

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

RULE NO.: RULE TITLE:

65C-30.019 Missing Children

PURPOSE AND EFFECT: The Department intends to amend Rule 65C-30.019, F.A.C, Missing Children, to accomplish the following: (1) Clarify reporting requirements for missing children; and (2) Establish requirements related to ongoing search activities.

SUBJECT AREA TO BE ADDRESSED: Missing Children

RULEMAKING AUTHORITY: 39.012, 39.0121(16), 39.0141, FS.

LAW IMPLEMENTED: 39.0141, 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: Jodi Abramowitz, Jodi.abramowitz@myflfamilies.com or (850)717-4189.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NOS.: RULE TITLE:

- 68A-6.001 Captive Wildlife Definitions
- 68A-6.0011 Possession of Wildlife in Captivity; Permit Requirements
- 68A-6.002 Categories of Captive Wildlife
- 68A-6.0021 Possession or Transfer of Class I Wildlife as Personal Use Wildlife
- 68A-6.0022 Possession of Class I, II, or III Wildlife in Captivity; Permit Requirements
- 68A-6.0023 General Regulations Governing Possession of Captive Wildlife; Public Contact; Transfer of Wildlife and Record Keeping Requirements
- 68A-6.0024 Commercialization of Wildlife; Bonding or Financial Responsibility Guarantee

- RULE NOS.: RULE TITLE:
- 68A-6.0025 Sanctuaries; Retired Performing Wildlife and Identification
- 68A-6.003 Facility and Structural Caging Requirement for Class I, II and III Wildlife
- 68A-6.004 Standard Caging Requirements for Captive Wildlife
- 68A-6.0041 Exceptions to Standard Caging Requirements for Captive Wildlife
- 68A-6.0042 Elephant Rides
- 68A-6.005 Transportation Requirements for Wildlife; Caging Requirements for Performing and Non-Performing Animals
- 68A-6.006 Dealing in Exotic or Pet Birds: Records
- 68A-6.007 Possession, Transportation, Exhibition and Caging Venomous Reptiles and Reptiles of Concern
- 68A-6.0071 Record Keeping and Reporting Requirements
- 68A-6.0072 Identification of Non-Native Venomous Reptiles and Reptiles of Concern; Escape
- PURPOSE AND EFFECT: The purpose and effect of this rule development effort is to analyze the current rules during calendar year 2017 to determine if adjustments are needed to ensure the safety of the general public and the possessors of wildlife, and to ensure the welfare of the wildlife.
- SUBJECT AREA TO BE ADDRESSED: Subject area covered in the proposed rules includes the regulations governing captive wildlife.
- RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution
- LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution
- IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.
- THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Carla Oglo, Assistant General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764.
- THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

Section II Proposed Rules

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Geologists

RULE NO.: RULE TITLE:

61G16-9.001 Disciplinary Guidelines

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

SUMMARY: Update disciplinary guidelines.

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 meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 455.2273, 492.104, 492.113(2) FS.

LAW IMPLEMENTED: 455.227, 455.2273, 492.113(1), (2), (3) 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: Richard Morrison, Executive Director, Board of Professional Geologists, 2601 Blair Stone Road, Tallahassee, FL 32399-0767, N11, or by electronic mail - Richard.Morrison@myfloridalicense.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

61G16-9.001 Disciplinary Guidelines

(1) Whenever the Board finds a licensee guilty of

violating a provision of Chapter 492, F.S., the following Penalty Guidelines shall be followed:

Statutory Violation	Description of Violation (This description is a general summary. It is not designed to be used in charging documents. Reference should be made to the statute identified for a complete statement of the substance of the violation).	Penalty Range for First Violation.	Penalty Range for Subsequent Violation.
(a) Violation of: Section 492.109, F.S.	Failure to file changes of address with the Department.	Notice of Non-Compliance. Fine up to \$1000 + Costs. Plus Reprimand, Probation or Suspension all with Usual Conditions.	Fine up to \$1000 + Costs; Plus Probation or Suspension, Revocation or Deny License all with Usual Conditions.
(b) Violation of: Section 492.111(1), F.S.	Failure of business enterprise to have name and license number of current geologist of record on file with the Department.	Notice of Non-Compliance. Fine up to \$1000 + Costs. Plus Reprimand, Probation or Suspension all with Usual Conditions.	Fine up to \$1000 + Costs; Plus Probation, Suspension, Revocation or Deny License all with Usual Conditions.
(c) through (v) No Change			

(2) through (6) No Change.

Rulemaking Authority 455.2273, 492.104, 492.113(2) FS. Law Implemented 455.227, 455.2273, 492.113(1), (2), (3) FS. History—New 7-3-05, Amended 2-7-13,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Professional Geologists

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 25, 2017
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 24, 2017

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Geologists

RULE NO.: 61G16-9.002 RULE TITLE: Notices of Non-Compliance
 PURPOSE AND EFFECT: The Board is creating the rule to set out violations that warrant a Notice of Non-Compliance.
 SUMMARY: Identify violations that warrant a Notice of Non-Compliance.
 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 meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 120.695(2)(b), 492.104 FS.
 LAW IMPLEMENTED: 455.225(3)(a), 492.113(2), (3) 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: Richard Morrison, Executive Director, Board of Professional Geologists, 2601 Blair Stone Road, Tallahassee, FL 32399-0767, N11, or by electronic mail - Richard.Morrison@myfloridalicense.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

61G16-9.002: Notices of Non-Compliance

(1) As an alternative to investigation and prosecution, when a complaint is received, the Board shall provide a licensee with a notice of non-compliance for an initial offense for the following violations which are designated as minor violations for the purposes of Section 455.225(3), Florida Statutes.:

(a) Violation of Section 492.109, F.S. Failure to file changes of address with the Department.

(b) Violation of Section 492.111(1), F.S. Failure of business enterprise to have name and license number of current geologist of record on file with the Department.

(2) The designation of violations as minor for the purposes of Section 455.255(3), Florida Statutes, is limited to initial violations.

Rulemaking Authority 120.695(2)(b), 492.104 FS. Law Implemented 455.225(3)(a), 492.113(2), (3) FS History—New

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Professional Geologists

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 25, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 24, 2017

DEPARTMENT OF CHILDREN AND FAMILIES

Agency for Persons with Disabilities

RULE NO.: 65G-9.002 RULE TITLE: Right to Vote in Public Elections
 PURPOSE AND EFFECT: The purpose of this rulemaking is to comport with Section 916.107(7), Florida Statutes, directing the agency to establish rules so that facility staff may assist clients in registering and voting in primary and general elections.

SUMMARY: These rules implement the provisions of Section 916.107(7), Florida Statutes which authorize the Agency to adopt rules so that the facility staff may assist clients in registering to vote and in voting in primary and general elections.

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: Specifically, the Agency relied upon the nature of the rules and the agency’s analysis of factors determining that a SERC was not required.

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: 916.1093(2) FS.

LAW IMPLEMENTED: 916.107(7) 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: Michele Lucas. 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: Michele Lucas, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 335K, Tallahassee, Florida 32399, (850)921-3779, michele.lucas@apdcares.org.

THE FULL TEXT OF THE PROPOSED RULE IS:

65G-9.002 Right to Vote in Public Elections.

(1) Any forensic client not adjudicated incompetent under the provisions of Chapter 744, F.S., or otherwise disqualified by law, and meeting the legal age and residency requirements of the state shall, if he or she requests, be assisted in registering to vote and in voting in public elections.

(2) A client who is properly registered to vote in a county other than the county of placement, shall be assisted in making application for a vote-by-mail ballot in that county if he or she so requests. A client who is not registered to vote shall be assisted in registering in the county of his permanent residence, if he or she so requests.

(3) If a client requests assistance in voting, registering, or in getting information about voting requirements, staff at the facility shall assist the client in obtaining the information.

Rulemaking Authority 916.1093(2) FS. Law Implemented 916.107(7) FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE: Michele Lucas

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Barbara Palmer

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 22, 2017

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 10, 2016

Section III
Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-3.037 RULE TITLE: Alternate Engine Fuels for School Buses

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 43 No. 38, February 24, 2017 issue of the Florida Administrative Register.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: This rule does not impose any direct fees or associated costs and is not expected to require legislative ratification. The use of alternative fuels is addressed in Title 49 Code of Federal Regulations (CFR) 571.301 and 571.303. School bus manufacturers already use 49 CFR 571.301 and 571.303 as well as the National School Transportation Specifications and Procedures section on Alternative Fuels. The requirement for SERC was not triggered under Section 120.541(1), F.S., and the adverse impact or regulatory cost, if any, do not exceed nor would be expected to exceed any one of the economic analysis criteria set forth in Section 120.541(2)(a), F.S.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-4.037: RULE TITLE: Revocation or Suspension of Certificates

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 43 No. 38, February 24, 2017 issue of the Florida Administrative Register.

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: Neither the existing rule, nor this repeal of the rule in its entirety, impose any direct fees or associated costs and is not expected to require legislative ratification. The requirement for SERC was not triggered under Section 120.541(1), F.S., and the adverse impact or regulatory cost, if any, do not exceed nor would be expected to exceed any one of the economic analysis criteria set forth in Section 120.541(2)(a), F.S.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-10.050: The Recovery Network Program
NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 43 No. 38, February 24, 2017 issue of the Florida Administrative Register.

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: Neither the existing rule, nor this repeal of the rule in its entirety, impose any direct fees or associated costs and is not expected to require legislative ratification. The requirement for SERC was not triggered under Section 120.541(1), F.S., and the adverse impact or regulatory cost, if any, do not exceed nor would be expected to exceed any one of the economic analysis criteria set forth in Section 120.541(2)(a), F.S.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.008 License Fees
NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 43 No. 40, February 28, 2017 issue of the Florida Administrative Register. The date Notice of Proposed Rule Development Published in FAR is corrected to read January 25, 2017.

**Section IV
Emergency Rules**

NONE

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

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:

40D-22.201: Year-Round Water Conservation Measures

NOTICE IS HEREBY GIVEN that on February 21, 2017, the Southwest Florida Water Management District received a petition for a variance or waiver.

Petitioner's Name: Willow Springs HOA

Rule No.: 40D-22.201

Nature of the rule for which variance or waiver is sought:

Lawn and landscape irrigation

The Petition has been assigned tracking No. 17-4249.

A copy of the Petition for Variance or Waiver may be obtained by contacting Lois Sorensen, 7601 US Highway 301, Tampa, Florida 33637, (813)985-7481, ext. 2298, water.variances@watermatters.org. Any interested person or other agency may submit written comments within 14 days after the publication of this notice. (R2017016).

DEPARTMENT OF HEALTH

Board of Optometry

The Board of Optometry hereby gives notice that the Petition filed by George J. Brown, OD, on December 19, 2016, seeking a variance or waiver of subsection 64B13-11.004(2), F.A.C., has been withdrawn. The Notice of Petition was published in Vol. 42, No. 250, the December 28, 2016 issue of the Florida Administrative Register.

A copy of the Order or additional information may be obtained by contacting Anthony Spivey, Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3255, (850)488-0595, Anthony.Spivey@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Optometry

The Board of Optometry hereby gives notice that on March 2, 2017, an Order was filed on the Petition for Waiver or Variance. The petition was filed by Lorraine A. Snead, O.D., on October 20, 2016, seeking a waiver or variance from subsection 64B13-4.001(2), F.A.C., with regard to the requirement that applicants for licensure must have achieved a score of 75% or better on all 4 parts of the licensure examination, including three enumerated portions of Part III, within the seven (7) year period immediately preceding application for licensure. The Notice was published in Volume 42, No. 209, of the Florida Administrative Register, on October 26, 2016. The Board, at its meeting held on February

17, 2017, voted to grant the Petition for Waiver or Variance finding that the Petitioner has achieved the purpose of the underlying statute by other means, in that Petitioner’s recent scores on the examination have established she is currently minimally competent to practice optometry. In addition, the board finds that strict application of the Rule’s provisions to Petitioner would violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting Anthony B. Spivey, Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257, (850)488-0595, Anthony.Spivey@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Optometry

The Board of Optometry hereby gives notice that on March 2, 2017, an Order was filed on the Petition for Variance or Waiver of Rule 64B13-10.001, F.A.C., filed by Harry N. Synder, OD, FAAO, on October 6, 2016. The Notice was published in Volume 42, No. 200, of the Florida Administrative Register, on October 13, 2016. The Board, at its meeting held on February 17, 2017, voted to grant the Petition for Variance or Waiver finding that the Petitioner has achieved the purpose of the underlying statute by other means, and that application of the provisions of the Rule to Petitioner’s particular facts and circumstances would violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting Anthony B. Spivey, Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3257, (850)488-0595, Anthony.Spivey@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Optometry

The Board of Optometry hereby gives notice that on March 2, 2017, an Order was filed on the Petition for Waiver or Variance. The petition was filed by Akram Masood, O.D., on December 2, 2016, seeking a waiver or variance from subsection 64B13-4.001(2), F.A.C., with regard to the requirement that applicants for licensure must have achieved a score of 75% or better on all 4 parts of the licensure examination, including three enumerated portions of Part III, within the seven (7) year period immediately preceding application for licensure. The Notice was published in Volume 42, No. 250, of the Florida Administrative Register, on December 28, 2016. The Board, at its meeting held on February 17, 2017, voted to grant the Petition for Waiver or Variance finding that the Petitioner has achieved the purpose of the underlying statute by other means, in that Petitioner’s scores on the examination have established he is currently minimally competent to practice optometry. In addition, the

Board finds that strict application of the Rule’s provisions to Petitioner would violate principles of fairness.

A copy of the Order or additional information may be obtained by contacting Anthony B. Spivey, Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3257, (850)488-0595, Anthony.Spivey@flhealth.gov.

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NO.: RULE TITLE:

64E-9.001: General

The Department of Health hereby gives notice:

On February 21, 2017, the Department of Health issued an order in response to a petition for a variance filed on October 5, 2016 by Alvaro Mendoza, representing Commercial Energy Specialists, regarding ultraviolet light water treatment devices for public swimming pools. Petitioner sought variance from section 454.1.6.5.16.6 - 3., of Florida Building Code, Building, Chapter 4-Special Occupancy, as this section is incorporated by reference in Rule 64E-9.001, Florida Administrative Code; that requires UV light devices be validated under a code-referenced US Environmental Protection Agency guidance protocol. Notice of the petition was published in the November 1, 2016, edition of the Florida Administrative Register. The Department found that the Petitioner demonstrated that the underlying intent of the statute could be achieved by alternative means and that strict application of the rules would create a substantial hardship in the Petitioner's particular circumstance. Therefore, pursuant to the requirements of subsection 120.542(2), Florida Statutes, the Department GRANTED WITH CONDITIONS Petitioner's request for a variance.

A copy of the Order or additional information may be obtained by contacting Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin A02, Tallahassee, Florida 32399-1703.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF EDUCATION

State Board of Education

The Financial Emergency Board for the School District of Jefferson County announces a public meeting to which all persons are invited.

DATE AND TIME: March 8, 2017, 1:00 p.m.: this meeting has been cancelled

PLACE: Turlington Building.

GENERAL SUBJECT MATTER TO BE CONSIDERED:
 The Financial Emergency Board meeting scheduled for March 8, 2017, 1:00 p.m. (published February 28, 2017, in Vol. 43, No. 40, F.A.R.) has been cancelled and will be rescheduled.

EXECUTIVE OFFICE OF THE GOVERNOR

Division of Emergency Management

The Division of Emergency Management announces a public meeting to which all persons are invited.

DATE AND TIME: April 7, 2017, 2:30 p.m.

PLACE: William E. Sadowski Office Building, 2555 Shumard Oak Blvd., Tallahassee, FL 32399

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 the Request for Proposal (RFP-DEM-16-17-048) for Hurricane Loss Mitigation Program.

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

A copy of the agenda may be obtained by contacting Tara Walters, Division Procurement Manager, Bureau of Finance, Florida Division of Emergency Management, 2555 Shumard Oak Blvd, Tallahassee, FL 32399, (850)410-1391, Tara.Walters@em.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting Tara Walters, Division Procurement Manager, Bureau of Finance, Florida Division of Emergency Management, 2555 Shumard Oak Blvd, Tallahassee, FL 32399, (850)410-1391, Tara.Walters@em.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).

REGIONAL PLANNING COUNCILS

Southwest Florida Regional Planning Council

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

DATE AND TIME: March 16, 2017, 9:00 a.m.

PLACE: Southwest Florida Regional Planning Council, 1400 Colonial Boulevard, Suite 1, Fort Myers

GENERAL SUBJECT MATTER TO BE CONSIDERED:
 The regular monthly meeting of the SWFRPC.

A copy of the agenda may be obtained by contacting Charles Kammerer at (239)938-1813 or ckammerer@swfrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting SWFRPC, (239)938-1813. 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 visit the SWFRPC's website at www.swfrpc.org.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

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

DATE AND TIME: March 17, 2017, 9:00 a.m., Lake Belt Mitigation Committee

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

GENERAL SUBJECT MATTER TO BE CONSIDERED:
 Meeting of the Lake Belt Mitigation Committee (LBMC), created pursuant to Section 373.41492, Florida Statutes, to discuss a variety of Lake Belt issues.

All or part of these meetings may be conducted as a teleconference in order to permit maximum participation.

Teleconference information: 6800 (internal number); (561)682-6800 (WPB local number); (855)682-6800 (toll-free nationwide); Access code: 997 317 576

A copy of the agenda may be obtained by contacting Lourdes Elias, (561)682-2706 or <http://www.sfwmd.gov/our-work/lake-belt-committee>.

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 District Clerk, (561)682-6805. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Lourdes Elias, (561)682-6706.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

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

DATE AND TIME: March 13, 2017, 5:00 p.m.: Water Resources Advisory Commission (WRAC) – Recreational Issues Meeting

PLACE: St. Cloud Field Station - SFWMD, 3800 Old Canoe Creek Road, St. Cloud, FL 34769

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

A copy of the agenda may be obtained by contacting Yvette Bonilla, (561)682-6286, ybonilla@sfwmd.gov, or at our website, <https://www.sfwmd.gov/news-events/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 District Clerk's Office, (561)682-6805. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information about the meeting, contact Yvette Bonilla, (561)682-6286.

REGIONAL UTILITY AUTHORITIES

Tampa Bay Water - A Regional Water Supply Authority
Tampa Bay Water - A Regional Water Supply Authority announces a public meeting to which all persons are invited.

DATE AND TIME: March 22, 2017, 1:00 p.m. until completed

PLACE: Tampa Bay Water Administrative Offices, 2575 Enterprise Road, Clearwater, Florida 33763

GENERAL SUBJECT MATTER TO BE CONSIDERED: A public meeting of the Selection Committee for As-Needed Utility Management Consulting Services, CONTRACT NO.'s 2017-041 thru 043. As a part of the selection process, the Selection Committee will hear presentations and conduct interviews with short-listed firms in order to determine the highest-ranking firm to recommend for award.

A copy of the agenda may be obtained by contacting Records Department at (727)796-2355.

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 Records Department at (727)796-2355. 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 Records Department at (727)796-2355.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

RULE NO.: RULE TITLE:

61G20-1.001: Florida Building Code Adopted

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

DATE AND TIME: March 22, 2017, 1:00 p.m.

PLACE: Meetings to be conducted using communications media technology, specifically teleconference and webinar.

Join the meeting at <https://global.gotomeeting.com/join/296837149>. Join the conference call: United States (toll-free) 1(877)309-2073,

meeting ID/access code: 296837149; public point of access 2601 Blair Stone Road, Tallahassee, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED: MODIFICATION OF NOTICE 18682605 PRINT PUBLISH DATE: MARCH 3, 2017 Vol. 43, No. 43, F.A.R. Adding subject to publication by adding "To review and accept interim draft report for research project titled "Improved Hot Water Code Calculation." "

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 10 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 Norman Bellamy, 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 Real Estate Commission

The Probable Cause Panel of the Florida Real Estate Commission announces a hearing to which all persons are invited.

DATE AND TIME: Monday, March 20, 2017, 3:00 p.m.

PLACE: Zora Neale Hurston Building, North Tower, Suite N901, 400 West Robinson Street, Orlando, Florida 32801.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Probable Cause Panel will meet to conduct a private meeting to review cases to determine probable cause and to conduct a public meeting to review cases where probable cause was previously found. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Probable Cause Panel or its counsel.

A copy of the agenda may be obtained by contacting Mike Davis, Division of Real Estate, at michael.davis@myfloridalicense.com. Only public portions of the agenda are available upon request.

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 Division of Real Estate, (407)481-5662. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

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

DATE AND TIME: Tuesday, March 21, 2017, 8:30 a.m. ET; meeting will reconvene on Wednesday, March 22, 2017, 8:30 a.m. ET

PLACE: Zora Neale Hurston Building, North Tower, Suite N901, 400 West Robinson Street, Orlando, Florida 32801.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of Commission – topics include, but are not limited to, proposed legislation affecting Chapter 475, Part I, F.S., Chapter 61J2 rule discussion, budget discussions, escrow disbursement requests, recovery fund claims, education issues, petitions for declaratory statement, petitions for rule

variance/waiver, disciplinary actions and real estate applications. All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Commission members or its counsel.

A copy of the agenda may be obtained by contacting Mike Davis at michael.davis@myfloridalicense.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Division of Real Estate, (407)481-5662. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DATE AND TIME: March 15, 2017, 10:00 a.m.

PLACE: Florida Onsite Wastewater Association Training Center, 5115 State Road 557, Lake Alfred, FL 33850

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Springs Onsite Sewage Treatment Disposal Systems Advisory Committee members are participating in a tour of the Florida Onsite Wastewater Association Training Center to view exhibits of nitrogen removing onsite sewage treatment and disposal systems. Members will participate in technical discussion of the merits and drawbacks of the different systems. Meeting items may include technical discussions on possible approaches for addressing onsite sewage treatment disposal system loadings to Outstanding Florida Springs.

A copy of the agenda may be obtained by contacting Mary Paulic, Watershed Planning and Coordination Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS 3565, Tallahassee, Florida 32399-2400, Mary.Paulic@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting Mary Paulic, Watershed Planning and Coordination Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS 3565, Tallahassee, Florida 32399-2400, Mary.Paulic@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida

Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Mary Paulic, Watershed Planning and Coordination Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS 3565, Tallahassee, Florida 32399-2400, Mary.Paulic@dep.state.fl.us.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Workforce Services

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

DATE AND TIME: March 15, 2017, 9:30 a.m.

PLACE: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151

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

A copy of the agenda may be obtained by contacting Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685.

Section VII

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

NOTICE IS HEREBY GIVEN that the Agency for Health Care Administration has received the petition for declaratory statement from KJHM, LLC d/b/a NBI Ranch. The petition seeks the agency's opinion as to the applicability of s. 394.67(22), Fla. Stat., as it applies to the petitioner.

A copy of the Petition for Declaratory Statement may be obtained by contacting Richard J. Shoop, Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop 3, Tallahassee, Florida 32308, Richard.Shoop@ahca.myflorida.com, (850)412-3671.

Persons other than the original parties to a pending proceeding whose substantial interests will be affected by the disposition of the declaratory statement and who desire to become parties may file a motion to intervene with the Agency. The motion should be filed with the Agency Clerk at the above address within twenty one (21) days of publication of this notice. Any petition for leave to intervene must comply with the requirements set forth in Fla. Admin. Code R. 28-105.0027.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

NOTICE IS HEREBY GIVEN that the Agency for Health Care Administration has received the petition for declaratory statement from Marlyn Behavioral Health Systems, Inc. d/b/a Quality Resource Center and Marlyn Enterprises of Jacksonville, Inc. d/b/a Quality Life Center of Jacksonville on February 27, 2017. The petition seeks the agency's opinion as to the applicability of s. 400.9905, Fla. Stat., as it applies to the petitioner.

A copy of the Petition for Declaratory Statement may be obtained by contacting Richard J. Shoop, Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop 3, Tallahassee, Florida 32308, Richard.Shoop@ahca.myflorida.com, (850)412-3671.

Persons other than the original parties to a pending proceeding whose substantial interests will be affected by the disposition of the declaratory statement and who desire to become parties may file a motion to intervene with the Agency. The motion should be filed with the Agency Clerk at the above address within twenty one (21) days of publication of this notice. Any petition for leave to intervene must comply with the requirements set forth in Fla. Admin. Code R. 28-105.0027.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

NOTICE IS HEREBY GIVEN that the Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco has received the petition for declaratory statement from Chris L. Harriman on February 16, 2017. The petition seeks the agency's opinion as to the applicability of Florida Administrative Code Rule 61A-3.019, subsections (1) and (3) as they apply to the petitioner.

The Petitioner seeks a declaratory statement from the Division as to whether Rule 61A-3.019 requires a Veteran of Foreign Wars ("VFW") post or lodge to serve individuals who are not

members of their post, but are members of other affiliated VFW posts.

A copy of the Petition for Declaratory Statement may be obtained by contacting Department of Business and Professional Regulation, Agency Clerk's Office, 2601 Blair Stone Road, Tallahassee, FL 32399-2202, (850)717-1183, AGC.Filing@myfloridalicense.com.

Please refer all comments to Daniel McGinn, Esq., Office of the General Counsel, 2601 Blair Stone Road, Tallahassee, FL 32399-2202, Daniel.Mcginn@myfloridalicense.com. Except for good cause shown, motions for leave to intervene must be filed within 21 days of this notice. DS: 2017-004 DBPR Reference #: 2017-010106.

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 ENVIRONMENTAL PROTECTION
DEP Solicitation No. 2017014C, Norriego Point Stabilization and Restoration Project

NOTICE OF INVITATION TO BID: The Florida Department of Environmental Protection Procurement Office is soliciting formal, competitive, sealed bids from contractors for bid number 2017014C, Norriego Point Stabilization and Restoration Project.

The Department will post notice of any changes or additional meeting(s) on the Vendor Bid System (VBS) in accordance with Sections 287.042(3) and 255.0525, Florida Statutes, and will not re-advertise any notice in the Florida Administrative Register (FAR). Access the VBS at http://www.myflorida.com/apps/vbs/vbs_www.main_menu.

OTHER AGENCIES AND ORGANIZATIONS

Gainesville-Alachua County Regional Airport Authority (GACRAA)

REQUEST FOR BIDS # 17-002

TERMINAL PARKING LOT EXPANSION PROJECT

REVISED BID DATE

Sealed bids for the Terminal Parking Lot Expansion Project for the Gainesville Regional Airport will be received by GACRAA's Administration Office, 3880 NE 39th Avenue, Ste A, Gainesville, FL 32609 UNTIL: Tuesday, March 14, 2017 at 2:00 p.m. at which time they will be publicly opened and read aloud. (The previously published due date for bids was Tuesday, March 7, 2017 at 2:00 p.m.)

The official clock is located in the Authority's Administrative Office. Bids received after 2:00 p.m. March 14, 2017 will not be considered.

A Mandatory Pre-Bid Conference was held on February 17, 2017.

Bids must be signed by an authorized official, enclosed in a sealed envelope or package clearly marked: "Project No. 17-002 Terminal Parking Lot Expansion" and mailed or delivered to the Authority's Administrative Office, Gainesville Regional Airport, Attn: Chief Executive Officer, 3880 N.E. 39th Avenue, Suite A, Gainesville, Florida 32609.

Any questions regarding this bid should be directed to Sue Finney at AVCON, Inc. at sfinney@avconinc.com or (407)599-1122.

GACRAA reserves the right to reject any or all bids received in response to this Request for Bids as determined to be in the best interest of the Airport.

**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 8:00 a.m., Tuesday, February 28, 2017 and 3:00 p.m., Monday, March 6, 2017. An improved electronic publication system is forthcoming on the Florida Administrative Rules website, FLRules.org, which will accommodate complete publication of rules filed for adoption in the previous 7 days, including rules awaiting legislative action.

Rule No.	File Date	Effective Date
5L-1.001	3/3/2017	3/23/2017
5L-1.002	3/3/2017	3/23/2017
5L-1.003	3/3/2017	3/23/2017
5L-1.004	3/3/2017	3/23/2017
5L-1.005	3/3/2017	3/23/2017
5L-1.006	3/3/2017	3/23/2017
5L-1.007	3/3/2017	3/23/2017
5L-1.008	3/3/2017	3/23/2017
5L-1.009	3/3/2017	3/23/2017
5L-1.010	3/3/2017	3/23/2017
5L-1.011	3/3/2017	3/23/2017
5L-1.012	3/3/2017	3/23/2017
5L-1.013	3/3/2017	3/23/2017
5L-1.014	3/3/2017	3/23/2017
5L-1.015	3/3/2017	3/23/2017
5L-1.016	3/3/2017	3/23/2017
5L-1.017	3/3/2017	3/23/2017
5L-1.018	3/3/2017	3/23/2017
5L-1.019	3/3/2017	3/23/2017
6M-4.400	2/28/2017	3/20/2017
6M-4.630	2/28/2017	3/20/2017

6M-8.201	2/28/2017	3/20/2017
6M-8.2011	2/28/2017	3/20/2017
40D-8.624	3/2/2017	3/22/2017
58M-2.011	3/3/2017	3/23/2017
59A-3.253	2/27/2017	3/19/2017
61G4-16.005	3/6/2017	3/26/2017
64B5-9.010	3/2/2017	3/22/2017
64B10-11.001	2/28/2017	3/20/2017
64B10-11.003	2/28/2017	3/20/2017
69L-6.015	3/1/2017	3/21/2017
69L-6.027	3/1/2017	3/21/2017

**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
40B-9.021	12/21/2016	**/**/*****
40B-9.041	12/21/2016	**/**/*****
40B-9.126	12/21/2016	**/**/*****
40B-9.131	12/21/2016	**/**/*****
40B-9.1381	12/21/2016	**/**/*****
40B-9.1411	12/21/2016	**/**/*****
40B-9.142	12/21/2016	**/**/*****
40B-9.145	12/21/2016	**/**/*****
40B-9.123	12/9/2016	**/**/*****
58M-2.009	2/9/2017	**/**/*****
60FF1-5.009	7/21/2016	**/**/*****
64B8-9.009	6/15/2016	**/**/*****
64B8-10.003	12/9/2015	**/**/*****
69L-7.100	12/19/2016	**/**/*****
69L-7.501	12/19/2016	**/**/*****

DEPARTMENT OF JUVENILE JUSTICE

Policy and Procedures Update

The Department has posted draft policy and procedures for review and comment: FDJJ 2000 Contract Management and Program Monitoring and Quality Improvement. The policy will be posted until March 17, 2017 on the Department’s web page at <http://www.djj.state.fl.us/partner/policies-resources/departments-policies/policies-under-review>. Directions for submitting comments can be found at the above web page.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

Final Order No. DEO-17-006

In re: A LAND DEVELOPMENT REGULATION
ADOPTED BY ISLAMORADA, VILLAGE OF
ISLANDS, FLORIDA, ORDINANCE NO. 16-21

FINAL ORDER

REJECTING ISLAMORADA ORDINANCE NO. 16-21

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to sections 380.05(6) and 380.0552(9), Florida Statutes, rejecting land development regulations adopted by the Islamorada, Village of Islands, Florida, Ordinance No. 16-21 (the “Ordinance”).

FINDINGS OF FACT

1. The Florida Keys Area is designated by section 380.0552, Florida Statutes, as an area of critical state concern. Islamorada, Village of Islands, is a local government within the Florida Keys Area.
2. The Ordinance was adopted by Islamorada, Village of Islands, on December 1, 2016, and rendered to the Department on January 4, 2017.
3. The Ordinance amends the Islamorada, Village of Islands, Code of Ordinances to allow for attached and detached affordable housing in the Residential Single Family (R1) and (R1M) zoning districts.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. *See* sections 380.05(6) and 380.0552(9), Florida Statutes.
5. Islamorada, Village of Islands, is a local government within the Florida Keys Area of Critical State Concern. *See* section 380.0552, Fla. Stat.
6. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. Section 380.031(8), Florida Statutes. The regulations adopted by the Ordinance are land development regulations.

7. The Ordinance is inconsistent with the Islamorada, Village of Islands, Comprehensive Plan Policy 1-2.3.3. *See* section 163.3177(1), Florida Statutes.

8. All land development regulations enacted, amended, or rescinded within an area of critical state concern must also be consistent with the principles for guiding development for that area. *See* sections 380.05(6) and 380.0552(9), Florida Statutes. The Principles for Guiding Development for the Florida Keys Area of Critical State Concern are set forth in section 380.0552(7), Florida Statutes.

9. The Ordinance is inconsistent with section 380.0552(7)(a), Florida Statutes, because it fails to “[strengthen] local government capabilities for managing land use and development so that local government is able to achieve these objectives without continuing the area of critical state concern designation.”

WHEREFORE, IT IS ORDERED that the Department finds that the Islamorada, Village of Islands, Ordinance No. 16-21 is inconsistent with the Islamorada, Village of Islands, Comprehensive Plan and the Principles for Guiding Development for the Florida Keys Area of Critical State Concern and is hereby **REJECTED**.

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

DONE AND ORDERED in Tallahassee, Florida.

/s/

Julie Dennis, Director
Division of Community Development
Department of Economic Opportunity

NOTICE OF ADMINISTRATIVE RIGHTS

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

FOR THE REQUIRED CONTENTS OF A PETITION CHALLENGING AGENCY ACTION, REFER TO RULES 28-106.104(2), 28-106.201(2), AND 28-106.301, FLORIDA ADMINISTRATIVE CODE.

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

ANY PETITION MUST BE FILED WITH THE AGENCY CLERK OF THE DEPARTMENT OF ECONOMIC OPPORTUNITY WITHIN 21 CALENDAR DAYS OF THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA

ADMINISTRATIVE REGISTER. A PETITION IS FILED WHEN IT IS RECEIVED BY:

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

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

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 3rd day of March, 2017.

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

By Certified U.S. Mail:

The Honorable Jim Mooney, Mayor
Islamorada, Village of Islands Council
86800 Overseas Highway
Islamorada, FL 33036

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

Cheryl Cioffari
Director of Planning
86800 Overseas Highway
Islamorada, FL 33036

Section XIII
Index to Rules Filed During Preceding Week

INDEX TO RULES FILED BETWEEN FEBRUARY 27, 2017 AND MARCH 3, 2017

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES				
Division of Aquaculture				
5L-1.001	3/3/2017	3/23/2017	42/226	
5L-1.002	3/3/2017	3/23/2017	42/226	43/10
5L-1.003	3/3/2017	3/23/2017	42/226	43/10
5L-1.004	3/3/2017	3/23/2017	42/226	43/10
5L-1.005	3/3/2017	3/23/2017	42/226	43/10
5L-1.006	3/3/2017	3/23/2017	42/226	43/10
5L-1.007	3/3/2017	3/23/2017	42/226	43/10
5L-1.008	3/3/2017	3/23/2017	42/226	43/10
5L-1.009	3/3/2017	3/23/2017	42/226	43/10
5L-1.010	3/3/2017	3/23/2017	42/226	43/10
5L-1.011	3/3/2017	3/23/2017	42/226	
5L-1.012	3/3/2017	3/23/2017	42/226	43/10
5L-1.013	3/3/2017	3/23/2017	42/226	43/10
5L-1.014	3/3/2017	3/23/2017	42/226	43/10
5L-1.015	3/3/2017	3/23/2017	42/226	43/10
5L-1.016	3/3/2017	1/23/2017	42/226	
5L-1.017	3/3/2017	3/23/2017	42/226	
5L-1.018	3/3/2017	3/23/2017	42/226	
5L-1.019	3/3/2017	3/23/2017	42/226	43/10
DEPARTMENT OF EDUCATION				
State Board of Education				
6A-1.0995	3/2/2017	3/22/2017	43/16	
6A-1.09951	3/2/2017	3/22/2017	43/16	43/21 43/25
6A-3.0171	3/2/2017	3/22/2017	43/13	43/22
6A-6.0960	3/2/2017	3/22/2017	43/13	
Florida's Office of Early Learning				
6M-4.400	2/28/2017	3/20/2017	42/246	43/19
6M-4.630	2/28/2017	3/20/2017	42/247	43/19
6M-8.201	2/28/2017	3/20/2017	42/247	43/19
6M-8.2011	2/28/2017	3/20/2017	42/247	

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

40D-8.624 3/2/2017 3/22/2017 43/09

DEPARTMENT OF ELDER AFFAIRS

Office of Public and Professional Guardians

58M-2.011 3/3/2017 3/23/2017 42/203 43/04

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

59A-3.253 2/27/2017 3/19/2017 42/244

59A-5.004 2/27/2017 3/19/2017 42/244

DEPARTMENT OF MANAGEMENT SERVICES

Commission on Human Relations

60Y-2.004 2/27/2017 3/19/2017 43/08

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

61G15-20.0010 2/27/2017 3/19/2017 42/106 43/17

61G15-20.0015 2/27/2017 3/19/2017 42/110 43/17

DEPARTMENT OF HEALTH

Board of Dentistry

64B5-9.010 3/2/2017 3/22/2017 43/10

Board of Nursing Home Administrators

64B10-11.001 2/28/2017 3/20/2017 42/215 43/20

64B10-11.003 2/28/2017 3/20/2017 42/215 43/20

DEPARTMENT OF FINANCIAL SERVICES

Division of Worker's Compensation

69L-6.015 3/1/2017 3/21/2017 43/16

69L-6.027 3/1/2017 3/21/2017 43/16

LIST OF RULES AWAITING LEGISLATIVE APPROVAL PURSUANT TO SECTION 120.541(3), 373.139(7) AND 373.1391(6), FLORIDA STATUTES

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

40B-9.021 12/21/2016 **/**/**** 42/221

40B-9.041 12/21/2016 **/**/**** 42/221

40B-9.123 12/9/2016 **/**/**** 42/221

40B-9.126 12/21/2016 **/**/**** 42/221

40B-9.131 12/21/2016 **/**/**** 42/221

40B-9.1381 12/21/2016 **/**/**** 42/221

40B-9.1411 12/21/2016 **/**/**** 42/221

40B-9.142 12/21/2016 **/**/**** 42/221

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NOTE: The above section will be published on Tuesday beginning October 2, 2012, unless Monday is a holiday, then it will be published on Wednesday of that week.