

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

NONE

Section II
Proposed Rules

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Water Policy

RULE NO.: RULE TITLE:

5M-1.010 Temporarily Inactive Operations

PURPOSE AND EFFECT: This rule adopts a system for verification of implementation of best management practices for temporarily inactive agricultural operations.

SUMMARY: This rule provides a system for verification of implementation of best management practices for agricultural operations that are temporarily inactive due to catastrophic disease issues or agricultural land use changes.

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 proposed rule provides a method for producers to remain enrolled in the Florida Department of Agriculture and Consumer Services (Department) best management practices (BMPs) program when production areas are temporarily inactive. The time and cost to producers to undertake BMPs as required on temporarily inactive lands is negligible since the implementation verification assessment was already required for those enrolled in the Department’s BMP program prior to the activity.

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: 403.067(7)(c)2., 403.067(7)(d)2.c., 570.07(10), 570.07(23), F.S.

LAW IMPLEMENTED: 403.067(7)(d)2.c., F.S.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bill Bartnick, Environmental Administrator, Office of Agricultural Water Policy, (850) 617-1705 / Bill.Bartnick@FDACS.gov

THE FULL TEXT OF THE PROPOSED RULE IS:

5M-1.010 Temporarily Inactive Operations.

(1) To qualify as a Temporarily Inactive Operation under the best management practices (BMP) programs listed in subsections (2) or (3) of this rule, an agricultural producer must:

(a) Have been engaged in active agricultural production on parcels for which temporarily inactive status is being sought within the preceding five (5) years or, if in citrus production, ten (10) years of the date of notification required in Rule 5M-1.010(1)(d), F.A.C.;

(b) Be enrolled in the BMP programs as provided in Chapters 5M-2 through 5M-14, 5M-16 through 5M-19, or 5I-6, F.A.C., on applicable parcels and production activities;

(c) Maintain the land as fallow for more than one year; and

(d) Notify the Department in writing to AgBmpHelp@FDACS.gov or the Florida Department of Agriculture and Consumer Services, Office of Agricultural Water Policy, 407 South Calhoun Street, Tallahassee, FL 32399, and request classification as a Temporarily Inactive Operation within 60 days of ceasing production or 90 days of adoption of this rule. Such notification shall include:

1. Identification of the parcel to be classified as a Temporarily Inactive Operation, including the existing Notice of Intent to Implement BMPs (NOI) numbers, parcel numbers and geographic extent of those areas to be classified as temporarily inactive;

2. Confirmation that the agricultural producer meets the requirements of Rules 5M-1.010(1)(a) and 5M-1.010(1)(b), F.A.C.; and

3. Statement that the agricultural producer intends to return to active agricultural production on those parcels subject to temporarily inactive status within a time period not to exceed five (5) years from the date of notification, unless the production areas are verified as still inactive by the Department prior to the expiration of the five-year period.

(2) For Temporarily Inactive Operations, the following BMPs shall be applicable and constitute the basis for verification of the status of implementation:

(a) No fertilizer is applied to the inactive parcel in any form;

(b) Installed or constructed surface water management systems and structures are operated in accordance with a permit issued pursuant to Section 373.4131, F.S. In the absence of such a permit, the system and structures are maintained in working

order and operated consistent with the practices below:

1. For ditch systems that contain water control structures, remove boards only when necessary to prevent adverse hydrologic impacts to adjacent parcels; and

2. During the inactive period, fixed weirs or other means of outfall shall be maintained, or repaired if necessary, to achieve the same level of service as when the operation was enrolled or the infrastructure was constructed.

(c) During the inactive period, the primary infrastructure for irrigation or water table management systems shall be maintained at the same condition as when the operation became inactive. Primary infrastructure does not include secondary distribution pumps;

(d) Implement measures to prevent or control woody exotic and invasive vegetative species listed in Rule 5B-57.007, F.A.C.; and

(e) Manage and store chemicals, fuels, and other regulated materials on the property as required by state and federal law.

(3) Producers who have executed, or expect to be under, a contract, easement, or other agreement with the Florida Department of Environmental Protection, a water management district, or the Department to operate a water resource project shall operate in compliance with the terms of such contract, easement, or other agreement. The producer must return to active agricultural production within five (5) years of the expiration or termination of the contract, easement, or other agreement, including any extensions and amendments. If the operations are terminated prior to the expiration due to lack of funding, the time period to return to active agricultural operation shall begin from the last date of operating the system.

(4) Those areas within an existing NOI that are not subject to classification as Temporarily Inactive Operations shall remain subject to the conditions of the existing NOI.

(5) Producers who are temporarily inactive must notify the Department in writing to AgBmpHelp@FDACS.gov or the Florida Department of Agriculture and Consumer Services, Office of Agricultural Water Policy, 407 South Calhoun Street, Tallahassee, FL 32399, and request re-classification or enroll in BMPs specific to their commodity within 60 days of starting production.

Rulemaking Authority 403.067(7)(c)2., 403.067(7)(d)2.c., 570.07(10), 570.07(23), F.S. Law Implemented 403.067(7)(d)2.c., F.S. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Christopher Pettit, Director, Office of Agricultural Water Policy

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner of Agriculture Nicole Fried

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 10, 2020

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 12, 2020

WATER MANAGEMENT DISTRICTS

Northwest Florida Water Management District

RULE NOS.: RULE TITLES:
40A-3.037 Water Well Contractor Licensing
40A-3.041 Permits Required
40A-3.451 Emergency Authorization

PURPOSE AND EFFECT: The overall purpose is to update existing rules for consistency with Florida Statutes and Florida Administrative Code.

SUMMARY: This rule development will cover updating existing rules for consistency with Florida Statutes and Florida Administrative Code.

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: Upon review of the proposed changes to the rule, the District has determined that the amendments will not exceed any one of the economic analysis criteria in a SERC as set forth in Section 120.541(2)(a), 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, 373.171, 373.246, 373.309, 373.323, 373.337, 373.603, 373.609, FS

LAW IMPLEMENTED: 373.106, 373.109, 373.306, 373.308, 373.309, 373.313, 373.314, 373.316, 373.323, 373, 326, 373.333, 373.337, 373.342, 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: Megan Seward, Bureau Chief, Northwest Florida Water Management District, Bureau of Performance and Compliance Improvement, 152 Water Management Drive, Havana, FL 32333, (850)539-5999, megan.seward@nwfwater.com

THE FULL TEXT OF THE PROPOSED RULE IS:

40A-3.037 Water Well Contractor Licensing.

(1) Chapter 62-531, F.A.C., effective ~~8-7-196-22-14~~, which requires the licensing of water well contractors, is hereby incorporated by reference, <https://www.flrules.org/Gateway/reference.asp?No=Ref-11589>

~~<https://www.flrules.org/Gateway/reference.asp?No=Ref-09102>~~, A copy can be obtained from District offices upon request. The licensing program shall be administered and enforced by the District under the authority delegated to it by the Department of Environmental Protection by Order dated July 11, 1984.

(a) The Water Well Contractor Continuing Education Program Manual, effective ~~8-7-196-22-14~~, <http://www.flrules.org/Gateway/reference.asp?No=Ref-11590> ~~<http://www.flrules.org/Gateway/reference.asp?No=Ref-09477>~~, is referenced in rule 62-531, F.A.C., and is hereby incorporated by reference, and requires the use of the following forms, which are also incorporated by reference:

1. Coursework Certificate of Attendance and Evaluation, Florida Water Well Contractor Continuing Education Program, Form 1, effective 6-22-14, <http://www.flrules.org/Gateway/reference.asp?No=Ref-09478>.

2. Florida Water Well Contractor Continuing Education Program, Certificate of Completion, Form 2, effective 6-22-14, <http://www.flrules.org/Gateway/reference.asp?No=Ref-09479>.

3. Application for Continuing Education Coursework Approval, Florida Water Well Contractor Continuing Education Program, Form 3, effective 6-22-14, <http://www.flrules.org/Gateway/reference.asp?No=Ref-09617>.

4. Application for Continuing Education Course Provider, Florida Water Well Contractor Continuing Education Program, Form 4, effective 6-22-14, <http://www.flrules.org/Gateway/reference.asp?No=Ref-09618>.

Copies of the Water Well Contractor Continuing Education Program Manual and the forms referenced therein can be obtained from District offices upon request.

(b) The Water Well Construction Disciplinary Guidelines and Citations Dictionary, effective 6-22-14, <http://www.flrules.org/Gateway/reference.asp?No=Ref-09619>, is referenced in rule 62-531, F.A.C., and is hereby incorporated by reference, and a copy can be obtained from District offices upon request.

(2) Unlicensed persons violating the provisions of Chapter 373, F.S., or these rules, or orders of the District are subject to the disciplinary procedures prescribed in Section 373.323, F.S. Rulemaking Authority 373.044, 373.113, 373.323, 373.337 FS. Law Implemented 373.323 FS. History–New 10-1-84, Amended 8-1-89, 8-15-18,_____.

40A-3.041 Permits Required.

(1) through (15) No change.

(16) A single permit may be obtained for the construction, repair, or abandonment of the following multiple well systems provided the wells have similar construction into the same geologic formation, are completed in the same hydrogeologic unit, are located on contiguous tract(s) of land for which the applicant demonstrates a legal right to construct, repair or abandon a well(s), have individual total well depths equal to or less than fifty (50) feet below land surface, have individual well nominal casing with inner diameters equal to or less than four (4) inches, meet the criteria in rule 40A-3.301, F.A.C., and comply with all applicable construction, location, casing and grouting requirements set forth in Chapter 40A-3, F.A.C.:

(a) Up to ten (10) monitor wells; or

(b) Up to ten (10) site investigation wells. Site investigation wells shall be abandoned under a separate permit no later than 90 days after construction is completed.

Rulemaking Authority 373.044, 373.113, 373.171, 373.337 FS. Law Implemented 373.106, 373.109, 373.306, 373.308, 373.309, 373.313, 373.314, 373.316, 373.337, 373.342, FS. History–New 4-14-80, Amended 4-13-81, 2-1-82, 10-7-82, 3-29-84, 1-9-86, Formerly 16G-3.04, 16G-3.11, Amended 8-1-89, 12-1-90, 2-14-91, 11-1-95, 7-1-98, 8-15-18,_____.

40A-3.451 Emergency Authorization.

(1) through (4) No change.

~~(5) Failure to fulfill the guidelines for obtaining emergency permits may result in the issuance of a Notice of Violation under the provisions of Rules 40A 3.041, 40A 3.301 and 40A 3.451, F.A.C.~~

Rulemaking Authority 373.044, 373.113, 373.171, 373.309, 373.337 FS. Law Implemented 373.109, 373.308, 373.309, 373.313, 373.326, 373.342, 373.333 FS. History–New 4-14-80, Amended 1-9-86, Formerly 16G-3.45, 16G-3.16, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Megan Seward, Bureau Chief, Bureau of Performance and Compliance Improvement

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governing Board, Northwest Florida Water Management District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 22, 2019
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 1, 2019

WATER MANAGEMENT DISTRICTS

Northwest Florida Water Management District

RULE NOS.: RULE TITLES:
 40A-7.001 Policy
 40A-7.002 Definitions
 40A-7.003 Determination and Notice of a Material Breach of a Contract with the District
 40A-7.004 Determination and Notice of a Contractor Suspension
 40A-7.005 Administrative Hearings

PURPOSE AND EFFECT: The overall purpose is to create a new rule chapter for contractor suspension procedures and policy to comply with Florida Statutes.

SUMMARY: This rule development will create a new rule chapter for contractor suspension procedures and policy to comply with Florida Statutes.

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: Upon review of the proposed rule chapter, the District has determined that the new rule will not exceed any one of the economic analysis criteria in a SERC as set forth in Section 120.541(2)(a), 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: 373.610, F.S

LAW IMPLEMENTED: 373.610, F.S

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Megan Seward, Bureau Chief, Northwest Florida Water Management District, Bureau of Performance and Compliance Improvement, 152 Water Management Drive, Havana, FL 32333, (850)539-5999, megan.seward@nwfwater.com

THE FULL TEXT OF THE PROPOSED RULE IS:

CHAPTER 40A-7
CONTRACTOR SUSPENSION

- 40A-7.001 Policy
- 40A-7.002 Definitions
- 40A-7.003 Determination and Notice of a Material Breach of a Contract with the District
- 40A-7.004 Determination and Notice of a Contractor Suspension
- 40A-7.005 Administrative Hearings

40A-7.001 Policy.

(1) This chapter establishes the policy and procedure for suspending a contractor from working with the District, either temporarily or permanently, when a contractor materially breaches a contract with the District.

(2) The District’s objective in enacting this chapter is to serve as a good steward of taxpayer funds and encourage business practices that require contractors to materially perform in accordance with the terms and conditions of the District contract.

(3) The District Governing Board shall be authorized to temporarily or permanently suspend a contractor from doing business with the District, based upon a determination that the contractor has materially breached its contract with the District. The Governing Board may elect not to take action.

(4) By temporarily or permanently suspending a contractor from doing business with the District, the District does not waive any other legal or equitable remedies for breach of contract.
Rulemaking Authority 373.610 FS. Law Implemented 373.610 FS. History—New XX-XX-XX.

40A-7.002 Definitions.

When used in this chapter:

(1) “Contractor” means an individual, partnership, corporation, joint venture, professional association, an obligor to a third party beneficiary contract, or any other legal entity, including any associated principals, that has entered into a contract with the District for the performance of work. Contractor shall not include recipients of District grant funds.

(2) “District” means the Northwest Florida Water Management District.

(3) “Notice to Defaulting Contractor” means a written notification from the District to a contractor stating that the contractor materially breached a contract with the District for the purposes of this chapter and is being referred to the Governing Board for a determination as to whether the

contractor should be placed on the District's Temporary or Permanent Suspension List.

(4) "Obligor" means an entity that has promised or is otherwise legally obligated to perform an act or deed for the benefit of a third party beneficiary. Obligor to the District include but are not limited to insurance companies and surety companies.

(5) "Principal(s)" means a sole proprietor, partner, owner, officer, or director of the contractor that materially breached a District contract.

(6) "Re-procurement costs" means the total amount of additional expense, which may include administrative costs or attorney's fees, that the District has or will incur in order to obtain substitute goods or services from another contractor to complete the requirements that the defaulting contractor failed to perform in accordance with the District contract.

(7) "Suspension Notice" means a written notification from the District informing a contractor that it has not been suspended from doing business with the District or informing a contractor that it has been placed on the District's Suspension List and is temporarily or permanently suspended from doing business with the District.

(8) "Suspension List" means a list of contractors maintained by the District that are temporarily or permanently suspended from doing business with the District.

(9) "Third-party beneficiary" means whenever the District is the intended beneficiary of a contract but is not a party to the contract.

Rulemaking Authority 373.610 FS. Law Implemented 373.610 FS. History– New XX-XX-XX.

40A-7.003 Determination and Notice of a Material Breach of a Contract with the District.

(1) For the purposes of this chapter, the Project Manager or Contract Manager, or subsequently titled position, shall determine, in consultation with the District's Executive Director and General Counsel, whether a contractor has materially breached a contract with the District.

(2) The determination that a contractor has materially breached a contract with the District shall be based upon a finding that the contractor acted in a manner that was inconsistent with the terms and conditions of the contract under circumstances not excused by the contract, and the action resulted in or involved one or more of the following conditions:

(a) An adverse economic impact to the District of greater than \$10,000;

(b) A delay in the completion of a District project by more than 3 months;

(c) The contractor failing to perform in accordance with professional licensing standards and regulations;

(d) The contractor intentionally failing to comply with Florida public records laws;

(e) The contractor discriminating on the basis of race, color, creed, national origin, sex, age, or handicap;

(f) The contractor violating requirements of a District solicitation to ensure the fair award of District contracts, including price fixing between competitors, allocation of customers between competitors, and bid rigging;

(g) The contractor demonstrating willful or gross misconduct;

(h) The commission of a criminal offense, including public entity crimes as defined in Section 287.133(1)(g), F.S.;

(i) The commission of any act indicating a lack of business integrity or honesty; or,

(j) The contractor knowingly doing business with a suspended contractor.

(3) Upon determining that a contractor materially breached a District contract in accordance with the requirements of subsection 40A-7.003(2), F.A.C., the District will notify the contractor that the Governing Board will determine whether the contractor should be placed on the District's Temporary or Permanent Suspension List by mailing a Notice to Defaulting Contractor sent Certified U.S. Mail, return receipt requested. The Notice to Defaulting Contractor shall be mailed to the contractor at least 7 days prior to the Governing Board meeting. Rulemaking Authority 373.610 FS. Law Implemented 373.610 FS. History– New XX-XX-XX.

40A-7.004 Determination and Notice of a Contractor Suspension.

(1) Once the District has mailed a Notice to Defaulting Contractor to the contractor, the Governing Board shall determine whether the contractor should be suspended from doing business with the District, and if suspended, the duration of the suspension.

(2) The Governing Board shall consider the following when determining whether a contractor should be temporarily suspended from doing business with the District for a period of time of no more than 5 years:

(a) The material breach resulted in an adverse economic impact to the District of less than \$50,000;

(b) The material breach resulted in a delay in the completion of a District project of less than 1 year;

(c) The contractor failed to perform in accordance with professional licensing standards and regulations;

(d) The contractor failed to comply with Florida public records laws;

(e) The material breach involved discrimination on the basis of race, color, creed, national origin, sex, age, or handicap;

(f) The material breach involved willful or gross misconduct;

(g) The District has terminated any other District contracts with the contractor due to the contractor’s material breach within the past 5 years;

(h) The material breach involved the commission of any act indicating a lack of business integrity or honesty; and,

(i) The material breach involved knowingly doing business with a suspended contractor.

(3) The Governing Board shall consider the following when making a determination whether a contractor should be permanently suspended from doing business with the District:

(a) The material breach resulted in an adverse economic impact to the District of \$50,000 or more;

(b) The material breach resulted in a delay in the completion of a District project of 1 year or more;

(c) The material breach involved discrimination on the basis of race, color, creed, national origin, sex, age, or handicap;

(d) The contractor violated a District solicitation to ensure the fair award of District contracts, including price fixing between competitors, allocation of customers between competitors, and bid rigging; and,

(e) The material breach involved the commission of a criminal offense, including public entity crimes as defined in Section 287.133(1)(g), F.S.;

(4) The District shall mail to the contractor a Suspension Notice by Certified U.S. Mail, return receipt requested, upon the Governing Board’s determination that the contractor will not be suspended or has been temporarily or permanently suspended from doing business with the District. The Suspension Notice shall specify the basis for the Governing Board’s determination and the duration of any suspension. The Suspension Notice shall inform the contractor that its principals shall not do business with the District under a different name or form a new legal entity in order to do business with the District while the contractor remains on the Suspension List.

(5) Upon written request to the District, a contractor placed on the Temporary Suspension List will be reinstated at the conclusion of the contractor’s suspension period after reimbursing the District for all re-procurement costs.

(6) Contractors that are placed on the Permanent Suspension List will be permanently suspended from doing business with the District.

Rulemaking Authority 373.610 FS. Law Implemented 373.610 FS. History– New XX-XX-XX.

40A-7.005 Administrative Hearings.

The Suspension Notice shall constitute final agency action subject to the provisions of Chapter 120, F.S.

Rulemaking Authority 373.610 FS. Law Implemented 373.610 FS. History– New XX-XX-XX.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Megan Seward, Bureau Chief, Bureau of Performance and Compliance Improvement

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governing Board, Northwest Florida Water Management District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 22, 2019

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 1, 2019

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

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-501.401
RULE TITLE: Admissible Reading Material
NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 46 No. 56, March 20, 2020 issue of the Florida Administrative Register.

Section 120.54(3)(a)1., F.S., requires a Notice of Proposed Rule to include “a statement as to whether, based on the statement of the estimated regulatory costs or other information expressly relied upon and described by the agency if no statement of regulatory costs is required, the proposed rule is expected to require legislative ratification pursuant to s. 120.541(3).” The Department determined that a SERC was not required for this rule. Therefore, the notice should have included a statement regarding what information was relied upon in reaching that conclusion.

The proposed rule is hereby corrected to substitute the following 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 SERC or, if no SERC was required, the information expressly relied upon and described herein: The Department used an itemized checklist to conduct an economic analysis and determine if there would be any adverse impact or regulatory cost associated with this rule that exceeds the stated criteria. Upon review of the proposed rulemaking, the Department determined that the

amendments will not exceed any one of the economic analysis criteria in a SERC as set forth in s. 120.541(2)(a), 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.

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE NO.: RULE TITLE:
64B18-17.001 Continuing Education Required for License Renewal

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 46 No. 2, January 3, 2020 issue of the Florida Administrative Register.

The changes are based upon written comments received by the staff of the Joint Administrative Procedures Committee.

The changes are as follows:

64B18-17.001 Continuing Education Required for License Renewal.

- (1) No Change.
- (2) All licensees who seek to renew the active status of their licensure must demonstrate that they have completed, during the previous two years, at least forty (40) hours of continuing education.
 - (a) Through (d) no change.
 - (e) For active licensees in good standing, up to ten (10) hours of pro bono service may be counted toward the required continuing education for the biennium in which the service was provided. Pro bono service, however, must be performed under the auspices of a nonprofit agency or in clinics serving the indigent or otherwise underserved populations in areas of critical need within the state. Proof of such service on the agency’s or clinic’s letterhead and signed by the director of the agency or clinic must be provided upon audit of the licensee’s continuing education credit hours.
 - (f) Through (g) no change.
 - (3) Through (5) no change.
 - (6) Continuing education earned for the purpose of renewing a delinquent license or reactivating an inactive license to active status may not be applied to the continuing education requirement for the next biennial renewal date.

(7) If the licensee has not actively practiced podiatric medicine for at least 2 years of the immediately preceding 4 years, the board ~~shall~~ may require the licensee to successfully complete a board-approved course prior to renewal of the license. ~~appear before the board at a regularly scheduled public meeting to demonstrate preparedness for active practice. The Board may require the licensee to successfully complete a~~

~~board approved course prior to active renewal of the license.~~ For a licensee to have “actively practiced podiatric medicine” as defined in s. 461.007, the annual practice, teaching, or administration of podiatric medicine must minimally constitute an average of 20 hours per week.

(8) Through (12) No change.

Rulemaking Authority 456.013(6), 456.033, 456.0301(2), 461.005, 461.007(3) FS. Law Implemented 456.013(6), (7), (9), 456.0301(1), 456.033, 456.0341, 456.036(11), 461.003(5), 461.007(1), 7 FS. History—New 11-24-80, Formerly 21T-17.01, Amended 10-14-86, 2-21-88, 5-16-89, Formerly 21T-17.001, Amended 7-6-94, Formerly 61F12-17.001, Amended 1-1-96, 1-2-97, 6-1-97, Formerly 59Z-17.001, Amended 4-25-00, 9-27-01, 11-27-05, 1-29-07, 11-19-12, 8-6-18, _____.

**Section IV
Emergency Rules**

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

RULE NO.: RULE TITLE:
5JER20-1 Volatility Standards for Gasoline

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Due to the global crisis related to COVID-19 and the Center for Disease Control and Prevention’s directive to limit travel, there is an extreme and unusual oversupply of fuel meeting winter season volatility requirements. Pursuant to adopted national fuel standards, volatility requirements will soon shift to accommodate the changing seasons, leaving distributors unable to supply this fuel for retail sale. The unexpected oversupply of winter season fuel is also monopolizing fuel storage systems, preventing distributors from being able to shift their supplies to season-appropriate fuel. If volatility standards are not adjusted to account for this extraordinary situation, there will be a shortage of lawful fuel available for sale, even as storage tanks sit full of useable fuel. This emergency rule will allow for the adequate and rapid distribution of available fuel, helping to stabilize the fuel market, thus protecting the public welfare.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: This emergency rule was initiated at the request of fuel suppliers to ensure a consistent supply of fuel in Florida while avoiding the unnecessary creation of a fuel shortage. As the COVID-19 health crisis is an unprecedented and rapidly-evolving situation, prompt action based on information regarding recent developments in the fuel industry is both necessary and fair.

SUMMARY: This emergency rule allows gasoline of a different volatility class than adopted in ASTM International designation D4814-13a, as adopted in Rule 5J-21.001, F.A.C.,

for a period of 30 days. The specific standards affected are below.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Richard Kimsey, Assistant Director of Consumer Services, 2005 Apalachee Parkway, Tallahassee, FL 32399, (850)921-1556.

THE FULL TEXT OF THE EMERGENCY RULE IS:

5JER20-1 Volatility Standards for Gasoline Volatility Class D-4 fuels, as specified in ASTM International designation D4814-13a, shall be allowed for an additional 30 days.
Rulemaking Authority 525.037, 525.14, 570.07(23) FS. Law Implemented 525.01, 525.037, 525.14 FS. History – New 3-20-20.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: 3/20/20

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Food, Nutrition and Wellness

RULE NO.: RULE TITLE:

5PER20-2 Appeals.

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Due to the risk posed by the COVID-19 outbreak to the entire state of Florida, the resulting severe public health emergency declared by the Governor of the State of Florida, and the recommendations of the United States Centers for Disease Control and the Florida Department of Health to implement social distancing measures for approximately 30 days, the Department has determined there is an immediate danger to the public health, safety, and welfare of individuals seeking to exercise their right to due process within the deadlines provided under Rule 5P-1.002, F.A.C. This emergency rule will allow Appellants additional time to respond to agency action and participate in hearings while adhering to recommended social distancing measures, thus protecting the public welfare.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The deadlines provided in the emergency rule allow Appellants to adhere to social distancing recommendations by giving them more time to coordinate their response to agency action and allowing additional time to conduct hearings at a later date either by video conference or in person when social distancing recommendations are lifted.

SUMMARY: This emergency rule extends the deadlines for Appellants participating in the National School Lunch Program

to allow 15 calendar days to respond to agency action, 30 days from receipt of a notice of action to provide documentation for review by the hearing official, and 45 days from receipt of a notice of action to conduct the hearing. The department is also afforded 30 days to provide documentation for review by the hearing official. The deadlines for the Summer Food Service Program are not extended because the Summer Food Service Program is not currently operating or under review by the department.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Darby Shaw, Senior Attorney, 407 South Calhoun St., Tallahassee, FL 32399, (850)245-1000.

THE FULL TEXT OF THE EMERGENCY RULE IS:

5PER20-2 (5P-1.002) Appeals.

(1)-(3) No change.

(4) The Appellant shall have fifteen (15) calendar days if participating in the National School Lunch Program and ten (10) calendar days for the Summer Food Service Program to appeal the agency action from the date the Appellant receives the Notice of Action.

(5)-(6) No change.

(7) The Appellant may submit additional written documentation for review by the hearing official either with the request for appeal or within thirty calendar days if participating in the National School Lunch Program and within seven (7) calendar days if participating in the Summer Food Service Program of the date the Appellant submitted the request for appeal. The department has thirty calendar days if Appellant is participating in the National School Lunch Program and seven (7) calendar days if Appellant is participating in the Summer Food Service Program from the date the department received the request for appeal to submit written documentation to the designated hearing official. Any written documentation received after the applicable thirty-day or seven-day deadline will not be considered for review.

(8) No change.

(9) If a hearing is requested, it shall be held within forty-five (45) calendar days for Appellants participating in the National School Lunch Program and within fourteen (14) calendar days for Appellants participating in the Summer Food Service Program of the date the department received the request for appeal, unless otherwise agreed to by both parties. At no time shall the hearing be held prior to the date the hearing officer receives written documentation from both parties. The Appellant shall be provided with at least five (5) calendar days' written notice, sent via certified mail, return receipt requested, of the time and place of the hearing.

(a)-(b) No change.

(10)-(16) No change.

Rulemaking Authority 570.07(23), 595.404(4), (10), (11) FS. Law Implemented 595.404 FS. History—New 3-22-66, 4-11-70, 4-19-73, Repromulgated 12-5-74, Amended 6-28-83, Formerly 6A-7.41, 6A-7.040, Amended 6-21-18, 12-16-18, 3-20-20.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: 3/20/2020

DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE NO.: RULE TITLE:

64B7ER20-22: Education Requirements for Board Approved Massage Schools

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: The Board of Massage Therapy (hereinafter the “Board”) is statutorily mandated to adopt rules establishing minimum requirements for Board approved Massage schools. Pursuant to this authority, the Board has promulgated rules setting forth the minimum requirements for Board approved Massage Schools.

Rule 64B7-32.003, Florida Administrative Code, sets out the minimum requirements for Board Approved Massage Schools. Subsection (1)(c) requires Board approved massage schools to offer a course of study which “includes, at a minimum, 500 classroom hours,” which are defined in Rule 64B7-32.001(1), F.A.C., as “no less than 50 minutes of any one clock hour during which the student participates in a learning activity of the school while in the physical presence of a faculty member.”

On March 1, 2020, Florida Governor Ron DeSantis issued Executive Order Number 20-51 which directed the State Health Officer and Surgeon General, Dr. Scott Rivkees, to declare a public health emergency pursuant to the spread of the Coronavirus Disease 2019 (COVID-19). On March 9, 2020, Governor DeSantis issued Executive Order Number 20-52 (Emergency Management - COVID-19 Public Health Emergency) and officially declared that a state of emergency exists in the State of Florida. COVID-19 is a severe acute respiratory illness that can spread among humans through respiratory transmission and presents with symptoms similar to those of influenza. The Center for Disease Control (“CDC”) recommends mitigation measures to combat the spread of COVID-19 such as staying home when sick, keeping away from others who are sick, staying home when a household member is sick with respiratory disease symptoms, and for those who are at higher risk, including older adults and those who have serious chronic medical conditions, to avoid non-essential air travel and to avoid crowds as much as possible.

Since the issuance of the Executive Orders and declaration of a

public health emergency by the State Health Officer and Surgeon General Dr. Rivkees, the Board office has received numerous calls and emails from Board approved massage schools concerned about the dangers of personal contact related to COVID-19 during classroom hour instruction, and inquiries as to whether there is an alternative method by which they can offer the minimum course of study required for licensure. Schools are concerned about the dangers of being in large groups of people in close contact in the classroom. The Board office also relates that the Department of Education has advised schools to offer educational content by distance education. The Commission for Independent Education (CIE), as the licensing authority for private-postsecondary schools, is also strongly encouraging distance education for schools licensed under its purview. Most Board approved massage schools are licensed by the CIE.

Ensuring that Florida’s citizens are not unnecessarily put at risk is essential during this healthcare emergency. Faculty and enrolled students have an increased likelihood of exposure to COVID-19 if they continue to complete required courses of study in person.

Accordingly, the Board, by emergency rule, will permit the following required hours to be taught using distance learning: 150 hours of Anatomy and Physiology; 25 hours of Massage Theory and History; 15 hours of Business; 3 hours of Theory and Practice of Hydrotherapy; 10 hours of Florida Laws and Rules; 4 hours of Professional Ethics; 3 hours of HIV/AIDS; and 2 hours of Prevention of Medical Errors. The Board finds that these actions are a measured regulatory approach that helps to mitigate the threat of exposure to COVID-19 and to protect enrolled students, educators and citizens from exposure to COVID-19.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: Given the recently declared emergency in the State of Florida and the recent guidance from the CDC, the Board finds that an immediate danger to the public health, safety, or welfare necessitates immediate action regarding this issue. Notice of this emergency meeting was published in the Florida Administrative Register on March 19, 2020. In addition, notice of the Board’s emergency meeting was posted on the Board’s official website.

SUMMARY: The proposed emergency rule waives the in-person (classroom hour) requirements for areas of study within the required course of study for Board approved massage schools and permits enrolled students to complete training in those specified areas of study in a distance learning format.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Kama Monroe, J.D., Executive Director, Board Massage Therapy, 4052 Bald Cypress Way, Bin # C-06 Tallahassee, Florida 32399-3257.

THE FULL TEXT OF THE EMERGENCY RULE IS:

64B7ER20-22 (64B7-32.003) Education Minimum Requirements for Board Approved Massage Schools.

For the period from March 21, 2020, through June 19, 2020, Board Approved Massage Schools may provide the following required hours of a course of study through distance learning: 150 hours of Anatomy and Physiology; 25 hours of Massage Theory and History; 15 hours of Business; 3 hours of Theory and Practice of Hydrotherapy; 10 hours of Florida Laws and Rules; 4 hours of Professional Ethics; 3 hours of HIV/AIDS; and 2 hours of Prevention of Medical Errors. The hours specified in this emergency rule taken through distance learning during the specified period shall count toward completion of the course of study required for graduation.

Rulemaking Authority 480.033(9), 480.035(7) FS. Law Implemented 480.033(9), 480.041(1)(b) FS. History—New 3-25-86, Amended 8-15-89, 12- 22-92, Formerly 21L-32.003, Amended 10-20-96, Formerly 61G11-32.003, Amended 8-16-98, 10-30-07, 4-25-10, 5-8-12, 3-21-18.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: March 20, 2020

Section V

Petitions and Dispositions Regarding Rule Variance or Waiver

AGENCY FOR HEALTH CARE ADMINISTRATION

Certificate of Need

RULE NO.: RULE TITLE:

59C-1.044 Organ Transplantation

NOTICE IS HEREBY GIVEN that on March 18, 2020, the Agency for Health Care Administration, received a petition for waiver of subsection 59C-1.044(1) and paragraph 59C-1.044 (2)(c), F.A.C. from Public Health Trust of Miami-Dade County, Florida to perform a bone marrow transplant on a specific patient that is 21 years of age. The petition was assigned case number 2020005180. Any interested person or other agency may submit written comments on the petition within 5 days after this notice by e-mailing hospitals@ahca.myflorida.com.

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

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: RULE TITLE:

67-48.023 Housing Credits General Program Procedures and Requirements

The Florida Housing Finance Corporation hereby gives notice: On March 19, 2020, the Florida Housing Finance Corporation issued an order granting the variance from subsection 67-48.023(2) F.A.C. for HTG Village View, LLC, to allow for calculation of the minimum set aside percentage based on income averaging. Florida Housing determined that the Petitioner had demonstrated that it would suffer a substantial hardship if the waiver was not granted. The petition was filed on February 26, 2020, and notice of the receipt of petition was published on February 28, 2020, in Vol. 46, Number 41 F.A.R. A copy of the Order or additional information may be obtained by contacting: Ana McGlamory, Corporation Clerk, Florida Housing Finance Corporation, 227 N. Bronough St., Ste. 5000, Tallahassee, FL 32301-1329.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

Division of Elections

RULE NO.: RULE TITLE:

1S-2.037 Provisional Ballots

The Department of State announces a cancellation of the following previously scheduled Rule 1S-2.037 Rule Development Workshop:

DATE AND TIME: March 24, 2020, 11:00 a.m. The Department of State announces the rescheduling of the Rule 1S-2.037 Rule Development Workshop to the following date and time: May 27, 2020, 11:00 a.m.

Call-in #: 1(888)585-9008; when asked for conference room number, dial 659-459-077

PLACE: Heritage Hall (Department of State Auditorium), R.A. Gray Building, 500 S. Bronough St., Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this workshop is to discuss proposed amendments to the provisional ballot certificate template and related matters in accordance with statutory changes in 2019.

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: Candice Edwards at (850)245-6536 or Candice.edwards@dos.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF EDUCATION

Education Practices Commission

The Executive Director Hiring announces a public meeting to which all persons are invited.

DATE AND TIME: A phone meeting will begin at 3:30 p.m., ET, or as soon thereafter as can be heard on March 31, 2020.

PLACE: Phone Meeting, U.S Toll Free: 1(888)585-9008, Conference Room Number: 847-456-389

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion on Executive Director hiring process; and voting.

A copy of the agenda may be obtained by contacting: Gretchen Kelley Brantley at (850)245-0455.

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: Gretchen Kelley Brantley at (850)245-0455. 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: Lisa Forbess or Gretchen Kelley Brantley at (850)245-0455.

DEPARTMENT OF LAW ENFORCEMENT

Criminal Justice Standards and Training Commission

The Criminal Justice Standards and Training Commission announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, March 31, 2020, 10:00 a.m.

PLACE: Florida Department of Law Enforcement Headquarters; 2331 Phillips Road; Tallahassee, Florida 32308.

DIAL-IN INSTRUCTIONS: Call 1(888)585-9008 and enter code, 197697647, followed by the # sign. Please call 5 minutes before 10:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: A discussion regarding CJSTC response to the Governor's Executive Order 20-52. Topic: A proposal to authorize staff to present Commission issues to the Commission Chair on a case-

by-case basis and allow the Chair to act on behalf of the Commission regarding a resolution.

A copy of the agenda may be obtained by contacting: Joyce Gainous-Harris at (850)410-8615 or e-mail at JoyceGainous-Harris@fdle.state.fl.us. The Commission packet can be viewed or downloaded after March 26, 2020, at: <http://www.fdle.state.fl.us/CJSTC/Commission/CJSTC-Home.aspx>.

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: Joyce Gainous-Harris at (850)410-8615 or e-mail at JoyceGainous-Harris@fdle.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).

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

The Southwest Florida Water Management District (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, April 14, 2020, 10:00 a.m.

PLACE: SWFWMD, 7601 US Highway 301 North, Tampa, FL 33637

GENERAL SUBJECT MATTER TO BE CONSIDERED: Note: Meeting Cancellation. Environmental Advisory Committee meeting

A copy of the agenda may be obtained by contacting: WaterMatters.org – Boards, Meetings & Event Calendar; 1(800)423-1476 (FL only) or (352)796-7211.

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: SWFWMD Human Resources Office Chief at 1(800)423-1476 (FL only) or (352)796-7211, x4703; TDD (FL only) 1(800)231-6103; or email to ADACoordinator@swfwmd.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).

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: Kelly.Page@watermatters.org; 1(800)423-1476 (FL only) or (352)796-7211, x4605 (Ad OrderEXE0730).

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District
 The Southwest Florida Water Management District (SWFWMD) announces a public meeting to which all persons are invited.

DATES AND TIMES: Northern Region: Wednesday, April 1, 2020, 10:00 a.m.; Southern Region: Wednesday, April 2, 2020, 10:00 a.m.; Tampa Bay Region: Wednesday, April 8, 2020, 10:00 a.m.; Heartland Region: Thursday, April 9, 2020, 10:00 a.m.

PLACE: SWFWMD, 2379 Broad Street, Brooksville, FL 34604 (District staff only as currently District offices are closed to the public due to the COVID-19 pandemic), Members of the public may view the meeting online at WaterMatters.org and may listen and provide comments via phone at 1(888)585-9008 conference code 551-666-434.

GENERAL SUBJECT MATTER TO BE CONSIDERED: SWFWMD Regional Cooperative Funding Initiative Public Meetings: Governing Board members will discuss, evaluate and prioritize fiscal year 2021 requests. SWFWMD offices are currently closed to the public due to the COVID-19 pandemic. The public can view the meeting through our livestream at WaterMatters.org. Anyone who wishes to provide public input will be able to do so by calling toll-free at 1(888)585-9008 and entering a conference room number of 551-666-434. This number will allow the public to listen to the meeting and/or provide comments. Additional instructions regarding viewing of and participation in the meeting are available on the District’s website at WaterMatters.org or by calling 1(800)423-1476 and requesting assistance.

A copy of the agenda may be obtained by contacting: WaterMatters.org – Boards, Meetings & Event Calendar; 1(800)423-1476 (FL only) or (352)796-7211.

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: SWFWMD Human Resources Office Chief at 1(800)423-1476 (FL only) or (352)796-7211, x4703; TDD (FL only) 1-800-231-6103; or email to ADACoordinator@swfwmd.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).

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: Lori.manuel@watermatters.org; 1(800)423-1476 (FL only) or (352)796-7211, x4606 (Ad OrderEXE0731).

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board
 The Building Code Administrators and Inspectors Board announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 15, 2020, 10:00 a.m. Eastern Time
PLACE: Telephone Conference Call, Telephone Number: 1(888)585-9008

Conference room number for participates: 241-687-833
GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable cause panel (portions of which may be closed to the public).

A copy of the agenda may be obtained by contacting: Myfloridalicense.com - Businesses & Professions - Building Code Administrators & Inspectors - Board Meeting Information.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Department of Business and Professional Regulation, Building Code Administrators and Inspectors Board, 2601 Blair Stone Road, Tallahassee FL 32399, or by calling (850)717-1980. 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: Department of Business and Professional Regulation, Building Code Administrators and Inspectors Board, 2601 Blair Stone Road, Tallahassee FL 32399, or by calling (850)717-1980.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:RULE TITLES:

- 62-330.010 Purpose and Implementation
- 62-330.050 Procedures for Review and Agency Action on Exemption Requests
- 62-330.060 Content of Applications for Individual and Conceptual Approval Permits
- 62-330.090 Processing of Individual and Conceptual Approval Permit Applications

62-330.201 Formal Determinations of the Landward Extent of Wetlands and Other Surface Waters

62-330.340 Transfer of Permit Upon Change in Ownership or Control

62-330.402 Submittal and Processing of General Permits

The Florida Department of Environmental Protection announces a hearing to which all persons are invited.

DATES AND TIMES: April 2, 2020, 9:00 a.m.; April 6, 2020, 9:00 a.m.; April 10, 2020, 9:00 a.m.

PLACE: THIS NOTICE SUPERCEDES THE PREVIOUS NOTICE PUBLISHED ON MARCH 11, 2020. Due to COVID-19 social distancing requirements, the Department will hold the hearing by webinar only. Three webinars will be held to allow maximum public participation. Parties can register to attend the webinar via their personal computers with audio by telephone (regular long distance telephone charges will apply) or by speakers connected to their computer (no telephone charges will apply). Parties may register for the webinar(s) at the following links:

April 2, 2020 - <https://attendee.gotowebinar.com/register/1772606663095311884>;

April 6, 2020 - <https://attendee.gotowebinar.com/register/8648322363657568268>; or

April 10, 2020 - <https://attendee.gotowebinar.com/register/6306465950587781388>.

The public comment period is extended until midnight on April 17, 2020. Public comments and any pertinent materials may be submitted until the end of the comment period as follows: by email to Heather.Mason@FloridaDEP.gov; during the webinars by voice or in writing by typing into the chat box; or by mail to FDEP, attn: Heather Mason; 2600 Blair Stone Rd, Mail Station 2500, Tallahassee, FL 32399.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department of Environmental Protection (Department) has proposed to amend Chapter 62-330, F.A.C., Environmental Resource Permitting. These amendments streamline and clarify language for regulated entities that would require a State 404 Program Permit after assumption of the State 404 Program. Amendments include incorporating updated version of water management district handbooks, revising incorporated forms to include a State 404 Program Permit section, incorporating a new form, and clarifying that applicants may waive Environmental Resource Permit timelines so that Agency actions can be issued concurrently. Amendments to Applicant's Handbook Volume I include updating form titles, clarifying the process for the landward delineation of wetlands, adding unincorporated appendices for use when delineating the landward extent of wetlands, and providing for the use of state

or local authorizations for construction activities in right of ways as evidence of real property interest.

A copy of the agenda may be obtained by contacting: Heather Mason, 2600 Blair Stone Road, Tallahassee, Mail Station 2500, Florida 32399, (850)245-8480, Heather.Mason@FloridaDEP.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Heather Mason, 2600 Blair Stone Road, Tallahassee, Mail Station 2500, Florida 32399, (850)245-8480, Heather.Mason@FloridaDEP.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Heather Mason, 2600 Blair Stone Road, Tallahassee, Mail Station 2500, Florida 32399, (850)245-8480, Heather.Mason@FloridaDEP.gov.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
RULE NOS.:RULE TITLES:

- 62-331.010 Intent, Purpose, and Implementation
- 62-331.020 Regulated Activities
- 62-331.030 Definitions
- 62-331.040 Procedures for Review and Agency Action on Exemption Requests
- 62-331.050 Individual Permits
- 62-331.051 Application for an Individual Permit
- 62-331.052 Processing of Individual Permit Applications
- 62-331.053 Additional Conditions for Issuance of Individual Permits
- 62-331.054 General Conditions for Individual Permits
- 62-331.060 Public Notice
- 62-331.070 Water Quality and Coastal Zone Consistency Review
- 62-331.080 Modification, Suspension, or Revocation of Permits
- 62-331.090 Duration of Permits
- 62-331.100 Transfer of Permit Upon Change in Ownership or Control
- 62-331.110 Emergency Field Authorizations
- 62-331.120 Fees
- 62-331.130 Compensatory Mitigation
- 62-331.140 Mitigation Banks and In-Lieu Fee Programs
- 62-331.160 Use of Formal Determinations
- 62-331.200 Policy and Purpose of General Permits
- 62-331.201 Conditions for General Permits
- 62-331.210 General Permit for Maintenance or Removal
- 62-331.211 General Permit for Fish and Wildlife Harvesting, Enhancement, and Attraction Devices

- 62-331.212 General Permit for Scientific Measurement Devices
- 62-331.213 General Permit for Survey Activities
- 62-331.214 General Permit for Outfall and Intake Structures
- 62-331.215 General Permit for Utility Line Activities
- 62-331.216 General Permit for Bank Stabilization
- 62-331.217 General Permit for Linear Transportation Projects
- 62-331.218 General Permit for Return Water from Upland Contained Disposal Areas
- 62-331.219 General Permit for Hydropower Projects
- 62-331.220 General Permit for Minor Activities
- 62-331.221 General Permit for Response Operations for Oil or Hazardous Substances
- 62-331.222 General Permit for Removal of Vessels
- 62-331.223 General Permit for Approved Categorical Exclusions
- 62-331.224 General Permit for Structural Activities
- 62-331.225 General Permit for Aquatic Habitat Restoration, Enhancement, and Creation Activities
- 62-331.226 General Permit for Specific Reversion Activities
- 62-331.227 General Permit for Residential Developments
- 62-331.228 General Permit for Moist Soil Management for Wildlife
- 62-331.229 General Permit for Maintenance of Existing Flood Control Facilities
- 62-331.230 General Permit for Completed Federal Enforcement Actions
- 62-331.231 General Permit for Temporary Construction, Access, and Dewatering
- 62-331.233 General Permit for Boat Ramps
- 62-331.234 General Permit for Emergency Watershed Protection and Rehabilitation
- 62-331.235 General Permit for Cleanup of Hazardous and Toxic Waste
- 62-331.236 General Permit for Commercial and Institutional Developments
- 62-331.237 General Permit for Agricultural Activities
- 62-331.238 General Permit for Reshaping Existing Drainage Ditches
- 62-331.239 General Permit for Recreational Facilities
- 62-331.240 General Permit for Stormwater Management Facilities
- 62-331.241 General Permit for Mining Activities
- 62-331.242 General Permit for Repair of Uplands Damaged by Discreet Events
- 62-331.243 General Permit for Activities in Ditches
- 62-331.244 General Permit for Commercial Shellfish Aquaculture Activities
- 62-331.245 General Permit for Land-Based Renewable Energy Generation Facilities

62-331.246 General Permit for Water-Based Renewable Energy Generation Pilot Projects

62-331.247 General Permit for Removal of Low-Head Dams

62-331.248 General Permit for Florida Department of Transportation and Florida’s Turnpike Enterprise

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

DATES AND TIMES: April 2, 2020, 9:00 a.m.; April 6, 2020, 9:00 a.m.; April 10, 2020, 9:00 a.m.

PLACE: THIS NOTICE SUPERCEDES THE PREVIOUS NOTICE PUBLISHED ON MARCH 11, 2020. Due to COVID-19 social distancing requirements, the Department will hold the hearing by webinar only. Three webinars will be held to allow maximum public participation. Parties can register to attend the webinar via their personal computers with audio by telephone (regular long distance telephone charges will apply) or by speakers connected to their computer (no telephone charges will apply). Parties may register for the webinar(s) at the following links:

April 2, 2020 - <https://attendee.gotowebinar.com/register/1772606663095311884>;

April 6, 2020 - <https://attendee.gotowebinar.com/register/8648322363657568268>; or

April 10, 2020 - <https://attendee.gotowebinar.com/register/6306465950587781388>.

The public comment period is extended until midnight on April 17, 2020. Public comments and any pertinent materials may be submitted until the end of the comment period as follows: by email to Heather.Mason@FloridaDEP.gov; during the webinars by voice or in writing by typing into the chat box; or by mail to FDEP, attn: Heather Mason; 2600 Blair Stone Rd, Mail Station 2500, Tallahassee, FL 32399.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department of Environmental Protection (Department) has proposed to amend Chapter 62-330, F.A.C., Environmental Resource Permitting. These amendments streamline and clarify language for regulated entities that would require a State 404 Program Permit after assumption of the State 404 Program. Amendments include incorporating updated version of water management district handbooks, revising incorporated forms to include a State 404 Program Permit section, incorporating a new form, and clarifying that applicants may waive Environmental Resource Permit timelines so that Agency actions can be issued concurrently. Amendments to Applicant’s Handbook Volume I include updating form titles, clarifying the process for the landward delineation of wetlands, adding unincorporated appendices for use when delineating the landward extent of wetlands, and providing for the use of state

or local authorizations for construction activities in right of ways as evidence of real property interest.

A copy of the agenda may be obtained by contacting: Heather Mason, 2600 Blair Stone Road, Tallahassee, Mail Station 2500, Florida 32399, (850)245-8480, Heather.Mason@FloridaDEP.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Heather Mason, 2600 Blair Stone Road, Tallahassee, Mail Station 2500, Florida 32399, (850)245-8480, Heather.Mason@FloridaDEP.gov. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Heather Mason, 2600 Blair Stone Road, Tallahassee, Mail Station 2500, Florida 32399, (850)245-8480, Heather.Mason@FloridaDEP.gov.

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

The Department of Health announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 10, 2020, 9:00 a.m.

PLACE: 1(888)585-9008, 136-103-141 participant code

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business, to include licensure.

A copy of the agenda may be obtained by contacting: <https://floridasnursinghomeadmin.gov/>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: 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: Anthony.Spivey@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Pharmacy

The Florida Board of Pharmacy announces a public meeting to which all persons are invited.

DATE AND TIME: April 23, 2020, 9:00 a.m. ET

PLACE: Teleconference: 1(888)585-9008, Participant Code: 599196982.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review those cases on which a determination of existence of probable cause has already been made.

A copy of the agenda may be obtained by contacting: www.floridaspharmacy.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: (850)245-4474. 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: (850)245-4474.

DEPARTMENT OF HEALTH

Office of Statewide Research

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

DATE AND TIME: April 1, 2020, 9:00 a.m.

PLACE: 2585 Merchants Row Blvd, room 310A, Tallahassee, FL 32311

GENERAL SUBJECT MATTER TO BE CONSIDERED: 22869513

A copy of the agenda may be obtained by contacting: IRB@flhealth.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: (850)588-9628. 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: IRB@flhealth.gov.

DEPARTMENT OF CHILDREN AND FAMILIES

Refugee Services

The Orlando Area Refugee Task Force announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 8, 2020, 10:00 a.m. – 12:00 Noon

PLACE: Meeting will take place via teleconference call: Call in Phone Number: 1(888)585-9008, Conference Room Number: 951-031-034

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the Orlando Area Refugee Task Force meeting is to increase awareness of the refugee populations, share best practices, spot trends in refugee populations, build

collaborations between agencies, help create good communication among service providers, get informed about upcoming community events, and discuss refugee program service needs and possible solutions to meeting those needs.

A copy of the agenda may be obtained by contacting: David Draper at (407)317-7335 or Rosa Chaves at (407)317-7336.

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: 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: David Draper at (407)317-7335 or Rosa Chaves at (407)317-7336.

DEPARTMENT OF CHILDREN AND FAMILIES

Refugee Services

The Miami-Dade Refugee Task Force announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, April 10, 2020, 10:00 a.m. – 12:00 Noon

PLACE: Meeting will take place via teleconference call: Call in Phone Number: 1(888)585-9008, Conference Room Number: 951-031-034

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the Miami-Dade Refugee Task Force meeting is to increase awareness of the refugee populations, share best practices, spot trends in refugee populations, build collaborations between agencies, help create good communication among service providers, get informed about upcoming community events, and discuss refugee program service needs and possible solutions to meeting those needs.

A copy of the agenda may be obtained by contacting: Lourdes Dysna-Leconte at (786)257-5173 or David Draper at (407)317-7335.

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: 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 Dysna-Leconte at (786)257-5173 or David Draper at (407)317-7335.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE NOS.:RULE TITLES:

69A-37.039 Prescribed Forms for Training and Certification

69A-37.065 Programs of Study and Vocational Courses

The Department of Financial Services announces a hearing to which all persons are invited.

DATE AND TIME: March 25, 2020, 10:00 a.m.

PLACE: UPDATED: The Florida State Fire College campus has been CLOSED TO THE PUBLIC by the Chief Financial Officer pursuant to the Governor’s Executive Order No. 20-52. Anyone wishing to participate in this public hearing must participate in a telephone conference call using the phone number (850)413-1558 and ID 417949. This hearing was previously noticed in the February 26, 2020 issue of the Florida Administrative Register.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The incorrect rule number (69A-37.037) was cited in the meeting notice published in the Volume 46, No. 55, March 29, 2020, issue of the FAR. The correct rule number is 69A-37.039. The Department will be holding another public hearing to discuss the proposed changes to the above referenced rules and forms.

A copy of the agenda may be obtained by contacting: Mark Harper at (352)369-2858 or Mark.Harper@myfloridacfo.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: Mark Harper at (352)369-2858 or Mark.Harper@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). 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).

BOARD OF GOVERNORS

The Board of Governors, State University System of Florida, announces a public meeting to which all persons are invited.

DATE AND TIME: March 25, 2020, 10:00 a.m.

PLACE: Corrected Notice for Conference Call: 1(888)585-9008, Conference Room Number 855 816 970

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Governors of the State University and its committees will meet via conference call to conduct the regular business of the Board.

A copy of the agenda may be obtained by contacting: Vikki Shirley, Corporate Secretary, Board of Governors, 325 W. Gaines St., Suite 1614, Tallahassee, FL 32399-0400, and available at www.flbog.edu.

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: Vikki Shirley, Corporate Secretary, Board of Governors, 325 W. Gaines St., Suite 1614, Tallahassee, FL

32399-0400, (850)245-0466. 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: Vikki Shirley, Corporate Secretary, Board of Governors, 325 W. Gaines St., Suite 1614, Tallahassee, FL 32399-0400.

Section VII
Notice of Petitions and Dispositions
Regarding Declaratory Statements

NONE

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

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

NONE

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

NONE

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

NONE

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

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

NONE

Section XII
Miscellaneous

DEPARTMENT OF STATE

Index of Administrative Rules Filed with the Secretary of State Pursuant to subparagraph 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 3:00 p.m., Monday, March 16, 2020 and 3:00 p.m., Friday, March 20, 2020.

Rule No.	File Date	Effective Date
5JER20-1	3/20/2020	3/20/2020
5PER20-2	3/20/2020	3/20/2020
19-7.002	3/19/2020	4/8/2020
19-9.001	3/19/2020	4/8/2020
19-11.002	3/19/2020	4/8/2020
19-11.006	3/19/2020	4/8/2020
19-11.007	3/19/2020	4/8/2020
19-11.009	3/19/2020	4/8/2020
19-11.012	3/19/2020	4/8/2020
40D-8.623	3/17/2020	4/6/2020
64B4ER20-20	3/19/2020	3/19/2020
64B7ER20-22	3/20/2020	3/20/2020
64B16ER20-21	3/19/2020	3/19/2020
64B18ER20-19	3/18/2020	3/18/2020
69I-72.001	3/16/2020	7/1/2020
69I-72.002	3/16/2020	7/1/2020
69I-72.003	3/16/2020	7/1/2020
69I-72.007	3/16/2020	7/1/2020
69I-73.001	3/16/2020	10/1/2020
69I-73.002	3/16/2020	10/1/2020

69I-73.003	3/16/2020	10/1/2020
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	**/**/*****
60P-1.003	11/5/2019	**/**/*****
60P-2.002	11/5/2019	**/**/*****
60P-2.003	11/5/2019	**/**/*****
64B8-10.003	12/9/2015	**/**/*****

DEPARTMENT OF ENVIRONMENTAL PROTECTION
 Division of Air Resource Management
 Electric Vehicle Charging Infrastructure Application Deadline
 Extended to May 7, 2020

The Florida Department of Environmental Protection has extended the deadline to submit applications for the Electric Vehicle Charging Infrastructure (EVCI) Phase 1 Request for Applications (RFA) by 30 days. The extended deadline to submit applications is 5:00 p.m., E.T. on May 7, 2020. To download the RFA and associated documents, please visit the department's Volkswagen Settlement webpage at <https://floridadep.gov/volkswagen>. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

Section 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.