied by the citizens of the affected areas.~~

(3) Except as set forth in any Water Shortage Emergency order, lawn and landscape irrigation and other uses of water remain subject to applicable consumptive use permit conditions and/or the provisions of Rule 40C-2.042, F.A.C. (the District's Year-Round Water Conservation Measures), and any variances from the year-round water conservation measures for landscape irrigation issued by the District or applicable local government. The District will notify local government officials of any water shortage emergency declaration. Notice will be by the best practicable means under the circumstances. In addition, local law enforcement officials will be notified as soon as possible of any water shortage emergency declaration or change of restrictions affecting their areas of responsibility.

~~(4) The declaration of a water shortage emergency and any measures adopted pursuant thereto may be modified or rescinded by the Executive Director or by order of the Board.~~
Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.119, 373.175, 373.246 FS. History—New 1-1-84, Amended 11-11-03, _____.

PART IV MONITORING AND ENFORCEMENT

40C-21.401 Monitoring.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.026, 373.103, 373.175, 373.246 FS. History—New 1-1-84, Repealed _____.

40C-21.421 Enforcement.

(1) ~~It is the policy of Tthe District will to seek the cooperation and assistance of~~ state the State, county and municipal government governmental officials, including law enforcement agencies, officials and police officers in accordance with Section 373.609, F.S., to facilitate in the enforcement of the water shortage plan or any water shortage order issued pursuant to this Chapter thereto. Counties and municipalities in an area affected by a Water Shortage order

~~throughout the jurisdiction of the District are authorized and encouraged to adopt ordinances which substantially incorporate the provisions of this chapter and which provide for local enforcement of such, or any order adopted pursuant thereto. It will be the policy of the District to encourage local law enforcement officials to provide violators of the water use restrictions with no more than one written warning during the initial phases of a water shortage or water shortage emergency.~~

~~(2) No change.~~

~~(3) Enforcement action may be initiated by the Executive Director pursuant to Section 373.603, F.S., against an individual violator or class of violators or all of the violators of a particular water shortage or water shortage emergency rule or order.~~

~~(4) The Executive Director may assign District personnel for the purpose of initiating enforcement action pursuant to Section 373.603, F.S., against an individual violator or class of violators of any water shortage or water shortage emergency rule or order.~~

~~(5) In the event that a water shortage or water shortage emergency has been declared by the Board and the provisions of this chapter have been invoked, the Executive Director may thereafter take appropriate emergency action pursuant to Sections 373.119, 373.175(4), 373.246(7) and 120.69, F.S., to enforce the provisions of this chapter or any order issued pursuant thereto, or to alleviate any emergency conditions which might thereafter occur. Such action will be subject to subsequent ratification by the Board at its next regular meeting.~~

~~(6) In the event a water user is in violation of the water shortage plan or any water shortage order issued pursuant thereto, it will be presumed that the person present at the premises who has a possessory interest in those premises where such unauthorized use is occurring, is responsible therefor. In the event that no one is present at the premises while such unauthorized use is occurring, it will be presumed that the owner of the premises is responsible for such use. These presumptions will not affect the burden of proof of the District to present a prima facie case as to each violation, and will be rebuttable by the presentation of evidence to indicate that another person was responsible for the unauthorized water use.~~
 Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.119, 373.175, 373.246, ~~373.603, 373.609~~ FS. History–New 1-1-84, Amended _____.

PART V THE CLASSIFICATION SYSTEM

40C-21.511 Classification System.

This rule establishes the basis for distinguishing among different uses of the water resource according to Source Classes and Use Classes. Under this system, each water use may be classified according to the source or use types listed herein.

~~Unless the emergency provisions of Part III of this chapter are invoked, water users are regulated by class under the provisions of this water shortage plan. The rules in this part establish the classification system which provides the basis for distinguishing among different use classes. Under the system, each water use is classified according to source, type of use, and method of extraction or diversion.~~

~~Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.175, 373.246 FS. History–New 1-1-84, Amended _____.~~

40C-21.531 Source Classes.

~~(1) Each use may be classified according to one or more of the following sources of water:~~

- ~~(1)(a) Rivers, creeks, Streams or other water courses;~~
- ~~(2)(b) Lakes, ponds, or other impoundments;~~
- ~~(3)(c) Aquifers. Unconfined aquifers;~~
- ~~(4) Confined or semi-confined aquifers.~~

~~(2) Those users who are required to obtain a Consumptive Use Permit under the provisions of Chapter 40C-2, F.A.C., will be assigned a source classification at the time the permit is issued.~~

~~Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.175, 373.246 FS. History–New 1-1-84, Amended _____.~~

Substantial rewording of Rule 40C-21.551 follows. See Florida Administrative Code for present text.

40C-21.551 Use Classes.

Each water use will be assigned to one or more of the following Use Classes as defined in Part I of this Chapter:

- (1) Essential Uses.
- (2) Indoor Uses.
- (3) Public Supply Uses.
- (4) Commercial/Industrial/Institutional Uses.
- (5) Agricultural Uses.
- (6) Landscape/Recreation/Aesthetic Uses.
- (7) Environmental Uses.
- (8) Mining/Dewatering Uses.
- (9) Other Uses.

~~Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.175, 373.246 FS. History–New 1-1-84, Amended _____.~~

40C-21.571 Method of Extraction or Diversion Classes.

~~Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.175, 373.246 FS. History–New 1-1-84, Repealed _____.~~

PART VI SPECIFIC RESTRICTIONS

40C-21.601 Water Use Specific Restrictions and Other Measures.

(1) This Part sets forth specific water use restrictions and other measures available to the District for implementation upon declaration of a Water Shortage or a Water Shortage

~~Emergency. Upon declaration of a Water Shortage or Water Shortage Emergency, use of water in a manner inconsistent with the restrictions specified in the Water Shortage order or Water Shortage Emergency order this Part and Part II is prohibited. It is the duty of each water user to stay informed as to the ~~phase of water shortage and the~~ applicable restrictions ~~for the phase. Violations of the restrictions specified in this Part and Part II will be subject to enforcement action pursuant to Rule 40C-21.421, F.A.C. The restrictions specified in this Part are summarized in tabular form in Figure 21-1. The information presented in Figure 21-1 should sufficiently describe the required restrictions for most users.~~~~

(2) No change.

(3) The water use restrictions and other measures specified within this Chapter for a particular phase may be modified by the Board or the Executive Director to address the specific Water Shortage or Water Shortage Emergency event. The selected combination of water use restrictions and other measures shall be summarized in the notice(s) of the Water Shortage declaration, as specified above in Rule 40C-21.291, F.A.C. In case of a conflict between Figure 21-1 and this Part, the specific restrictions in this Part shall control.

(4) Water use restrictions and other measures may be imposed by Use Class and/or Source Class, as appropriate. Within each rule, use classes are grouped in the same sequence as in Rule 40C-21.551, F.A.C.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.175, 373.246 FS. History—New 1-1-84, Amended _____.

Substantial rewording of Rule 40C-21.621 follows. See Florida Administrative Code for present text.

40C-21.621 Phase I Moderate Water Shortage.

A Phase I Moderate Water Shortage is a Water Shortage where at least two Drought Indicators have a moderate value. The following measures shall be in effect when the District declares a Phase I Water Shortage, unless otherwise provided in the implementing order.

(1) Essential Uses.

(a) The use of water for firefighting and health or medical purposes will not be restricted.

(b) Fire hydrant testing will not be restricted.

(c) The use of water for maintenance of fire fighting facilities and emergency equipment is allowed as needed. This maintenance specifically includes the washing of fire engines, law enforcement vehicles, and other emergency Mobile Equipment.

(d) The use of water for medical purposes and protection of public health, safety, and welfare will not be restricted.

(2) Indoor Uses.

(a) All Indoor Water Use should be voluntarily reduced.

(b) Indoor use in commercial, industrial, or institutional establishments should be voluntarily reduced.

(3) Public Supply Uses.

(a) All Public Supply water use should be voluntarily reduced and each Public Supply consumptive use permittee shall review its current water conservation plan to ensure that the plan elements have been fully implemented in accordance with the permit conditions and to determine what additional demand management measures could be reasonably employed, should resource conditions further deteriorate.

(b) Each Public Supply water utility should institute or accelerate other water conservation efforts which can help manage demand during the Water Shortage declaration. These efforts should include:

1. Customer messaging for all customers that informs customers about the current Water Shortage declaration, describes how the water utility's primary and back-up water supplies are affected by the declaration and the resource or supply conditions that led to the declaration, and promotes any ongoing water conservation projects offered by the water utility that would assist customers in their efforts to immediately reduce water consumption.

2. Review and refinement, as necessary, of water utility operational practices regarding water pressure and line flushing to identify and implement any opportunities that would reduce water demand without causing adverse impacts to public health, welfare, and safety.

(4) Commercial/Industrial/Institutional Uses.

All Commercial/Industrial/Institutional water use should be voluntarily reduced and each Commercial, Industrial, and Institutional consumptive use permittee shall review its current water conservation plan to ensure that the plan elements have been fully implemented in accordance with the permit conditions and to determine what additional demand management measures could be reasonably employed, should resource conditions further deteriorate.

(5) Agriculture Uses. All Agricultural water use should be voluntarily reduced and each Consumptive Use Permittee shall review its current water conservation plan to ensure that the plan elements have been fully implemented in accordance with the permit conditions and to determine what additional demand management measures could be reasonably employed, should resource conditions further deteriorate.

(6) Landscape/Recreation/Aesthetic Uses.

(a) All Landscape/Recreation/Aesthetic water use should be voluntarily reduced and each consumptive use permittee shall review its current water conservation plan to ensure that the plan elements have been fully implemented in accordance with the permit conditions and to determine what additional demand management measures could be reasonably employed, should resource conditions further deteriorate.

(b) All Landscape Irrigation, should be voluntarily reduced and each property owner or manager should prepare for possible worsening conditions.

(c) All cemetery, golf course, athletic field, water-based recreational area, and aesthetic water use should be voluntarily reduced and each property owner or manager should prepare for possible worsening conditions.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.175, 373.246 FS. History—New 1-1-84, Amended _____.

Substantial rewording of Rule 40C-21.631 follows. See Florida Administrative Code for present text.

40C-21.631 Phase II Severe Water Shortage.

A Phase II Severe Water Shortage is a Water Shortage where all Drought Indicators are moderate, or one Drought Indicator has a severe value. In addition to the measures in Water Shortage Phase I, the following restrictions shall apply when a Phase II Water Shortage is declared by the District, unless otherwise provided in the implementing order.

(1) Essential Uses.

(a) The use of water for maintenance of fire fighting facilities and emergency equipment is allowed as needed. This maintenance specifically includes the washing of fire engines, law enforcement vehicles, and other emergency Mobile Equipment.

(b) Each fire fighting agency and each local government shall direct its fire department to review and revise, as necessary, its inventory for primary and back-up water sources.

(2) Public Supply Uses. All Public Supply water consumptive use permittees should institute or accelerate system-level water conservation measures which can help manage demand during a Water Shortage declaration.

(3) Commercial/Industrial/Institutional Uses. The following restrictions and other measures shall apply to all commercial, industrial, and institutional activities, as appropriate. Whether or not a commercial, industrial, or institutional water use activity with associated Landscape Irrigation is authorized by a Consumptive Use Permit, the Landscape Irrigation is separately regulated for the purpose of this Chapter and is subject to the Landscape Irrigation restrictions and other measures of the applicable Water Shortage declaration. Paragraph 40C-21.631(5)(a), F.A.C., contains the Landscape Irrigation restrictions and other measures for a Phase II declaration.

(a) All Commercial/Industrial/Institutional water use should be voluntarily reduced.

(b) For all Commercial/Industrial/Institutional water use, the following demand management measures should be implemented as applicable:

1. Reduce off-site discharge to the extent economically, environmentally, and technically feasible.

2. Recycle water to the extent economically, environmentally, and technically feasible.

3. Reduce clean-up requiring water use to the minimum required to protect efficiency of the operation and prevent damage to equipment.

4. Reduce the washing of vehicles and other Mobile Equipment except for health and safety needs or as otherwise required by published industry standards.

5. Maximize the use of the least restricted Source Class to which there is access.

6. Power generation utilities should encourage their customers to voluntarily reduce power consumption as a means to reduce water consumption.

(4) Agriculture Uses. The following water restrictions and other measures shall apply to all agricultural activities, as appropriate. Whether or not an agricultural use activity with associated Landscape Use is authorized by a Consumptive Use Permit, the Landscape Use is separately regulated for the purpose of this Chapter and is subject to the Landscape Use restrictions and other measures of the applicable Water Shortage declaration. Paragraph 40C-21.631(5)(d), F.A.C., contains the Landscape Use restrictions and other measures for a Phase II declaration. The following demand management measures should be implemented, as applicable:

1. Reduce off-site discharge to the extent economically, environmentally, and technically feasible. For example, agricultural irrigation involving the use of seepage systems shall be operated in a manner that will eliminate surface runoff and loss of water through lateral seepage to open ditches.

2. Recycle water to the extent economically, environmentally, and technically feasible.

3. Reduce clean-up requiring water use to the minimum required to protect efficiency of the operation and prevent damage to equipment.

4. Reduce the washing of vehicles and other Mobile Equipment, except for health or safety needs, such as to prevent the spread of plant or animal diseases.

5. Maximize the use of the lesser or least restricted Source Class to which there is access.

(5) Landscape/Recreation/Aesthetic Uses.

(a) All Landscape Irrigation should be voluntarily reduced and each property owner or manager should prepare for possible worsening conditions.

(b) Golf Courses. The following water use measures shall apply to all Golf Courses:

1. All Golf Course Water use should be voluntarily reduced.

2. The following demand management measures should be implemented, as applicable:

a. Reduce off-site discharge to the extent economically, environmentally, and technically feasible.

b. Recycle water to the extent economically, environmentally, and technically feasible.

c. Reduce clean-up requiring water use to the minimum required to protect efficiency of the operation and prevent damage to equipment.

d. Reduce the washing of vehicles and other Mobile Equipment, except for health or safety needs, such as cleaning the blades on commercial lawn mowers to prevent the spread of turfgrass diseases between properties.

e. Maximize the use of the least restricted Source Class to which there is access.

f. Supplemental irrigation is prohibited between the hours of 8:00 a.m. and 6:00 p.m. for properties less than two acres in size and between the hours of 10:00 a.m. and 4:00 p.m. for properties two acres or larger.

(c) Recreational Areas. The following water use measures shall apply to all recreational areas, other than golf courses, such as playgrounds, football, baseball and soccer fields.

1. All Recreational Area water use should be voluntarily reduced.

2. The following demand management measures shall be implemented as applicable:

a. Reduce off-site discharge to the extent economically, environmentally, and technically feasible.

b. Recycle water on-site to the extent economically, environmentally, and technically feasible.

c. Reduce clean-up requiring water use to the minimum required to protect efficiency of the operation or prevent damage to equipment.

d. Reduce the washing of vehicles and other Mobile Equipment, except for health or safety needs, such as to prevent the spread of turfgrass disease.

e. Maximize the use of the least restricted Source Class to which there is access.

f. Supplemental irrigation is prohibited between the hours 8:00 a.m. and 6:00 p.m. for properties less than two acres in size and between the hours of 10:00 a.m. and 4:00 p.m. for properties two acres or larger.

3. Applications of fertilizers, herbicides and pesticides should be coordinated with irrigation schedules.

(d) Landscape Uses. The following restrictions and other measures shall apply to all Landscape Uses, as applicable:

1. All Landscape Use should be voluntarily reduced.

2. All of the following demand management measures shall be implemented, as applicable:

a. Reduce off-site discharge to the extent economically, environmentally, and technically feasible.

b. Recycle water to the extent economically, environmentally, and technically feasible.

c. Maximize the use of the least restricted Source Class to which there is access.

(e) Water-Based Recreation.

1. All pools shall be maintained in a manner that minimizes the need for make-up water. Examples of such actions include, but are not limited to the prompt repair of leaks, optimum scheduling of backwash filtration, and the use of shade or covers to reduce evaporation.

2. Commercial and institutional uses of water for recreational purposes shall comply with subsection 40C-21.631(3), F.A.C.

(f) Aesthetic Uses.

1. Outside Aesthetic Use of water is prohibited.

2. Inside Aesthetic Use of water should be voluntarily reduced.

(7) Other Uses.

(a) Except as provided below, all Other Uses of water should be voluntarily reduced and the following demand management measures shall be implemented, as applicable:

1. Reduce off-site discharge to the extent economically, environmentally, and technically feasible.

2. Recycle water to the extent economically, environmentally, and technically feasible.

3. Maximize the use of the least restricted Source Class to which there is access.

(b) Washing or cleaning of buildings, structures and outdoor impervious surfaces:

1. Pressure Washing of buildings or other structures in preparation for painting, sealing, or as a construction practice is allowed.

2. Pressure Washing driveways, sidewalks and other impervious surfaces is allowed for necessary maintenance, such as to either maintain a warranty or remove mold, mildew and other potentially hazardous materials that cannot be removed by mechanical means (such as a broom or leaf blower), and as a construction practice (such as cleaning a concrete surface prior to painting or sealing). Compliance with homeowner association or other aesthetic standards does not constitute necessary maintenance.

(c) Mobile Equipment Washing.

1. Commercial car washes, hand-detailing operations, and similar establishments shall comply with subsection 40C-21.631(3), F.A.C.

2. Washing of fire trucks and other emergency vehicles, including ambulances and law enforcement vehicles, is only allowed in accordance with subparagraph 40C-21.631(1)(a), F.A.C.

3. Rinsing boats and flushing boat engines is only allowed after each use to remove salt water or to prevent the transportation of exotic plant or animal material.

4. Cleaning agricultural vehicles is only allowed in accordance with BMPs for canker and other disease abatement procedures, animal husbandry practices and other associated

activities to protect animal or human health or safety, such as to prevent the spread of plant or animal diseases. Examples of such BMPs are published by the University of Florida's Institute of Food and Agricultural Sciences and the United States Department of Agriculture.

(d) No person or entity, for example, a homeowners association or property manager, shall enforce any deed restrictions or other community standards that would cause a violation of a Water Shortage order or Water Shortage Emergency Order.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.175, 373.246 FS. History—New 1-1-84, Amended _____.

Substantial rewording of Rule 40C-21.641 follows. See Florida Administrative Code for present text.

40C-21.641 Phase III Extreme Water Shortage.

A Phase III Extreme Water Shortage is a Water Shortage where two or more Drought Indicators have severe values, or one Drought Indicator has an extreme value. In addition to the measures in Water Shortage Phases I and II, whichever are more stringent, the following restrictions will apply when a Phase III shortage is declared by the District, unless otherwise provided in the implementing order.

(1) Essential Uses. Each fire-fighting agency and each local government should direct its fire department to review and revise its list of primary and back-up water sources, and to work with District staff to proactively locate additional potential back-up water sources, such as existing permitted supplies, especially in areas where potable water is not available for fire-fighting purposes

(2) Public Supply Uses. All Public Supply water utilities shall:

(a) Plan for the supplementation or replacement of their primary potable water supplies, including coordinating with any applicable regional water supply authority or other public water supply system and coordinating with the District regarding the potential for the District to issue a Water Shortage Emergency order.

(b) Notify the District within 24 hours if the public supply water system experiences a sudden loss of its primary water supply or other significant change in system status.

(c) Institute or accelerate any other operational practices identified by the water utility that can be modified during the Water Shortage declaration to reduce water demand without causing adverse impacts to the public health, welfare, and safety.

(3) Commercial /Industrial /Institutional Uses. All Commercial/Industrial/Institutional Consumptive use permittees shall:

(a) Inform the District about any drought-related challenges with their water supplies. At a minimum, each permittee should, within 14 days of receipt of the District's Water Shortage declaration notice and when any major change in water supply status occurs, notify the District regarding: any water well failures, quantity or quality concerns about primary water supplies, any anticipated need for supply supplementation, and planned strategies for supply supplementation in the event that the drought continues or worsens.

(b) Suspend clean-up requiring water use, except for the minimum required to protect efficiency of the operation and prevent damage to equipment.

(c) Suspend the washing of vehicles and other Mobile Equipment, except for the minimum required to meet health and safety needs or as otherwise required by published industry standards.

(d) Restaurants and other food-serving establishments should serve water only upon request.

(4) Agriculture Uses. All Agriculture users of water shall:

(a) Inform the District about any drought-related challenges with their water supplies. At a minimum, each Permittee should, within 14 days of receipt of the District's declaration notice and when any major change in water supply status occurs, notify the District regarding: any water well failures, quantity or quality concerns about primary water supplies, any anticipated need for supply supplementation, and any planned strategies for supply supplementation if the Water Shortage continues or worsens.

(b) Suspend clean-up requiring water use, except for the minimum required to protect efficiency for the operation and prevent damage to equipment.

(c) Suspend the washing of vehicles and other Mobile Equipment, except for the minimum required to protect animal or human health or safety needs, such as to prevent the spread of plant or animal diseases.

(5) Landscape /Recreation /Aesthetic Uses.

(a) All residential Landscape Irrigation is limited to one-day a week in accordance with the schedule set forth in Rule 40C-2.042(2)(a)2., F.A.C. (Eastern Standard Time one-day a week irrigation schedule), regardless of the time of year.

(b) Golf Courses. All Golf Course water users shall:

1. Inform the District about any drought-related challenges with their water supplies. At a minimum, each water user shall, within 14 days of receipt of the District's Water Shortage declaration notice, and when any major change in water supply status occurs, notify the District regarding: any water well failures, quantity or quality concerns about primary water supplies, any anticipated need for supply supplementation and any planned strategies for supply supplementation in the event that the Water Shortage continues or worsens.

2. Suspend clean-up requiring water use, except for the minimum required to protect efficiency of the operation and prevent damage to equipment.

3. Suspend the washing of golf carts, lawn mowers and other Mobile Equipment, except for the minimum necessary to meet health or safety needs, such as to prevent the spread of turfgrass disease.

4. Take appropriate actions to avoid water use increases. Examples of such actions include, but are not limited to:

a. Reducing wear on fairways by restricting cart traffic to designated paths only.

b. Modifying nutritional, soil amendment, and mowing practices to minimize heat stress.

c. Providing information to golfers and guests about the current Water Shortage declaration, the steps that the facility is taking to reduce water use, and how golfers and guests can conserve water while visiting the facility.

5. Reduce irrigation of fairways and driving range greens to no more than once per week.

6. Eliminate irrigation of roughs.

7. The establishment period for new plant materials shall be reduced to "15/30/15." This means that the material can be watered on any day for a 15-day period starting the day it is installed, then up to three days a week during the next 30-day period, then only two days a week during the final 15-day period.

(c) Recreation Areas. The following water use measures shall apply to all playgrounds, football, baseball, and soccer fields. All Recreation Area water users shall:

1. Inform the District about any drought-related challenges with their water supplies. At a minimum, each water user shall, within 14 days of receipt of the District's Water Shortage declaration notice and when any major change in the water supply status occurs, notify the District regarding any water well failures, quantity or quality concerns about the primary water supplies, any anticipated need for supply supplementation and any planned strategies for supply supplementation in the event that the Water Shortage continues or worsens.

2. Suspend clean-up requiring water use, except for the minimum required to protect efficiency of the operation and prevent damage to equipment.

3. Suspend the washing of lawn mowers and other Mobile Equipment, except for the minimum necessary to meet health or safety needs, such as to prevent the spread of turfgrass disease.

4. Take appropriate actions to avoid water use increases. Examples of such actions include, but are not limited to:

a. Reducing wear on athletic fields as practicable.

b. Modifying nutritional, soil amendment, and mowing practices to minimize heat stress.

c. Providing information to players and guests about the current Water Shortage declaration, the steps that the facility is taking to reduce water use, and how players and guests can conserve water while visiting the facility.

(d) Landscape Uses. The following restrictions and other measures shall apply to all Landscape Uses, as applicable:

1. Landscape Use irrigation is limited to one-day a week in accordance with the schedule set forth in Rule 40C-2.042(2)(a)2., F.A.C. (Eastern Standard Time one-day a week irrigation schedule), regardless of the time of year.

2. Suspend clean-up requiring water use, except for the minimum required to protect efficiency of the operation, and prevent damage to equipment.

3. Suspend the washing of lawn mowers and other mobile equipment, except for the minimum necessary to meet health or safety needs, such as the spread of Turfgrass disease.

4. The establishment period for new plant materials shall be reduced to "15/30/15." This means that the material can be watered on any day for a 15-day period starting the day it is installed, then up to three days a week during the next 30-day period, then only two days a week during the final 15-day period.

(e) Aesthetic Use of water is prohibited.

(6) Mining / Dewatering Uses. Discharge of fresh water offsite or to tide from dewatering shall be reduced to the extent economically, environmentally, and technically feasible.

(7) Other Uses.

(a) Except as provided below, all Other Uses of water shall comply with the applicable provisions of Chapter 40C-2, F.A.C., and shall implement the following demand management measures, as applicable:

(b). Washing or cleaning streets is only allowed in preparation of, or immediately after, a parade or other public event.

(c) Water Body Augmentation. All water body augmentation shall be limited to the following circumstances:

1. As authorized by a Consumptive Use Permit or Environmental Resource Permit (typically for environmental mitigation purposes).

2. The minimum necessary to maintain and preserve the structural integrity of a newly constructed or recently altered stormwater pond.

3. The minimum needed to maintain and preserve habitat for native fish and wildlife.

4. Where lake levels are below the lowest minimum level established for that lake by the District.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.175, 373.246 FS. History—New 1-1-84, Amended _____.

Substantial rewording of Rule 40C-21.651 follows. See Florida Administrative Code for present text.

40C-21.651 Phase IV Critical Water Shortage.

A Phase IV Critical Water Shortage is a Water Shortage where two or more Drought Indicators have extreme values, or at least one Drought Indicator has a critical value. In addition to the measures in Water Shortage Phases I, II, and III, whichever are more stringent, the following restrictions will apply when a Phase IV shortage is declared by the District, unless otherwise provided in the implementing order.

(1) Essential Uses. Essential Uses of water shall be subject to paragraph 40C-21.641(1), F.A.C.

(2) Indoor Uses. Indoor Use in commercial, industrial, and institutional establishments should be voluntarily reduced to the minimum levels necessary to preserve public health and safety.

(3) Public Supply Uses. All Public Supply water utilities should:

(a) Immediately notify the District about any new water supply emergency and any supply supplementation or replacement that occurs in order to address or prevent such an emergency.

(b) Identify, based on customer demographics and system characteristics, and implement additional measures by which the water utility will temporarily maintain or reduce system demand during the Water Shortage declaration. The utility should include a list of the additional resources implemented on each system status report submitted to the District.

(c) Public Supply water utilities are encouraged to institute additional conservation measures such as reclaiming of backwash water, improving and accelerating leak detection surveys and repair programs, installing and calibrating meters, and stabilizing and equalizing system pressures.

(4) Commercial/Industrial/Institutional Uses.

(a) If ordered by the District, Commercial/Industrial/Institutional Users shall promptly notify the District about any new water supply emergency and any supply supplementation or replacement that occurs in order to address or prevent such an emergency.

(b) If ordered by the District, Commercial/Industrial/Institutional Users shall cease all uses of water that are not essential to public health, safety and welfare.

(5) Agricultural Uses.

(a) The District will evaluate the supply capabilities of the affected Source Class, the supply capabilities of other Source Classes available in the area, the needs of agriculture and all other users in the affected area, and the District's overall management strategy for handling the uncertainties of future climatological events. The share of the total agricultural use allocation available to each user will be based on a prioritization of crops the District establishes based on economic loss and

equity considerations and the acreage and quantity of withdrawals of the permitted consumptive use.

(b) The water use restrictions and other measures specified in subsection 40C-21.641(5), F.A.C., shall apply.

(6) Landscape/Recreation/Aesthetic Uses.

(a) Landscape Uses.

1. If ordered by the District, all landscape irrigation shall be prohibited.

2. If ordered by the District, additional water for the establishment of new plant material is prohibited.

(b) Golf Course Uses.

1. Watering roughs and non-play native or naturalized areas is prohibited.

2. Consumptive Use Permittees shall promptly notify the District about any new water supply emergency and any supply supplementation or replacement that occurs in order to address or prevent such an emergency.

3. If ordered by the District, additional water for the establishment of new plant material is prohibited.

4. If ordered by the District, water use that is not essential to public health, safety and welfare is prohibited.

(c) Water Based Recreation Uses. Water Based Recreation water use is restricted as follows:

1. Draining of facilities into sewers or onto impervious surfaces is prohibited.

2. Filling of new or existing facilities is prohibited.

3. Use of makeup water is prohibited.

(7) Mining/Dewatering Uses. Discharge offsite of fresh water or to tide from dewatering is prohibited.

(8) Other Uses.

(a) The water use restrictions and other measures specified in subsection 40C-21.641(7), F.A.C., shall apply, with the following modifications:

1. Pressure washing or cleaning of buildings, structures, streets, driveways, sidewalks or other impervious areas is prohibited, except:

a. Pressure Washing conducted with professional-grade equipment is allowed for necessary maintenance such as to either maintain a warranty or remove mold, mildew and other potentially hazardous materials that cannot be removed by mechanical means (such as a broom or leaf blower), and as a construction practice (such as cleaning a concrete surface prior to painting or sealing). Compliance with homeowner association or other aesthetic standards does not constitute necessary maintenance.

b. Dust control is allowed if required by federal, state, or local health or safety standards

2. Washing of cars or trucks, other than professional car washes or mobile detailing businesses, is prohibited. This means that car wash fundraisers are prohibited. However, the washing of fire engines and other emergency Mobile

Equipment (such as ambulances and law enforcement vehicles) is allowed, pursuant to subparagraph 40C-21.631(1)(a), F.A.C.

3. The following specific activities are allowed: rinsing of boats after use, flushing of boat motors after use, necessary cleaning of lawn and maintenance and agricultural vehicles, rinsing of any vehicle after exposure to saltwater or sewage.

4. If ordered by the District, water users shall cease all uses of water that are not essential to public health, safety, and welfare.

(b) No person or entity, for example, a homeowner association or property manager, shall enforce any deed restrictions or other community standards which are inconsistent with the Water Shortage declaration.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.175, 373.246 FS. History—New 1-1-84, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Kealey West, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, (386)312-2317

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governing Board of the St. Johns River Water Management District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 08, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 15, 2017

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: 59A-3.081
RULE TITLE: Physical Plant Requirements for Mobile Surgical Facilities

PURPOSE AND EFFECT: The Agency proposes to repeal the rule effective July 1, 2018 related to physical plant requirements for Mobile Surgical Facilities in response to the revision of s.395.002, F.S. per Chapter 2018-24, Laws of Florida.

SUMMARY: The Agency proposes to repeal physical plant requirements for Mobile Surgical Facilities effective July 1, 2018.

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 Agency has determined that no SERC is required and that no legislative ratification pursuant to subsection 120.541(3), F.S. is required based upon the Agency’s review of information at the time of analysis and the preparation of a checklist for each rule to determine the need for the creation of 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: 395.0163, 395.1055 FS.

LAW IMPLEMENTED: 395.0163, 395.1055 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: May 31, 2018, 11:00 a.m. – 12:30 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room D, Tallahassee, FL 32308 Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Jessica Munn, Bureau of Health Facility Regulation, 2727 Mahan Drive, MS #31, Tallahassee, FL 32308 or at (850)412-4359. 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: Jessica Munn, Bureau of Health Facility Regulation, 2727 Mahan Drive, MS #31, Tallahassee, FL 32308 or at (850)412-4359.

THE FULL TEXT OF THE PROPOSED RULE IS:

59A-3.081 Physical Plant Requirements for Mobile Surgical Facilities.

Rulemaking Authority 395.0163, 395.1055 FS. Law Implemented 395.0163, 395.1055 FS. History—New 1-1-77, Formerly 10D-28.81, Amended 1-16-87, 11-23-88, Formerly 10D-28.081, Amended 9-3-92, 6-29-97, 3-18-98, 11-29-99, 12-20-99, 5-25-00, 5-12-16, Repealed 7-1-18.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Jessica Munn

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Justin M. Senior, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 30, 2018

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-7.003
RULE TITLE: Medicaid Third Party Liability Responsibility and Notices

PURPOSE AND EFFECT: Rule 59G-7.003, Florida Administrative Code (F.A.C.), is being repealed. Necessary requirements contained within this rule have been updated and moved to Rule 59G-1.052, F.A.C.

SUMMARY: This rule provides contact information for Florida Medicaid providers to submit third-party liability notices and specifies statutory authority for the Florida Medicaid third-party liability process.

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: A checklist was prepared by the Agency to determine the need for a SERC. Based on this information at the time of the analysis and pursuant to section 120.541, Florida Statutes, the rule will not require legislative ratification.

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

RULEMAKING AUTHORITY: 409.910, 409.919 FS.

LAW IMPLEMENTED: 409.910 FS.

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

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: Kate Torning. 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: Kate Torning, Bureau of Medicaid Policy, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4158, e-mail: Kate.Torning@ahca.myflorida.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-7.003 Medicaid Third Party Liability Responsibility and Notices.

Rulemaking Authority 409.026(8), 409.910 (23), 409.919 FS. Law Implemented 409.910 FS. History—New 11-13-91, Formerly 10C-35.003, Amended 10-3-96, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Kate Torning

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Justin M. Senior

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 11, 2016

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE NOS.: 64B1-3.009
RULE TITLES: Licensure by Endorsement Through National Certification

64B1-3.010 Licensure by Endorsement Through Another State License

PURPOSE AND EFFECT: The Board proposes the amendment to update the rule language.

SUMMARY: To update the rule language.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal

for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 457.104, 457.105 FS.

LAW IMPLEMENTED: 457.105 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kama Monroe, JD, Executive Director, Board of Acupuncture, 4052 Bald Cypress Way, Bin # C06, Tallahassee, Florida 32399-3257.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B1-3.009 Licensure by Endorsement Through National Certification.

Pursuant to Section 457.105(2)(c), F.S., the Board of Acupuncture will certify for licensure by endorsement those applicants who:

(1) Establish successful completion of a board-approved national certification or recertification process. The applicant must establish successful completion of a board-approved national certification process by requesting notification of certification or recertification be provided to the Board by the national certification organization. For the purpose of this requirement the Board approves the National Certification Commission for Acupuncture and Oriental Medicine (NCCAOM) certification in ~~Acupuncture or Oriental Medicine~~.

(2) No change.

Rulemaking Authority Law Implemented 457.105 FS. History—New 10-1-89, Amended 2-27-92, Formerly 21AA-3.009, 61F1-3.009, Amended 3-31-96, 11-13-96, Formerly 59M-3.009, Amended 10-15-97, 4-29-99, 1-1-04, 10-11-04, 2-7-17, _____.

64B1-3.010 Licensure by Endorsement Through Another State License.

Pursuant to Section 457.105(2)(c), F.S., the Board of Acupuncture will certify for licensure those applicants who:

(1) Submit proof of being actively licensed in a state which has ~~examination~~ requirements that are substantially equivalent to or more stringent than those of this state at the time applicant was licensed. Applicants must establish their other state licensure by requesting the licensing authority of the other state provide to the Board a statement which indicates the current status of the applicant’s license as of the date of statement, the expiration date of the other state license, and the basis for issuing the other state license in effect at the time applicant was licensed including the state’s laws and rules and examination requirements.

(2) No change.

Rulemaking Authority 457.104, 457.105 FS. Law Implemented 457.105 FS. History—New 10-1-89, Amended 2-27-92, Formerly

21AA-3.010, 61F1-3.010, Amended 2-20-96, Formerly 59M-3.010, Amended 4-7-98, 2-22-01, 2-7-17, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Board of Acupuncture

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 23, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 24, 2018

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE NO.: RULE TITLE:

64B1-9.007 Advertising

PURPOSE AND EFFECT: The purpose of the amendment is to delete unnecessary language.

SUMMARY: To delete unnecessary language.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: 456.072, 457.104, 457.109 FS.

LAW IMPLEMENTED: 456.072(1)(a), (m), 457.109(1)(d), (e), (k) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kama Monroe, JD, Executive Director, Board of Acupuncture, 4052 Bald Cypress Way, Bin # C06, Tallahassee, Florida 32399-3257.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B1-9.007 Advertising.

(1) through (2) No change.

(3) It shall not be considered false, deceptive, or misleading for any persons licensed or certified under Chapter 457, F.S., to use the following initials or terms:

(a) through (d) No change.

~~(e) D.A.O.M.;~~

(f) through (h) renumbered (e) through (g) No change.

~~(h)(i) Doctor of Acupuncture and Oriental Medicine.~~

(4) No change.

Rulemaking Authority 456.072, 457.104, 457.109 FS. Law Implemented 456.072(1)(a), (m), 457.109(1)(d), (e), (k) FS. History—New 9-27-06, Amended 12-15-15, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Board of Acupuncture

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 23, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 24, 2018

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-8.001 Disciplinary Guidelines

PURPOSE AND EFFECT: The proposed rule amendment is intended to clarify the rule with regard to evaluations for impaired practitioners.

SUMMARY: The proposed rule amendment clarifies that evaluations for impaired practitioners must be conducted under the auspices of the Department of Health approved impaired practitioner program.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: 456.079, 458.309, 458.331(5) FS.

LAW IMPLEMENTED: 381.986(4)(d), 456.50(2), 456.0575, 456.072, 456.079, 458.331(5) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Claudia Kemp, J.D., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin # C03, Tallahassee, Florida 32399-3253.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-8.001 Disciplinary Guidelines.

(1) through (6) No change.

(7) When imposing a penalty or a condition of licensure that requires an impaired, or potentially impaired, licensee to demonstrate that he or she is able to practice with reasonable skill and safety, the licensee must undergo an evaluation conducted under the auspices of the Department of Health approved impaired practitioner program that has been retained to provide the Board services pursuant to Section 456.076, Florida Statutes.

~~(8)(7)~~ No change.

Rulemaking Authority 456.079, 458.309, 458.331(5) FS. Law Implemented 381.986(4)(d), 456.50(2), 456.0575, 456.072, 456.079, 458.331(5) FS. History—New 12-5-79, Formerly 21M-20.01, Amended 1-11-87, 6-20-90, Formerly 21M-20.001, Amended 11-4-93, Formerly 61F6-20.001, Amended 6-24-96, 12-22-96, Formerly 59R-8.001, Amended 5-14-98, 12-28-99, 1-31-01, 7-10-01, 6-4-02, 9-10-02, 12-11-02, 8-20-03, 6-7-04, 8-17-04, 1-4-06, 8-13-06, 8-29-06,

11-22-06, 1-30-07, 2-18-09, 12-22-09, 7-27-10, 6-21-11, 12-27-11, 4-22-12, 5-28-12, 1-1-15, 11-9-16, 4-30-18, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Rules Committee, Board of Medicine
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Medicine
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 6, 2018
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 23, 2018

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-9.009
 RULE TITLE: Standard of Care for Office Surgery

PURPOSE AND EFFECT: The proposed rule amendment is intended to set forth an additional entity for the purpose of providing basic life support (BLS) and advanced cardiac life support (ACLS) training.

SUMMARY: The proposed rule amendment sets forth an additional entity for the purpose of providing basic life support (BLS) and advanced cardiac life support (ACLS) training.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: 458.309(1), 458.331(1)(v) FS.
 LAW IMPLEMENTED: 458.331(1)(v), 458.351 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Claudia Kemp, J.D., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin # C03, Tallahassee, Florida 32399-3253.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-9.009 Standard of Care for Office Surgery. Nothing in this rule relieves the surgeon of the responsibility for making the medical determination that the office is an appropriate forum for the particular procedure(s) to be performed on the particular patient.

(1) through (2) No change.

(3) Level I Office Surgery.

(a) No change.

(b) Standards for Level I Office Surgery.

1. Training Required. Surgeon’s continuing medical education should include: proper dosages; management of toxicity or hypersensitivity to regional anesthetic drugs. One assistant must hold current certification in an American Heart Association, American Safety and Health Institute, American Red Cross, ~~or~~ Pacific Medical Training approved Basic Life Support course with didactic and skills components, or ACLS Certification Institute Basic Life Support course with didactic and skills components, and the surgeon must hold current certification in an American Heart Association, American Safety and Health Institute, ~~or~~ Pacific Medical Training approved Advanced Cardiac Life Support course with didactic and skills components, or ACLS Certification Institute Advanced Cardiac Life Support course with didactic and skills components.

2. through 4. No change.

(4) Level II Office Surgery.

(a) No change.

(b) Standards for Level II Office Surgery.

1. No change.

2. Training Required.

a. No change.

b. One (1) assistant must be currently certified in and by an American Heart Association, American Safety and Health Institute, American Red Cross, ~~or~~ Pacific Medical Training approved Basic Life Support course with didactic and skills components, or ACLS Certification Institute Basic Life Support course with didactic and skills components, and the surgeon must be currently certified in and by an American Heart Association, American Safety and Health Institute, ~~or~~ Pacific

Medical Training approved Advanced Cardiac Life Support course with didactic and skills components, or ACLS Certification Institute Advanced Cardiac Life Support course with didactic and skills components.

3. No change.

4. Assistance of Other Personnel Required. The surgeon must be assisted by a qualified anesthesia provider as follows: An Anesthesiologist, Certified Registered Nurse Anesthetist, or Physician Assistant qualified as set forth in subparagraph 64B8-30.012(2)(b)6., F.A.C., or a registered nurse may be utilized to assist with the anesthesia, if the surgeon is ACLS certified. An anesthesiologist assistant may assist the anesthesiologist as set forth in Rule 64B8-31.005, F.A.C. An assisting anesthesia provider cannot function in any other capacity during the procedure. If additional assistance is required by the specific procedure or patient circumstances, such assistance must be provided by a physician, osteopathic physician, registered nurse, licensed practical nurse, or operating room technician. A physician licensed under Chapter 458 or 459, F.S., a licensed physician assistant, a licensed registered nurse with post-anesthesia care unit experience or the equivalent, credentialed by an American Heart Association, American Safety and Health Institute, ~~or~~ Pacific Medical Training approved Advanced Cardiac Life Support course with didactic and skills components, or ACLS Certification Institute Advanced Cardiac Life Support course with didactic and skills components or, in the case of pediatric patients, by an American Heart Association, American Safety and Health Institute, or Pacific Medical Training approved Pediatric Advanced Life Support course with didactic and skills components must be available to monitor the patient in the recovery room until the patient is recovered from anesthesia.

(5) Level IIA Office Surgery.

(a) No change.

(b) Standards for Level IIA Office Surgery.

1. No change.

2. Assistance of Other Personnel Required. During the procedure, the surgeon must be assisted by a physician or physician assistant who is licensed pursuant to Chapter 458 or 459, F.S., or by a licensed registered nurse or a licensed practical nurse. Additional assistance may be required by specific procedure or patient circumstances. Following the procedure, a physician or physician assistant who is licensed pursuant to Chapter 458 or 459, F.S., or a licensed registered nurse must be available to monitor the patient in the recovery room until the patient is recovered from anesthesia. The monitor must be certified by an American Heart Association, American Safety and Health Institute, ~~or~~ Pacific Medical Training approved Advanced Cardiac Life Support course with didactic and skills components, or ACLS Certification Institute Advanced Cardiac Life Support course with didactic and skills

components or, in the case of pediatric patients, by an American Heart Association, American Safety and Health Institute, or Pacific Medical Training approved Pediatric Advanced Life Support course with didactic and skills components.

(6) Level III Office Surgery.

(a) No change.

(b) Standards for Level III Office Surgery. In addition to the standards for Level II Office Surgery, the surgeon must comply with the following:

1. Training Required.

a. No change.

b. One assistant must be currently certified by an American Heart Association, American Safety and Health Institute, American Red Cross, ~~or~~ Pacific Medical Training approved Basic Life Support course with didactic and skills components, or ACLS Certification Institute Basic Life Support course with didactic and skills components, and the surgeon must be currently certified by an American Heart Association, American Safety and Health Institute, ~~or~~ Pacific Medical Training approved Advanced Cardiac Life Support course with didactic and skills components, or ACLS Certification Institute Advanced Cardiac Life Support course with didactic and skills components.

2. through 3. No change.

4. Assistance of Other Personnel Required. An Anesthesiologist, Certified Registered Nurse Anesthetist, Anesthesiologist Assistant, or Physician Assistant qualified as set forth in subparagraph 64B8-30.012(2)(c)6., F.A.C., must administer the general or regional anesthesia and an M.D., D.O., Registered Nurse, Licensed Practical Nurse, Physician Assistant, or Operating Room Technician must assist with the surgery. The anesthesia provider cannot function in any other capacity during the procedure. A physician licensed under Chapter 458 or 459, F.S., a licensed anesthesiologist assistant, a licensed physician assistant, or a licensed registered nurse with post-anesthesia care unit experience or the equivalent, and credentialed by an American Heart Association, American Safety and Health Institute, ~~or~~ Pacific Medical Training approved Advanced Cardiac Life Support course with didactic and skills components, or ACLS Certification Institute Advanced Cardiac Life Support course with didactic and skills components, or in the case of pediatric patients, by an American Heart Association, American Safety and Health Institute, ~~or~~ Pacific Medical Training approved Pediatric Advanced Life Support course with didactic and skills components, must be available to monitor the patient in the recovery room until the patient has recovered from anesthesia.

Rulemaking Authority 458.309(1), 458.331(1)(v) FS. Law Implemented 458.331(1)(v), 458.351 FS. History—New 2-1-94, Amended 5-17-94, Formerly 61F6-27.009, Amended 9-8-94, 11-15-94, Formerly 59R-9.009, Amended 2-17-00, 12-7-00, 2-27-01, 8-1-01, 8-12-01, 3-25-02, 3-22-05, 4-19-05, 10-23-05, 10-10-06, 4-18-07, 9-

3-07, 3-25-10, 8-6-12, 11-22-12, 1-9-13, 3-3-13, 7-22-14, 4-6-15, 9-4-16, 5-22-17, 6-23-17, 9-4-17, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Surgical Care Committee, Board of Medicine
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Medicine
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 6, 2018
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 23, 2018

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-13.008
RULE TITLE: Requirement for Continuing Education Course on Prescribing Controlled Substances

PURPOSE AND EFFECT: The recently enacted Section 456.0301, F.S., requires the Board to approve continuing education courses for those physicians who prescribe controlled substances. The proposed new rule sets forth the entities approved by the Board to provide the prescribing controlled substances course.

SUMMARY: The proposed new rule approves the Florida Medical Association, the Florida Academy of Family Physicians, and the Florida College of Emergency Physicians, as those entities authorized by the Board to provide the continuing education course for those physicians who prescribe controlled substances.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

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

RULEMAKING AUTHORITY: 456.0301(2) FS.

LAW IMPLEMENTED: 456.0301 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Claudia Kemp, J.D., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin # C03, Tallahassee, Florida 32399-3253.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-13.008 Requirement for Continuing Education Course on Prescribing Controlled Substances.

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

(2) The Board approves the controlled substance prescribing courses offered by the Florida Medical Association, the Florida Academy of Family Physicians, and the Florida College of Emergency Physicians, for the purpose of meeting this continuing education requirement.

(3) The 2-hour controlled substances prescribing course shall be included in the total hours required for continuing education renewal purposes.

(4) This rule requirement is not applicable to physician assistants licensed pursuant to Section 458.347, F.S.

Rulemaking Authority 456.0301(2) FS. Law Implemented 456.0301 FS. History—New.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Rules/Legislative Committee, Board of Medicine
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Medicine
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 6, 2018
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 23, 2018

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

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

PURPOSE AND EFFECT: The recently enacted Section 456.0301, F.S., requires the Board to approve continuing education courses for those physicians who prescribe controlled substances. The proposed new rule sets forth the entities approved by the Board to provide the prescribing controlled substances course.

SUMMARY: The proposed new rule approves the Florida Medical Association, the Florida Osteopathic Medicine Association, the Florida Academy of Family Physicians, and the Florida College of Emergency Physicians, as those entities authorized by the Board to provide the continuing education course for those physicians who prescribe controlled substances.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: 456.0301(2) FS.

LAW IMPLEMENTED: 456.0301 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kama Monroe, J.D., Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin # C06, Tallahassee, Florida 32399-3256.

THE FULL TEXT OF THE PROPOSED RULE IS:

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

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

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

(3) The 2-hour controlled substances prescribing course shall be included in the total hours required for continuing education renewal purposes.

(4) This rule requirement is not applicable to physician assistants licensed pursuant to Section 459.022, F.S. Rulemaking Authority 456.0301(2) FS. Law Implemented 456.0301 FS. History–New.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Board of Osteopathic Medicine

NAME OF AGENCY HEAD WHO APPROVED THE

PROPOSED RULE: Board of Osteopathic Medicine

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: April 10, 2018

DATE NOTICE OF PROPOSED RULE DEVELOPMENT

PUBLISHED IN FAR: April 23, 2018

Section III

Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:
 33-601.722 Visiting Schedule

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. 44 No. 58, March 23, 2018 issue of the Florida Administrative Register.

Changes to the rule are made in response to written comments provided by the Joint Administrative Procedures Committee in their correspondence dated March 29, 2018 and supported by the record of the public hearing conducted on April 3, 2018.

THE CHANGES TO THE TEXT OF THE PROPOSED RULE ARE:

Substantial Rewording of Rule 33-602.210 follows See Florida Administrative Code for present text.

33-601.722 On-Site Visiting Schedule.

(1) The Department will establish an on-site visitation schedule for each institution, as provided in this rule, based upon consideration of the following criteria:

- (a) Institutional security;
- (b) Institutional staffing;
- (c) Safety and security of inmates, visitors, and staff;
- (d) Visiting park maximum capacity as defined in Rule 33-601.713(16);
- (e) Number of visitors, and
- (f) Frequency of introduced contraband.

(2) The Department will designate each institution's on-site visitation schedule as one of the following: "Standard Visitation", "Modified Visitation", or "Emergency/Temporary Visitation". The Department will provide notice of the on-site visitation designation for each institution on the individual facility's web page and Department's website. Each institution will provide notice of the institution's on-site visitation schedule in accordance with Rule 33-601.714(4)(b).

(a) "Standard Visitation" will be allowed between the hours of 9:00 a.m. and 3:00 p.m. Eastern Standard Time (EST) -- 8:00 a.m. and 2:00 p.m. Central Standard Time (CST) on each Saturday, Sunday and during the days identified in paragraphs (6) and (7) of this rule.

(b) "Modified Visitation" will be allowed between the hours of 9:00 a.m. and 3:00 p.m. Eastern Standard Time (EST) -- 8:00 a.m. and 2:00 p.m., Central Standard Time (CST) on an alternating, odd-even weekend basis determined by the last digit of the inmate's Department of Corrections ("DC") number. The "week number" will be determined as established by the International Organization for Standardization, ISO 8601:2004 Data elements and interchange formats (ISO 8601).

1. Inmates with a DC number ending with an odd-numbered digit will be allowed visitation during odd-numbered weeks and inmates with a DC number ending with an even-numbered digit will be allowed visitation during even-numbered weeks.

2. The visitation period will be each Saturday and Sunday of the corresponding odd or even numbered week.

3. Notwithstanding the odd or even numbered week, all inmates will be allowed visitation on the days as provided in paragraph (6) and (7) of this rule.

(c) "Emergency/Temporary Visitation" will be allowed when the Secretary, or his/her designee, makes the determination that an individual institution, a region(s), or statewide facilities necessitate an "Emergency/Temporary Visitation" schedule. "Emergency/Temporary Visitation" shall include the limitation or suspension of visitation privileges when any one of the criteria set forth below becomes necessary for the safety and welfare of the inmates and staff and will be limited to the duration of the threat or hazard posed. The following criteria will be considered when making a determination whether an "Emergency/Temporary Visitation" schedule is appropriate and the duration of the schedule:

- 1. An imminent, current, or the immediate aftermath of a disturbance, uprising, strike, or riot.
- 2. Staffing limitations that pose a threat to the safety and security of the inmates, visitors, and/or staff.
- 3. An institution experiencing an influx of contraband that poses a threat to the safety and security of the institution, inmates, staff, and visitors.
- 4. A declared emergency.
- 5. An event giving rise prior to, during, or in the aftermath of a natural disaster.
- 6. Medically related issues that pose a potential health threat.
- 7. Any other extraordinary circumstance that creates or poses a threat to the security or safety of the institution, the inmate population, staff or public.

(d) Notwithstanding the Department's on-site visitation schedule designation, each such schedule is subject to the provisions of Rule 33-601.721(9) that may necessitate a limitation, reduction, or termination of visitation.

(3) Notwithstanding the institutions' designated on-site visitation schedule, an inmate's visitation privilege will be subject to any disciplinary sanction that may be imposed pursuant to Rule 33-601.731.

(4) Institutions shall initiate the visiting registration process at 8:15 a.m. (EST) and 7:15 a.m. (CST). To better facilitate the registration process, visitors will be allowed to park in designated spaces no earlier than 7:30 a.m. (EST) and 6:30 a.m. (CST).

(5) Visitors shall not be processed after 2:00 p.m. (EST) and 1:00 p.m. (CST) unless authorized by the duty warden.

(6) All inmates shall be allowed visitation on:

(a) New Year's Day;

(b) Birthday of Martin Luther King, Jr., third Monday in January;

(c) Memorial Day;

(d) Independence Day;

(e) Labor Day;
(f) Veteran’s Day;
(g) Thanksgiving Day and the Friday following Thanksgiving; and
(h) Christmas Day.
(i) If any of the days listed in subparagraphs (a) – (h) falls on Saturday, the preceding Friday shall be observed as an authorized visiting day. If any of the days listed in subparagraphs (a) – (h) falls on Sunday, the following Monday shall be observed as an authorized visiting day.
(j) For institutions designated as a “Modified Visitation” facility, when any of the days identified in subparagraph (a) – (h) falls on a weekend, Monday, or Friday, the inmate will be allowed visits during that Monday or Friday and the adjacent Saturday and Sunday.
(7) All inmates, notwithstanding the facility’s visitation designation, shall be allowed visitation on:
(a) Mother’s Day; and
(b) Father’s Day.
(8) The Secretary, or his/her designee, will consider re-designation of an institution’s visitation schedule from “standard visitation” to “modified visitation” or from “modified visitation” to “standard visitation” as set forth in this rule.
(a) Criteria Considered. In considering whether to re-designate an institution’s on-site visitation schedule, the Secretary, or his/her designee, will consider the criteria set forth in paragraph (1) of this rule.
(b) When any one or combination of an institution’s circumstances, as set forth in paragraph (1) of this rule, have substantially changed to the extent that a change in the visitation designation is warranted, the Warden of the institution, Regional Director, Assistant Deputy Secretary of Institutions, or Deputy Secretary of Institutions shall provide the Secretary, or his/her designee, with sufficient information, data, or criminal intelligence information to determine whether the institution’s visitation schedule should be re-designated.
(c) The Secretary, or his/her designee, will determine whether or not to re-designate the institution’s on-site visitation schedule. The Department will provide notice of the on-site visitation schedule change for each institution on the individual facility’s web page and Department’s website. Each institution will provide notice of the institution’s on-site visitation schedule change in accordance with Rule 33-601.714(4)(b).

FLORIDA HOUSING FINANCE CORPORATION

RULE NOS.:	RULE TITLES:
67-48.001	Purpose and Intent
67-48.002	Definitions
67-48.004	Selection Procedures for Developments
67-48.007	Fees
67-48.0072	Credit Underwriting and Loan Procedures
67-48.0075	Miscellaneous Criteria
67-48.009	SAIL General Program Procedures and Restrictions
67-48.0095	Additional SAIL Selection Procedures
67-48.010	Terms and Conditions of SAIL Loans
67-48.0105	Sale, Transfer or Refinancing of a SAIL Development
67-48.013	SAIL Construction Disbursements and Permanent Loan Servicing
67-48.014	HOME General Program Procedures and Restrictions
67-48.015	Match Contribution Requirement for HOME Allocation
67-48.017	Eligible HOME Activities
67-48.018	Eligible HOME Applicants
67-48.019	Eligible and Ineligible HOME Development Costs
67-48.020	Terms and Conditions of Loans for HOME Rental Developments
67-48.0205	Sale, Transfer or Refinancing of a HOME Development
67-48.022	HOME Disbursements Procedures and Loan Servicing
67-48.023	Housing Credits General Program Procedures and Requirements
67-48.027	Tax-Exempt Bond-Financed Developments
67-48.028	Carryover Allocation Provisions
67-48.029	Extended Use Agreement
67-48.030	Sale or Transfer of a Housing Credit Development
67-48.031	Qualified Contracts
67-48.040	EHCL General Program Procedures and Restrictions
67-48.041	Terms and Conditions of EHCL Loans

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 44 No. 90, May 8, 2018 issue of the Florida Administrative Register.
 Rule 67-48.025 Qualified Allocation Plan was repealed effective 1-29-06 and should not be included in the index of rules included in the FAR publication.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Strategic Business Development

RULE NO.: 73A-1.013
 RULE TITLE: Complimentary Goods and Services
 NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 44 No. 47, March 8, 2018 issue of the Florida Administrative Register.

The subsections of this rule were indicated as (a) through (b), but should have been indicated as (1) through (2). All text remains as originally published.

**Section IV
 Emergency Rules**

NONE

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

NONE

**Section VI
 Notice of Meetings, Workshops and Public
 Hearings**

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Food, Nutrition and Wellness

The Board of Directors of Living Healthy in Florida, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: May 10, 2018, 10:00 a.m. has changed to May 16, 2018, 9:00 a.m. this meeting was originally referenced in vol. 44/81 on 04/25/2018

PLACE: Telephone Conference Call:

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

<https://global.gotomeeting.com/join/199557389>

You can also dial in using your phone.

United States (Toll Free): 1(866)899-4679

United States: 1(571)317-3117 Access Code: 199-557-389

Joining from a video-conferencing room or system?

Dial: 67.217.95.2##199557389

Cisco devices: 199557389@67.217.95.2

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Presentation from Abbot Nutrition calling for a study of older adult nutrition landscape in Florida. Updates on website development, and iPad donation to RCMA.

A copy of the agenda may be obtained by contacting: Allie Caldwell, Carey.Caldwell@FreshFromFlorida.com, (850)617-7167.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: Allie Caldwell, Carey.Caldwell@FreshFromFlorida.com, (850)617-7167. 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: Allie Caldwell, Carey.Caldwell@FreshFromFlorida.com, (850)617-7167.

DEPARTMENT OF EDUCATION

State Board of Education

The State Board of Education announces a public meeting to which all persons are invited.

DATE AND TIME: May 16, 2018, 9:00 a.m.

PLACE: Pinellas County School Board Office: 301 4th St., SW, Largo, FL 33770

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting agenda will consist of approval of minutes of the State Board meeting held March 27, 2018. Updates will be provided by President Williams on behalf of the Council of Presidents; and Superintendent Grego on behalf of the Florida Association of District School Superintendents. Items for consideration include action relating to the following: New Rule 6A-10.02413, F.A.C., Civic Literacy Competency; Amendment to Rule 6A-1.09422, F.A.C., Statewide, Standardized Assessment Program Requirements and Repeal of Rule 6A-1.094223, F.A.C., Comparative and Concordant Scores for the Statewide Assessment Program; Amendment to Rule 6A-4.0021, F.A.C., Teacher Certification Examinations; Amendment to Rule 6A-4.00821, F.A.C., Florida Educational Leadership Examination; Consideration of Applications for Hope Operator Designation for Knowledge is Power Program (KIPP) New Jersey and Democracy Prep Public Schools; Amendment to Rule 6A-10.0401, F.A.C., Gold Standard Career Pathways Articulation Agreements; Amendment to Rule 6A-6.0573, F.A.C., Industry Certification Process; Amendment to Rule 6A-10.024, F.A.C., Articulation Between and Among Universities, Florida Colleges, and School Districts; 2018-2019 Dual Enrollment Course- High School Subject Area Equivalency List; Requested Deed Modification: 808 West Panhellenic Drive, Gainesville,

FL; Designation of 2016-2017 Academically High-Performing School Districts; Appointment to the Education Practices Commission (EPC); Amendment to Rule 6A-4.01411, F.A.C., Equivalent Credentials for the Voluntary Prekindergarten (VPK) Education Program; Amendment to Rule 6M-4.710, F.A.C., School Readiness Program Curricula; and Amendment to Rule 6M-8.601, F.A.C, Voluntary Prekindergarten (VPK) Provider Kindergarten Readiness Rate. A Status Update of the Turnaround Option Plans for Duval County will also be provided.

A copy of the agenda may be obtained by contacting: Chris Emerson at (850)245-9601 or Christian.Emerson@fldoe.org or by visiting the Department's website at: <http://www.fldoe.org/policy/state-board-of-edu/meetings>.

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: Chris Emerson at (850)245-9601 or Christian.Emerson@fldoe.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Chris Emerson at (850)245-9601 or Christian.Emerson@fldoe.org.

DEPARTMENT OF EDUCATION

State Board of Education

The Bureau of Federal Educational Programs, Title I Committee of Practitioners, announces a public meeting to which all persons are invited.

DATE AND TIME: May 17, 2018, 12:00 Noon – 2:00 p.m., Eastern Time

PLACE: The meeting will be conducted in Salon 6 at the Rosen Centre Hotel, 9840 International Drive, Orlando, Florida 32819

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular committee business

A copy of the agenda may be obtained by contacting: Lindsay Douglas at FloridaCOP@fldoe.org or (850)245-9183.

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: Lindsay Douglas at FloridaCOP@fldoe.org or (850)245-9183. 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: Lindsay Douglas at FloridaCOP@fldoe.org or (850)245-9183.

EXECUTIVE OFFICE OF THE GOVERNOR

The Volunteer Florida Foundation announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, May 18, 2018, 1:00 p.m. (ET) until all business is complete

PLACE: Phone Number: 1(888)670-3525, Code: 3360784946#

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business

A copy of the agenda may be obtained by contacting: Savannah Kelly, (850)414-7400, savannah@volunteerflorida.org

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Savannah Kelly, (850)414-7400, savannah@volunteerflorida.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: Savannah Kelly, (850)414-7400, savannah@volunteerflorida.org.

EXECUTIVE OFFICE OF THE GOVERNOR

The Florida Faith-Based and Community-Based Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: May 15, 2018, 9:00 a.m. – 12:30 p.m.

PLACE: Volusia County Health Department, 1845 Holsonback Drive, Conference Room 516C, Daytona Beach FL 32117

GENERAL SUBJECT MATTER TO BE CONSIDERED: Advisory Council members will meet to conduct regular business of the Council.

A copy of the agenda may be obtained by contacting: Jessica Collins, Governor's Office of Adoption and Child Protection, (850)717-9261 or Jessica.collins@eog.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 2 days before the workshop/meeting by contacting: Jessica Collins, Governor's Office of Adoption and Child Protection, (850)717-9261 or Jessica.collins@eog.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: Jessica Collins, Governor’s Office of Adoption and Child Protection, (850)717-9261 or Jessica.collins@eog.myflorida.com.

REGIONAL PLANNING COUNCILS

South Florida Regional Planning Council

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

DATE AND TIME: Tuesday, May 22, 2018, 10:00 a.m.

PLACE: South Florida Regional Planning Council, 1 Oakwood Blvd., Suite 221, Hollywood, FL 33020

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and review the Revolving Loan Fund loan applications. A copy of the agenda may be obtained by contacting: South Florida Regional Planning Council, 1 Oakwood Blvd., Suite 221, Hollywood, FL 33020.

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 1 day before the workshop/meeting by contacting: (954)924-3653. 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.

WATER MANAGEMENT DISTRICTS

Northwest Florida Water Management District

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

DATE AND TIME: May 24, 2018, 2:30 p.m., ET

PLACE: District Headquarters, 81 Water Management Drive, Havana, FL 32333

GENERAL SUBJECT MATTER TO BE CONSIDERED: In accordance with the timeframe set forth in section 120.525, Florida Statutes, a public opening is hereby noticed within the timeline for Invitation to Bid (ITB) 18B-007 for the 2018 SAND PINE AND HARDWOOD TREE ERADICATION SERVICES.

A copy of the agenda may be obtained by contacting: Tyler Macmillan, (850)539-5999, Tyler.macmillan@nfwfwater.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 72 hours before the workshop/meeting by contacting: Division of Administration, (850)539-5999. 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: Tyler Macmillan, (850)539-5999, Tyler.macmillan@nfwfwater.com.

AGENCY FOR HEALTH CARE ADMINISTRATION

The Agency for Health Care Administration announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, May 17, 2018, 5:30 p.m. – 6:30 p.m.

PLACE: This meeting is online via webinar and requires a telephone for audio. To join the webinar, please use the following link and webinar ID: <https://attendee.gotowebinar.com/register/437463081929681154> United States (Toll-free): 1(866)901-6455, Access Code: 309-155-164 If you have any difficulty accessing the teleconference, please call the Florida Center’s main number at (850)412-3730.

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Pediatric Cardiology Technical Advisory Panel Steering Committee to which all interested parties are invited. The purpose of this meeting is to select the Chair of, and establish the membership for, three PCTAP subcommittees. Additionally, this meeting will include a vote on the approval of the minutes of the previous Steering Committee meeting.

A copy of the agenda may be obtained by contacting: The agenda will be posted on the Agency website seven (7) days prior to the meeting: <http://ahca.myflorida.com/SCHS/PCTAP/meetings.shtml>.

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: Jess Hand, Florida Center for Health Information and Transparency at Jessica.Hand@ahca.myflorida.com or (850)412-3750. 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: Adrienne Henderson, Florida Center for Health Information and Transparency at Jessica.Hand@ahca.myflorida.com or (850)412-3750.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

The Florida Medicaid Interim Drug Utilization Review (DUR) Board Meeting announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 16, 2018, 4:00 p.m. – 5:00 p.m.

PLACE: AHCA Headquarters 2727 Mahan Dr., Conference Room D, Tallahassee, FL 32308 or by phone at 1(888)670-3525, passcode: 8128510672 then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this interim meeting is to finalize discussion and obtain DUR Board recommendation for the Synagis criteria for the prevention of respiratory syncytial virus, specifically the coverage of infants born between 29 weeks - 1 day and 34 weeks - 6 days gestational age.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

The Florida Building Commission, Code Administration Technical Advisory Committee, announces a public meeting to which all persons are invited.

DATE AND TIME: May 29, 2018, 10:00 a.m.

PLACE: Meetings to be conducted using communications media technology, specifically teleconference and webinar: Join the meeting at <https://global.gotomeeting.com/join/327840069>. Join the conference call: United States (toll-free): 1(866)899-4679; Meeting ID / Access Code: 327-840-069; public point of access 2601 Blair Stone Road, Tallahassee, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To Consider and discuss the following Declaratory Statement: DS 2018-027 by Richard S. Barrow of Liebl & Barrow Engineering, Inc.

A copy of the agenda may be obtained by contacting: Marlita Peters, as set forth below or on the Commission website.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1824, fax: (850)414-8436. 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: Marlita Peters, Code Administration Technical Advisory Committee, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1824, fax: (850)414-8436 or access information on the Commission's website: <https://floridabuilding.org/c/default.aspx>.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

The Florida Building Commission, Fire Technical Advisory Committee, announces a public meeting to which all persons are invited.

DATE AND TIME: May 30, 2018, 10:00 a.m.

PLACE: Meetings to be conducted using communications media technology, specifically teleconference and webinar: Join the meeting at <https://global.gotomeeting.com/join/195842341>. Join the conference call: United States (toll-free): 1(866)899-4679; Meeting ID / Access Code: 195-842-341 public point of access 2601 Blair Stone Road, Tallahassee, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To Consider and discuss the following Declaratory Statement:

DS 2018-016 by Angela Petrakis of Diversified Window Solutions Inc.

A copy of the agenda may be obtained by contacting: Robert Benbow, as set forth below or on the Commission website.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1824, fax: (850)414-8436. 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: Robert Benbow, Fire Technical Advisory Committee, Office of Building Codes and Standards, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1824, fax: (850)414-8436 or access information on the Commission's website: <https://floridabuilding.org/c/default.aspx>.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

The Florida Building Commission, Swimming Pool Technical Advisory Committee, announces a public meeting to which all persons are invited.

DATE AND TIME: May 30, 2018, 2:00 p.m.

PLACE: Meetings to be conducted using communications media technology, specifically teleconference and webinar: Join the meeting at <https://global.gotomeeting.com/join/627943717> . Join the conference call: United States (toll-free): 1(866)899-4679; Meeting ID / Access Code: 627-943-717; public point of access 2601 Blair Stone Road, Tallahassee, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To Consider and discuss the following Declaratory Statement:

DS 2018-025 by Samuel A. Liberatore of G.B. Collins Engineering, P.A.

A copy of the agenda may be obtained by contacting: Chip Sellers, as set forth below or on the Commission website.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1824, fax: (850)414-8436. 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: Chip Sellers, Swimming Pool Technical Advisory Committee, Office of Building Codes and Standards, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1824, fax: (850)414-8436 or access information on the Commission’s website: <https://floridabuilding.org/c/default.aspx>.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

The Florida Building Commission, Energy Technical Advisory Committee, announces a public meeting to which all persons are invited.

DATE AND TIME: May 31, 2018, 2:00 p.m.

PLACE: Meetings to be conducted using communications media technology, specifically teleconference and webinar: Join the meeting at <https://global.gotomeeting.com/join/874241349>. Join the conference call: United States (toll-free): 1(877)309-2073, Meeting ID / Access Code: 874-241-349; public point of access 2601 Blair Stone Road, Tallahassee, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To Consider and discuss the following Declaratory Statement:

DS 2018-034 by Ashley Ong of City of Winter Park

A copy of the agenda may be obtained by contacting: Norman Bellamy, as set forth below or on the Commission website.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1824, fax: (850)414-8436. 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: Norman Bellamy, Energy Technical Advisory Committee, Office of Building Codes and Standards, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1824, fax: (850)414-8436 or access information on the Commission’s website: <https://floridabuilding.org/c/default.aspx>.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

The Florida Building Commission, Education Program Oversight Committee, announces a public meeting to which all persons are invited.

DATE AND TIME: June 1, 2018, 10:00 a.m.

PLACE: Meetings to be conducted using communications media technology, specifically teleconference and webinar. Join the meeting at <https://global.gotomeeting.com/join/148382085>. Join the conference call: United States (toll-free) 1(877)309-2073, meeting ID/access code: 148-382-085; public point of access 2601 Blair Stone Road, Tallahassee, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Review pending accreditor applications for recommendation to the Commission. Review pending advanced accredited courses for recommendation to the Commission.

A copy of the agenda may be obtained by contacting: Thomas Campbell, as set forth below or on the Commission website.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399-0772, (850)487-1824 or fax: (850)414-8436. 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: Thomas Campbell, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399-0772, call (850)487-1824 or access the Commission website: <https://floridabuilding.org/c/default.aspx>.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

The Florida Building Commission, Product Approval Program Oversight Committee, announces a public meeting to which all persons are invited.

DATE AND TIME: June 4, 2018, 10:00 a.m.

PLACE: Meetings to be conducted using communications media technology, specifically teleconference and webinar. Join the meeting at <https://global.gotomeeting.com/join/545051013>; Join the conference call: United States (toll-free) 1(877)309-2070, access code/meeting ID: 545-051-013; public point of access: 2601 Blair Stone Road, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Product approval & entities statistics report.

Report on conditional approval from the March, 2018 meeting.
Review of product approval and entity applications.

Review and consider complaint filed by Mr. Oscar Arroyo

A copy of the agenda may be obtained by contacting: Zubeyde Binici, as set forth below or on the Commission website.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1824, fax: (850)414-8436. 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: Zubeyde Binici, Product Approval POC, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1824, fax: (850)414-8436; or access information on the Commission's website, <https://floridabuilding.org/c/default.aspx>.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

The Florida Building Commission, Accessibility Advisory Council, announces a public meeting to which all persons are invited.

DATE AND TIME: June 4, 2018, 2:00 p.m.

PLACE: Meetings to be conducted using communications media technology, specifically teleconference and webinar: Join the meeting at <https://global.gotomeeting.com/join/735124733>. Join the conference call: United States (toll-free): 1(877)568-4106; Meeting ID / Access Code: 735-124-733; public point of access 2601 Blair Stone Road, Tallahassee, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Review of Applications for Waivers from Accessibility Requirements:

1. CSC Interior Renovation – Waiver 308 - 1201 Hayes St. , Tallahassee 32301
2. Tal Simhoni – Waiver 292 - 7435 Harding Ave #203, Miami Beach 33141
3. Atlantic Princess Condominium Association, Inc – Waiver 316 - 3120 Collins Avenue, Miami Beach 33139
4. Brewster Hospital & Nursing School – Waiver 310 - 843 West Monroe Street, Jacksonville 32204
5. 747 4th Street – Waiver 298 - 747 4th Street, Miami Beach 33139

6. 701 4th Street – Waiver 293 - 701 4th Street, Miami Beach 33139
7. Kappa Kappa Gamma Balcony Deck Replacement – Waiver 313 - 528 West Jefferson Street, Tallahassee 32303
8. Hell 'N Blazes Brewing Company – Waiver 314 - 1002 East New Haven Avenue, Melbourne 32901
9. Interior Renovation for Delta Gamma Sorority House – Waiver 305 - 143 North Copeland Street, Tallahassee 32304
10. Santa Barbara Hotel – Waiver 317 - 230 20th Street, Miami Beach, 33139

A copy of the agenda may be obtained by contacting: Chip Sellers, as set forth below or on the Commission website.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1824, fax: (850)414-8436. 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: Chip Sellers, Accessibility Advisory Council, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1824, fax: (850)414-8436 or access information on the Commission’s website: <https://floridabuilding.org/c/default.aspx>.

DEPARTMENT OF CHILDREN AND FAMILIES

The Department of Children and Families, Office of Self-Sufficiency announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 16, 2018, 10:00 a.m.

PLACE: Solicitation Conference Call line: 1(888)670-3525, Participant Code: 4721375608#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The DCF Request for Proposal (RFP) # RFP030618FCO1, Supplemental Nutrition Assistance Program Information and Application Assistance Services. The RFP was advertised on the DMS Vendor Bid System Electronic Posting Site, http://www.myflorida.com/apps/vbs/vbs_www.main_menu.

Solicitation Conference Agenda

1. Introductions

2. Purpose
3. Statement of Need
4. Vendor Bid System
5. Q&A Comments
6. Questions
7. Meeting Wrap-up

NOTE: Meeting will end when business is concluded

A copy of the agenda may be obtained by contacting: Ashley Davis, Procurement Manager, ashley.davis@myflfamilies.com, (850)717-4352.

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 1 days before the workshop/meeting by contacting: Ashley Davis, Procurement Manager, ashley.davis@myflfamilies.com, (850)717-4352. 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: Ashley Davis, Procurement Manager, ashley.davis@myflfamilies.com, (850)717-4352.

WALTON COUNTY HEALTH DEPARTMENT

The Walton County Health Department announces a public meeting to which all persons are invited.

DATE AND TIME: May 17, 2018, 11:30 a.m.

PLACE: Walton County Health Department

GENERAL SUBJECT MATTER TO BE CONSIDERED: Various Board information.

A copy of the agenda may be obtained by contacting: Patricia Hall, (850)892-8040, ext. 6237.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Patricia Hall, (850)892-8040, ext. 6237. 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: Patricia Hall, (850)892-8040, ext. 6237.

Section VII
Notice of Petitions and Dispositions
Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Condominiums, Timeshares and Mobile Homes

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from William G. Morris, Esq., In Re: The Apollo Condominium Association, Inc., Docket No. 2018023783, filed on May 2, 2018. The petition seeks the agency’s opinion as to the applicability of subparagraph 718.112(2)(d)2., Florida Statutes, as it applies to the petitioner.

Whether the eight consecutive years’ limit includes years of service prior to the effective date of the amendment to subparagraph 718.112(2)(d)2., Florida Statutes.

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

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

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

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

NONE

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

NONE

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

NONE

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

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF EDUCATION

Florida State University

NOTICE TO CONSTRUCTION MANAGERS

Florida State University announces that construction management services will be required for the project listed below:

Project No. FS - 206

College of Business, Legacy Hall

Florida State University, Tallahassee, Florida

The new College of Business will provide a multi-functional and collaborative environment for students, faculty, and staff to teach, research, and learn. The new facility will contain classroom, instructional, seminar, multi-purpose event, technology, distance learning, Institute/Center, administrative/support, and café space. Related renovation, demolition, or build-out work may also be incorporated as needed to support the mission of the College of Business. The design is currently being developed by Goody Clancy Architects, Boston, Mass. and will be located between Madison St. and Gaines St. along MLK Jr. Blvd and create a prominent east campus gateway. LEED Silver Certification (v.4) by the USGBC will be sought and the project will utilize BIM technology.

The new facility will contain approximately 210,000 GSF with an estimated project budget of \$88,000,000 and construction budget of \$67,000,000. An updated facility program is in development and will be made available to shortlisted applicants. However, the original program can be found at the

Facilities Design & Construction website, <http://www.facilities.fsu.edu/FDC/Advertisements/>.

The contract for construction management services will consist of two phases. Phase one is pre-construction services, for which the Construction Manager will be paid a fixed fee. Phase one services include value engineering, constructability analyses, development of a cost model, estimating, and the development of a Guaranteed Maximum Price (GMP) at either the 50% or 100% Construction Document phase. The final determination of the exact timing of the GMP will be confirmed prior to entering into contract with the prospective Construction Manager. If the GMP is accepted, phase two, the construction phase, will be implemented. In phase two of the contract, the Construction Manager becomes the single point of responsibility for performance of the construction of the project and shall publicly bid trade contracts, encouraging the inclusion of Small and/or Minority Owned Business Enterprises. Failure to negotiate an acceptable fixed fee for phase one of the contract, or to arrive at an acceptable GMP within the time provided in the agreement may result in the termination of the Construction Manager's contract.

Selection of finalists for interviews will be made on the basis of Construction Manager qualifications, including experience and ability; past experience; bonding capacity; record-keeping/administrative ability, critical path scheduling expertise; cost estimating; cost control ability; quality control capability; and qualifications of the firm's personnel, staff and consultants. Finalists will be provided with a description of the final interview requirements, a copy of the standard Florida State University's construction management agreement, and will be given access to the updated building program and latest documentation prepared by the project Architect/Engineer. The Selection Committee may reject all proposals and stop the selection process at any time. The Construction Manager shall have no ownership, entrepreneurial or financial affiliation with the selected Architect/Engineer involved with this project.

Instructions:

Firms desiring to provide construction management services for the project shall submit a letter of application and the completed Florida State University "Construction Manager Qualifications Supplement". Proposals must not exceed 80 pages, including the Construction Manager Qualifications Supplement and letter of application. Pages must be numbered consecutively. Submittals which do not comply with these requirements or do not include the requested data may not be considered. No submittal material will be returned.

All applicants must be licensed to practice as general contractors in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application. As required by Section 287.133,

Florida Statutes, a construction management firm may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected construction management firm must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$50,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

The Florida State University Construction Manager Qualifications Supplement forms and the Project Fact Sheet may be obtained through the website at <http://www.facilities.fsu.edu/FDC/Advertisements/> or by contacting:

Lynetta Mills, Facilities Design & Construction, 969 Learning Way, 109 Mendenhall Maintenance Building A, Florida State University, Tallahassee, Florida 32306-4152, (850)644-2843 telephone.

For further information on the project, contact: Darren Lucas, PE, Sr. Project Manager, at the address above, through email at: dklucas@fsu.edu or at (850)644-3591.

Submit six (6) bound hard copies and one (1) electronic USB flash drive copy of the required proposal data. Submittals must be received at the address listed above by 2:00 p.m., local time, on Thursday, June 7, 2018. FAX submittals will not be considered.

DEPARTMENT OF JUVENILE JUSTICE

ITN 10590 - A 40 Bed Nonsecure Residential Program for Boys Ages 14 to 19 in need of SAOS - Northwest Region

ITN #10590 - The Department is seeking a forty (40) bed Residential Program for boys appropriate for nonsecure residential placement, between the ages of fourteen (14) and nineteen (19) with innovations in delinquency programming and treatment services.

Basic Care and Custody of a residential program shall be provided in accordance with Florida Statutes, Florida Administrative Rules and Department policy to meet the minimum requirements as described in Attachments A-1 and in keeping with A-3, References and Definitions, of the ITN. The proposed services shall also include funding for forty (40) filled slots for boys in need of Substance Abuse Treatment Overlay Services (SAOS) as described in Attachment A-2, of the ITN. The program shall be located in a Department owned building located at 11180 N.E. 38th Street, Jasper, Florida 32052 in DJJ's Northwest 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=139735

**Section XII
Miscellaneous**

DEPARTMENT OF STATE

Index of Administrative Rules Filed with the Secretary of State

Pursuant to Section 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 3:00 p.m., Tuesday, May 1, 2018 and 3:00 p.m., Tuesday, May 8, 2018.

Rule No.	File Date	Effective Date
5J-22.006	5/4/2018	5/24/2018
5J-22.007	5/4/2018	5/24/2018
40D-1.660	5/8/2018	6/1/2018
59A-6.022	5/7/2018	5/27/2018
60Q-6.129	5/2/2018	5/22/2018
61G4-18001	5/8/2018	5/28/2018
61G15-22.0001	5/8/2018	5/28/2018
61H1-31.0075	5/8/2018	5/28/2018
61N-2.031	5/8/2018	5/28/2018
65C-33.001	5/8/2018	5/28/2018
65C-33.004	5/8/2018	5/28/2018
65C-33.016	5/8/2018	5/28/2018
65C-35.01	5/8/2018	5/28/2018
65C-35.02	5/8/2018	5/28/2018
65C-35.03	5/8/2018	5/28/2018
65C-35.04	5/8/2018	5/28/2018
65C-35.05	5/8/2018	5/28/2018
65C-35.06	5/8/2018	5/28/2018
65C-35.07	5/8/2018	5/28/2018
65C-35.11	5/8/2018	5/28/2018
65C-35.12	5/8/2018	5/28/2018
65C-35.13	5/8/2018	5/28/2018
65C-35.14	5/8/2018	5/28/2018
65C-42.002	5/8/2018	5/28/2018
68-1.003	5/4/2018	5/24/2018
69D-2.004	5/8/2018	5/28/2018
73C-23.0030	5/7/2018	5/27/2018
73C-23.0031	5/7/2018	5/27/2018
73C-23.0035	5/7/2018	5/27/2018
73C-23.0041	5/7/2018	5/27/2018
73C-23.0045	5/7/2018	5/27/2018

73C-23.0048	5/7/2018	5/27/2018
73C-23.0049	5/7/2018	5/27/2018
73C-23.0051	5/7/2018	5/27/2018
73C-23.0061	5/7/2018	5/27/2018
73C-23.0071	5/7/2018	5/27/2018
73C-23.0081	5/7/2018	5/27/2018
73C-23.0082	5/7/2018	5/27/2018

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

Rule No.	File Date	Effective Date
60FF1-5.009	7/21/2016	**/**/****
64B8-10.003	12/9/2015	**/**/****
69L-7.020	12/15/2017	**/**/****
69L-7.501	12/15/2017	**/**/****

AGENCY FOR HEALTH CARE ADMINISTRATION

Certificate of Need

EXEMPTION

The Agency for Health Care Administration approved the following exemption on May 8, 2018 pursuant to subsection 408.036(3), Florida Statutes:

ID # E180020, District: 8-1 (Charlotte County)

Facility/Project: Bayfront Health Punta Gorda

Applicant: Punta Gorda HMA, LLC

Project Description: Add 33 adult psychiatric beds

Proposed Project Cost: \$24,000,000

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:

33-601.722 Visiting Schedule

NOTICE OF MEETING/WORKSHOP HEARING

DEPARTMENT OF CORRECTIONS

The Florida Department of Corrections announces the following public hearing on Thursday, May 31, 2018, to which all persons are invited.

DATE AND TIME: Tuesday, May 31, 2018, 8:30 a.m. – 11:00 a.m.

PLACE: Capital Circle Office Center (Betty Easley Center), Room 148, 4075 Esplanade Way, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Departmental Rule 33-601.722, Visiting Schedule.

Copies of the agenda and any available materials for the meeting will be available for inspection beginning Monday, May 21, 2018, on the Department’s website. Each person who requests an opportunity to be heard at the public hearing will be required to submit a Public Hearing Appearance

Request/Record Form in person on the date of the public hearing. The Public Hearing Appearance Request/Record form will be available in the lobby of the Betty Easley Center on the date of the hearing. Copies of the agenda and any available materials will be provided upon written request and the payment of approved duplicating charges.

If special accommodations are required, please advise the Office of Communications not less than forty-eight (48) hours in advance of the meeting by contacting: Gregory Hill at (850)717-3605 or gregory.hill@fdc.myflorida.com, Florida Department of Corrections, Julie Jones, Secretary.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Siting Coordination Office

NOTICE OF FILING OF APPLICATION FOR POWER PLANT CERTIFICATION

On April 18, 2018, the Department of Environmental Protection received an application for certification of a power plant pursuant to the Florida Electrical Power Plant Siting Act, section 403.501 et seq., Florida Statutes (FS.), concerning Tampa Electric Company's (TEC) Big Bend Facility; Power Plant Siting Application No. PA79-12A2, OGC Case No.18-0198. The proposed project is for the certification of existing Big Bend units and the repowering of existing coal and gas-fired Unit 1 with a natural gas-fired nominal 1090 MW combined cycle unit and associated facilities at the existing Big Bend Facility under Section 403.5175, F.S. Existing natural gas- and coal-fired Big Bend Unit 2 will be retired, and the existing steam turbine generator for Unit 1 will be modernized and reused within the combined-cycle facilities. There will be no increase in steam capacity. A copy of the application for certification is available for review in the Siting Coordination Office, Department of Environmental Protection, 2600 Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400, (850)717-9000 or online at <https://floridadep.gov/air/siting-coordination-office/content/applications-process>. Pursuant to Section 403.507, F.S., and Rule 62-17, Florida Administrative Code, statutory parties to the site certification proceeding will review the application and submit their reports and recommendations. In the future, a proposed certification hearing date will be announced. Pursuant to Section 403.508(3), FS., parties to the proceeding shall include the applicant, the Public Service Commission, the Department of Economic Opportunity, the Fish and Wildlife Conservation Commission, the Southwest Florida Water Management District, the Department of Environmental Protection, Hillsborough County, the Environmental Protection Commission of Hillsborough County, and the Department of Transportation. Any party listed in Section 403.508(3)(a), FS., other than the Department of Environmental Protection or the applicant may waive its right to participate in these proceedings if such party

fails to file a notice of its intent to be a party on or before the 90th day prior to the certification hearing. In addition, notwithstanding the provisions of chapter 120, upon the filing with the administrative law judge of a notice of intent to be a party no later than 75 days after the application is filed, the following shall also be parties to the proceeding: any agency not listed in Section 403.508(3)(a), FS., as to matters within its jurisdiction; any domestic nonprofit corporation or association formed, in whole or in part, to promote conservation or natural beauty, to protect the environment, personal health, or other biological values, to preserve historical sites, to promote consumer interests; to represent labor, commercial, or industrial groups, or to promote comprehensive planning or orderly development of the area in which the proposed electrical power plant is to be located. Other parties may include any person, including those persons listed herein who have failed to timely file a notice of intent to be a party, whose substantial interests are affected and being determined by the proceeding and who timely file a motion to intervene pursuant to Chapter 120, FS., and applicable rules. Intervention pursuant to this paragraph may be granted at the discretion of the designated administrative law judge and upon such conditions as he or she may prescribe any time prior to 30 days before the date of the certification hearing. Motions to intervene must be filed (received) with the Administrative Law Judge assigned to the case by the Division of Administrative Hearings, The Desoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-1550 prior to 30 days before the date of the certification hearing. Any agency, including those whose properties or works are being affected pursuant to s. 403.509(4), FS., shall be made a party upon the request of the Department or the applicant. Pursuant to Section 403.508(6), FS., the certification hearing may be cancelled, if all parties to the proceeding stipulate that there are no disputed issues of fact or law to be raised at the certification hearing.

DEPARTMENT OF HEALTH

Emergency Action

On May 8, 2018, the State Surgeon General issued an Order of Emergency Restriction Order with regard to the license of Carlos Ysrael Ramos, L.M.T., License # MA 68959. This Emergency Restriction Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to subsections 456.073(8) and 120.60(6) Florida Statutes (2017). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH
BOARD OF NURSING
Emergency Action

On May 8, 2018, the State Surgeon General issued an Order of Emergency Restriction Order with regard to the William Edward Simpkins, Jr., R.N., License # RN 9214479. This Emergency Restriction Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to subsections 456.073(8) and 120.60(6) Florida Statutes (2017). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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.
