

**Section I**  
**Notice of Development of Proposed Rules  
and Negotiated Rulemaking**

**DEPARTMENT OF EDUCATION**

**State Board of Education**

**RULE NO.:**       **RULE TITLE:**  
6A-4.0021       Florida Teacher Certification Examinations  
**PURPOSE AND EFFECT:** This rule amendment serves to adopt new Florida Teacher Certification Examinations (FTCE) passing scores, effective January 1, 2023, for the following FTCE subject areas: Deaf or Hard of Hearing K–12, School Counseling PK–12, School Psychologist PK–12, and Visually Impaired K–12. Secondly, this rule amendment serves to adopt and incorporate new FTCE competencies and skills, effective January 1, 2023, for the following examinations: the General Knowledge Test (GK) Mathematics subtest, Elementary Education K–6 Subtest 4: Mathematics; Mathematics 6–12; Middle Grades Mathematics 5–9; and Prekindergarten/Primary PK–3 Subtest 3: Mathematics. Lastly, to align the rule with changes made during the 2022 Legislative session, the rule amends FTCE eligibility requirements for military testing fee waivers.

**SUBJECT AREA TO BE ADDRESSED:** Florida Teacher Certification Examinations.

**RULEMAKING AUTHORITY:** 1001.02(1), (2)(n), 1012.55(1), 1012.56, 1012.59, F.S.

**LAW IMPLEMENTED:** 1012.55, 1012.56, 1012.59, F.S.

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

**DATE AND TIME:** August 18, 2022, 10:30 a.m. ET, lasting until the conclusion of business.

**PLACE:**                               Register                               at  
<https://attendee.gotowebinar.com/register/2473341935632756748>.

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Phil Canto, Bureau Chief, Bureau of Postsecondary Assessment, Office of Assessment, Division of Accountability, Research, and Measurement, (850) 245-0513. To comment on this rule development workshop, please go to <https://web02.fldoe.org/rules> or contact: Chris Emerson, Director, Office of Executive Management, (850)245-9601 or email [Christian.Emerson@fldoe.org](mailto:Christian.Emerson@fldoe.org).

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

**DEPARTMENT OF EDUCATION**

**State Board of Education**

**RULE NO.:**       **RULE TITLE:**  
6A-4.00821       Florida Educational Leadership Examination  
**PURPOSE AND EFFECT:** This rule amendment serves to update FELE eligibility requirements for military testing fee waivers to align with changes made by Senate Bill (SB) 896 during the 2022 Legislative session.

**SUBJECT AREA TO BE ADDRESSED:** Florida Educational Leadership Examination.

**RULEMAKING AUTHORITY:** 1001.02(1), (2)(n), 1012.55(1), 1012.56, 1012.59, F.S.

**LAW IMPLEMENTED:** 1012.55, 1012.56, 1012.59, F.S.

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

**DATE AND TIME:** August 18, 2022, 10:30 a.m. ET, lasting until the conclusion of business.

**PLACE:**                               Register                               at  
<https://attendee.gotowebinar.com/register/2473341935632756748>.

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Phil Canto, Bureau Chief, Bureau of Postsecondary Assessment, Office of Assessment, Division of Accountability, Research, and Measurement, (850)245-0513. To comment on this rule development workshop, please go to <https://web02.fldoe.org/rules> or contact: Chris Emerson, Director, Office of Executive Management, (850)245-9601 or email [Christian.Emerson@fldoe.org](mailto:Christian.Emerson@fldoe.org).

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

**DEPARTMENT OF EDUCATION**

**State Board of Education**

**RULE NO.:**       **RULE TITLE:**  
6A-10.081       Principles of Professional Conduct for the  
Education Profession in Florida

**PURPOSE AND EFFECT:** To consider revising the ethical and disciplinary principles for educators to provide additional clarity and new requirements.

**SUBJECT AREA TO BE ADDRESSED:** The Principles of Professional Conduct for the Education Profession in Florida.

**RULEMAKING AUTHORITY:** 1001.02, 1012.795(1)(j), F.S.

**LAW IMPLEMENTED:** 1012.795, F.S.

**IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:**

**DATE AND TIME:** August 18, 2022, 10:00 a.m., until the conclusion, not to exceed past 11:00 a.m.

PLACE: [https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_YTZiNTVIYTMtYzQzMi00ZGM0LWE4YzAtZGY3OTI5OGFIM2Q4%40thread.v2/0?context=%7b%22Tid%22%3a%2263bf107b-cb6f-4173-8c1c-1406bb5cb794%22%2c%22Oid%22%3a%22adc285ab-f04d-47c6-b35e-ccb364e3fb6b%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_YTZiNTVIYTMtYzQzMi00ZGM0LWE4YzAtZGY3OTI5OGFIM2Q4%40thread.v2/0?context=%7b%22Tid%22%3a%2263bf107b-cb6f-4173-8c1c-1406bb5cb794%22%2c%22Oid%22%3a%22adc285ab-f04d-47c6-b35e-ccb364e3fb6b%22%7d).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Randy Kosec, Jr., Chief, Office of Professional Practices Services, Randy.Kosec@FLDOE.ORG. To comment on this rule development or to request a rule development workshop, please go to <https://web02.fldoe.org/rules> or contact: Chris Emerson, Director, Office of Executive Management, (850)245-9601 or email [Christian.Emerson@fldoe.org](mailto:Christian.Emerson@fldoe.org).

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

**DEPARTMENT OF CORRECTIONS**

RULE NO.: 33-601.314  
 RULE TITLE: Rules of Prohibited Conduct and Penalties for Infractions

PURPOSE AND EFFECT: Rulemaking is necessary to correct typos and internal citations and to remove infraction 11-1 from section 11(2) of the rule. Infraction 11-1 no longer exists due to discontinuation of the Supervised Community Release Program.

SUBJECT AREA TO BE ADDRESSED: Rules of Prohibited Conduct and Penalties for Infractions

RULEMAKING AUTHORITY: 944.09, F.S.

LAW IMPLEMENTED: 20.315, 944.09, 944.115, 944.14, 944.279, 944.28, F.S.

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: Office of the General Counsel, Attn: FDC Rule Correspondence, 501 South Calhoun Street, Tallahassee, Florida 32399, [FDCRuleCorrespondence@fdc.myflorida.com](mailto:FDCRuleCorrespondence@fdc.myflorida.com). A copy of the preliminary draft may also be obtained using the following link: <http://www.dc.state.fl.us/legal/ch33/notices/index.html>

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

**WATER MANAGEMENT DISTRICTS**

**Suwannee River Water Management District**

RULE NOS.:	RULE TITLES:
40B-3.021	Definitions
40B-3.035	Publications and Agreements Incorporated by Reference
40B-3.051	Exemptions
40B-3.101	Content of Application
40B-3.201	Permit Fees
40B-3.411	Completion Report
40B-3.521	Well Seals

PURPOSE AND EFFECT: The Suwannee River Water Management District (District) gives notice that it is initiating rulemaking for the purpose of amending water well rules to remove unnecessary definitions, align definitions with 373.303, F.S., clarify additional terms used in rule text; incorporate FDEP rules and forms, extend exemptions to all water well activities, clarify permit application and completion report requirements, re-format the application fee table, eliminate the elevation survey and venting requirements for wells drilled in a floodplain, eliminate the drill cutting collection requirement in contaminated areas, and eliminate the requirement for the District to designate areas where well pumps can be periodically removed. The effect will be more understandable and streamlined rules; and reduced regulatory burdens.

SUBJECT AREA TO BE ADDRESSED: Well construction, repair, abandonment, and modification rules.

RULEMAKING AUTHORITY: 373.044, 373.109, 373.113, 373.171, 373.308, 373.309, 373.136, 373.333 FS.

LAW IMPLEMENTED: 373.019, 373.046, 373.103, 373.106, 373.113, 373.206, 373.303, 373.306, 373.308, 373.309, 373.313, 373.316, 373.323, 373.326, 373.333, 373.342 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.

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: SRWMD at (386)362-1001 or 1(800)226-1066 (FL only). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Warren Zwanka, P.G., Suwannee River Water Management District, 9225 CR 49, Live Oak, Florida 32060, (386)362-1001 or 1(800)226-1066 (FL only)

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

RULE NO.: 61-35.017  
 RULE TITLE: Landscape Architecture Departmental Forms

PURPOSE AND EFFECT: The proposed rulemaking seeks to amend Existing Rule 61-35.017, F.A.C., to revise application form DBPR LA 1 to update examination and reexamination fees. The fees that applicants pay to the Department of Business and Professional Regulation are being reduced to offset the increase in fees applicants will pay to the testing vendor for examinations/reexaminations; total cost to the applicant will not increase.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is the adoption of the new forms.

RULEMAKING AUTHORITY: 455.203, 455.213, 455.2179 FS.

LAW IMPLEMENTED: 455.217, 455.2179, 455.271, 481.309, 481.310, 481.311, 481.313, 481.317, 481.319 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: Aimee Odom, Rules Coordinator, Division of Professions, 2601 Blair Stone Road, Tallahassee, Florida 32399-0760, (850)717-1394. THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**Section II  
 Proposed Rules**

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Landscape Architecture**

RULE NO.: 61G10-11.011  
 RULE TITLE: Electronic Transmission of Plans, Specifications, Reports, and Seals.

PURPOSE AND EFFECT: To update electronic transmission of plans, specifications, reports, and seals.

SUMMARY: Eliminates out-of-date language.

SUMMARY: Eliminates out-of-date language.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

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

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

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

RULEMAKING AUTHORITY: 481.306, 481.321 FS.

LAW IMPLEMENTED: 481.321 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: Ruthanne Christie, Executive Director, Board of Landscape Architecture, 2601 Blair Stone Road, Tallahassee, FL 32399-0791; Ruthanne.Christie@myfloridalicense.com.

**THE FULL TEXT OF THE PROPOSED RULE IS:**

61G10-11.011 Electronic Transmission of Plans, Specifications, Reports, and Seals.

(1) Landscape architecture work, which must be sealed under provisions of chapter 481, F.S., to be stored or transmitted in electronic format, shall be signed, dated, and sealed by the Landscape Architect.

(2) through (3) No Change.

~~(4) Alternatively, electronic files may be signed and sealed by creating a "signature" file that contains the Landscape Architect's name and license number, a brief overall description~~

~~of the documents, and a list of the electronic files to be sealed. Each file in the list shall be identified by its file name utilizing relative Uniform Resource Locators (URL) syntax described in the Internet Architecture Board's Request for Comments (RFC) 1738, December 1994, which is hereby adopted and incorporated by reference by the Board and can be obtained from the Internet Website: ftp://ftp.isi.edu/in-notes/rfc1738.txt. Each file shall have an authentication code defined as an SHA-1 message digest described in Federal Information Processing Standard Publication 180-1 "Secure Hash Standard," 1995 April 17, which is hereby adopted and incorporated by reference by the Board and can be obtained from the Internet Website: http://www.itl.nist.gov/div897/pubs/fip180-1.htm. A report shall be created that contains the Landscape Architect's name and license number, a brief overall description of the documents in question and the authentication code of the signature file. This report shall be printed and manually signed, dated, and sealed by the Landscape Architect in responsible charge. The signature file is defined as sealed if its authentication code matches the authentication code on the printed, manually signed, dated and sealed report. Each electronic file listed in a sealed signature file is defined as sealed if the listed authentication code matches the file's computed authentication code.~~

Rulemaking Authority 481.306, 481.321 FS. Law Implemented 481.321 FS. History—New 2-16-06, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Landscape Architecture  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Landscape Architecture  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 17, 2022  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 19, 2022

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Landscape Architecture**

RULE NO.:           RULE TITLE:  
61G10-12.001   Application and Examination Fees  
PURPOSE AND EFFECT: To update the rule language regarding examination fees.  
SUMMARY: To increase the portion of the exam fee that is paid to the Department's contracted testing service.  
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within

one year after the implementation of the rule. A SERC has not been prepared by the Agency.

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

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

RULEMAKING AUTHORITY: 481.306, 481.307 FS.

LAW IMPLEMENTED: 455.217(7), 481.307 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: Ruthanne Christie, Executive Director, Board of Landscape Architecture, 2601 Blair Stone Road, Tallahassee, FL 32399-0791; Ruthanne.Christie@myfloridalicense.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

61G10-12.001 Application and Examination Fees.

(1) No Change.

(2) The examination fee for the Florida Section is three hundred dollars (\$300.00), of which two hundred and ~~sixty-seven (\$267.00)~~~~seventy-nine dollars (\$279.00)~~ is payable to the Department and is due at the time of application, and ~~thirty-three dollars (\$33.00)~~~~twenty-one dollars (\$21.00)~~ is payable to the Department's contracted testing service and is due at the time of the testing.

(3) through (4) No Change.

(5) This rule shall be reviewed, and if necessary, repealed, modified or renewed through the rulemaking process five years from the effective date.

Rulemaking Authority 481.306, 481.307 FS. Law Implemented 455.217(7), 481.307 FS. History—New 2-4-80, Amended 3-9-84, 7-26-84, Formerly 21K-12.01, Amended 10-7-87, 11-12-89, 3-11-91, Formerly 21K-12.001, Amended 8-7-95, 1-13-99, 8-16-99, 8-27-00,

8-21-05, 4-13-08, 3-15-12, 3-10-14, 7-6-16, 10-1-19,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Landscape Architecture
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Landscape Architecture
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 17, 2022
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 20, 2022

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Landscape Architecture

RULE NO.: RULE TITLE:

61G10-15.003 Advertising

PURPOSE AND EFFECT: Advertising Requirements.

SUMMARY: Language regarding advertising will be updated to be consistent with statutory language.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: 481.306 FS.

LAW IMPLEMENTED: 481.321 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: Ruthanne Christie, Executive Director, Board of Landscape Architecture, 2601 Blair Stone Road, Tallahassee, FL 32399-0791; Ruthanne.Christie@myfloridalicense.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

61G10-15.003 Advertising.

Section 481.321(5), F.S., requires that each registered landscape architect display his or her ~~certificateregistration~~ number in any newspaper, telephone directory or other advertising medium. Advertisements of corporations or partnerships offering landscape architectural services to the public shall display ~~certificateregistration~~ number of the qualifying landscape architect for the corporation or partnership. The term "other advertising medium" shall be deemed to include business cards, stationery, magazines, billboards, proposals, contracts, job site signs, and electronic media. The term "other advertising medium" shall not be deemed to include articles of clothing and other promotional novelty items.

Rulemaking Authority 481.306 FS. Law Implemented 481.321 FS. History--New 12-6-89, Formerly 21K-15.003, Amended 7-8-09, 11-25-19, 10-28-20,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Landscape Architecture
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Landscape Architecture
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 17, 2022
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 20, 2022

Section III
Notice of Changes, Corrections and Withdrawals

NONE

## Section IV Emergency Rules

### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

#### Division of Consumer Services

RULE NO.:        RULE TITLE:

5JER22-2        Volatility Standards for Gasoline

**SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE:** Due to the Russian war in Ukraine and the resulting ban on the import of Russian crude oil, the typical movement of fuel into the United States has been interrupted, reducing the amount of fuel available for distribution. Pursuant to adopted national fuel standards, fuel volatility requirements shifted to accommodate the changing seasons, however, the United States Environmental Protection Agency has determined that an “extreme and unusual fuel supply circumstance” exists that will prevent the distribution of an adequate supply of compliant gasoline to consumers. Noncompliant fuel remains available, and its sale could help alleviate fuel supply issues. On July 19, 2022, the EPA issued a Reid Vapor Pressure Fuel Waiver, temporarily waiving federal fuel vapor pressure standards for fuel blends containing gasoline and between 9 and 15 percent denatured anhydrous ethanol (E15) in order to address this crisis. If Florida’s volatility standards are not also adjusted to account for this extraordinary situation, there may be a shortage of lawful fuel for sale.

**REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES:** This emergency rule was initiated following the issuance of the EPA waiver. The rule will apply to all fuel suppliers and will help to ensure a consistent supply of fuel in Florida while alleviating additional strain on Florida’s fuel market. As this is an unprecedented situation, prompt action based on information regarding recent developments in the fuel industry is both necessary and fair.

**SUMMARY:** This emergency rule allows fuels of different volatility classes than those set forth in ASTM International designation D4814-20a, as adopted in rule 5J-21.001, F.A.C., for the periods indicated.

**THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS:** Richard Kimsey, Director of Consumer Services, 2005 Apalachee Parkway, Tallahassee, FL 32399, (850)410-3662.

THE FULL TEXT OF THE EMERGENCY RULE IS:

5JER22-2 Volatility Standards for Gasoline

Vapor Pressure Requirements. It shall be lawful to introduce into wholesale terminal storage tanks and offer for sale at retail outlets, gasoline containing at least nine (9) percent and up to and including fifteen (15) percent ethanol by volume with a vapor pressure of no more than 1.0 psi above the applicable vapor pressure class maximums, as specified in ASTM International designation D4814-20a. Such fuel held in terminal storage tanks on or before the expiration of this rule shall be lawful for distribution to retail outlets and sale by these outlets until supplies are depleted. This rule shall remain in effect until September 15, 2022, or until the expiration of the United States Environmental Protection Agency’s July 19, 2022 Reid Vapor Pressure Fuel Waiver, whichever occurs first.

Rulemaking Authority 525.037, 525.14, 570.07(23) FS. Law Implemented 525.01, 525.037, 525.14 FS. History – New 8-3-22.

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: 8/3/22

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

### AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.:        RULE TITLE:

59G-4.127        Florida Assertive Community Treatment Services  
The Agency for Health Care Administration hereby gives notice: that on March 3, 2022, a Petition for Variance from or Waiver of Rule 59G-4.127 (“Petition”), was filed with the Agency for Health Care Administration on behalf of the Petitioner, SMA Healthcare, Inc. Additional information was requested on March 29, 2022, and was received by the Agency for Health Care Administration on April 1, 2022. Rule 59G-4.127, Florida Administrative Code (“Rule”), which applies to all providers rendering Florida Medicaid Florida Assertive Community Treatment (“FACT”) services to recipients, requires that all providers of FACT services enrolled in the Florida Medicaid program be in compliance with the provisions of the Florida Medicaid Florida Assertive Community Treatment Services Coverage Policy, November 2021 (“Handbook”). Petitioner seeks a variance from or waiver of limited provisions of the Rule, which incorporates the Handbook by reference. Petitioner seeks a variance from or waiver of the Handbook provision, Pages 4-6, Eligible Provider, which requires FACT service providers meet the qualifications specified in the Handbook to be reimbursed for Florida Medicaid home health visit services. Notice of the petition was published in the Florida Administrative Registrar

on March 14, 2022. On June 23, 2022, a Final Order Denying the Petition for Variance or Waiver of Rule 59G-4.127 was entered as the Petitioner provided insufficient facts to demonstrate a substantial hardship or a violation of a principal of fairness and support the granting of a Variance or Waiver of Rule 59G-4.127, Florida Administrative Code.

A copy of the Order or additional information 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)412-3689.

**AGENCY FOR HEALTH CARE ADMINISTRATION  
Medicaid**

**RULE NO.: RULE TITLE:**

59G-4.127 Florida Assertive Community Treatment Services  
The Agency for Health Care Administration hereby gives notice: that on February 25, 2022, a Petition for Variance from or Waiver of Rule 59G-4.127 (“Petition”), was filed with the Agency for Health Care Administration on behalf of the Petitioner, Mental Health Resource Center, Inc. Additional information was requested on March 22, 2022, and was received by the Agency for Health Care Administration on March 23, 2022. Additional information was again requested on April 22, 2022, and was received on April 28, 2022. Rule 59G-4.127, Florida Administrative Code (“Rule”), which applies to all providers rendering Florida Medicaid Florida Assertive Community Treatment (“FACT”) services to recipients, requires that all providers of FACT services enrolled in the Florida Medicaid program be in compliance with the provisions of the Florida Medicaid Florida Assertive Community Treatment Services Coverage Policy, November 2021 (“Handbook”). Petitioner seeks a variance from or waiver of limited provisions of the Rule, which incorporates the Handbook by reference. Petitioner seeks a variance from or waiver of the Handbook provision, Pages 4-6, Eligible Provider, which requires FACT service providers meet the qualifications specified in the Handbook to be reimbursed for Florida Medicaid home health visit services. Notice of the Petition was published in the Florida Administrative Registrar on March 9, 2022. On April 28, 2022 a Request to Withdraw the Petition for Variance or Waiver of Rule 59G-4.127 was submitted by Petitioner. On August 1, 2022, an Amended Final dismissing the Petition was entered pursuant to Petitioner’s request.

A copy of the Order or additional information 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)412-3689.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION**

**Building Code Administrators and Inspectors Board**

**RULE NO.: RULE TITLE:**

61G19-6.012 Provisional Certificates

NOTICE IS HEREBY GIVEN that on August 3, 2022, the Building Code Administrators and Inspectors Board, received a petition for variance or waiver submitted by Bay County Board of County Commissioners, seeking a variance of subsection 61G19-6.012(1), Florida Administrative Code, requesting the board issue a provisional certificate to Petitioner’s selected candidate for the jurisdiction’s chief building official, prior to the selected candidate being promoted to the chief building official position.

Comments on this petition should be filed within 14 days of publication of this notice, with the Building Code Administrators and Inspectors Board, 2601 Blair Stone Road, Tallahassee, FL 32399-0783, or by electronic mail: Krista.Woodard@myfloridalicense.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Krista B. Woodard, Executive Director, at the above address.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION**

**Building Code Administrators and Inspectors Board**

**RULE NO.: RULE TITLE:**

61G19-6.012 Provisional Certificates

NOTICE IS HEREBY GIVEN that on August 3, 2022, the Building Code Administrators and Inspectors Board, received a petition for variance or waiver submitted by Bay County Board of County Commissioners, seeking a variance of paragraph 61G19-6.012(6)(b), Florida Administrative Code, in order to allow provisional certificate holders to be supervised by a person holding a standard certificate as a building code administrator, whether or not that supervisor is the County’s building official.

Comments on this petition should be filed within 14 days of publication of this notice, with the Building Code Administrators and Inspectors Board, 2601 Blair Stone Road, Tallahassee, FL 32399-0783, or by electronic mail: Krista.Woodard@myfloridalicense.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Krista B. Woodard, Executive Director, at the above address.

**DEPARTMENT OF HEALTH**

**Board of Opticianry**

**RULE NO.: RULE TITLE:**

64B12-15.001 Continuing Education for License Renewal

NOTICE IS HEREBY GIVEN that on August 3, 2022, the Board of Opticianry, received a petition for variance and waiver

filed by Andrew Chess. Petitioner seeks a variance or waiver of subsection 64B12-15.001(2), F.A.C., which requires within each license renewal biennium, each licensed optician shall complete a minimum of 20 hours of continuing professional education, according to the criteria specified in these rules. A maximum of 5 hours of continuing professional education may be earned from courses without classroom instruction. Comments on this petition should be filed with the Board of Opticianry, 4052 Bald Cypress Way, Bin C08, Tallahassee, Florida 32399-3258, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Ashleigh Irving, Executive Director, Board of Opticianry, 4052 Bald Cypress Way, Bin C08, Tallahassee, Florida 32399-3258.

## Section VI

### Notice of Meetings, Workshops and Public Hearings

#### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

The CRAFT Foundation, Inc. Board of Directors announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, August 16, 2022, 1:00 p.m.

PLACE: Attendees may join the meeting in person at 600 N. Broadway Avenue, Suite 101, Bartow, FL 33830 or via Zoom web conferencing online at <https://us02web.zoom.us/j/85957049044?pwd=YWFaVzJMbnplUkxLQ3YrYU9OVzFDQT09>

GENERAL SUBJECT MATTER TO BE CONSIDERED: The CRAFT Foundation Board of Directors will conduct a meeting to discuss and execute matters including but not limited to, the review of proposed response to Request for Proposals related to funding, the development of a Request for Proposals for data collection, development of Cycle Four parameters, consideration of contract employee services, and more.

A copy of the agenda may be obtained by contacting: Tamara Wood at 1(863)698-9276.

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: Tamara Wood at 1(863)698-9276. 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: Tamara Wood at 1(863)698-9276.

#### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Water Policy

The Seminole Soil and Water Conservation District announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, August 16, 2022, 6:00 p.m.

PLACE: Longwood City Commission Chambers, 175 W Warren Ave, Longwood, FL 32750

GENERAL SUBJECT MATTER TO BE CONSIDERED: SWCD August Meeting

A copy of the agenda may be obtained by contacting: Ed Young, Chairman; Ph: (321)277-4669, Email: EdYoung4Florida@gmail.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: 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: Ed Young, Chairman; Ph: (321)277-4669, Email: EdYoung4Florida@gmail.com.

#### DEPARTMENT OF EDUCATION

Education Practices Commission

The Education Practices Commission announces a public meeting to which all persons are invited.

DATE AND TIME: An Education Practices Commission Leadership Team Meeting is being conducted at 3:00 p.m. or as soon thereafter on August 15, 2022.

PLACE: Zoom Meeting: <https://zoom.us/j/93493020198?pwd=SzhaSU0vekFrZXBaEHdqT0F2Q0wrdz09>

Meeting ID: 934 9302 0198, Passcode: 3h2cHR

The following conference number will only be activated if the Zoom Video Hearing needs to be terminated.

Phone Meeting: United States Toll-Free: 1(888)585-9008, Conference Room Number: 847-456-389

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Leadership Team Meeting of the Education Practices Commission is being held to discuss any issues that arose during the previous hearing cycle and/or issues concerning the commission.

A copy of the agenda may be obtained by contacting: Lisa Forbess 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: Lisa Forbess 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 at (850)245-0455.

**DEPARTMENT OF EDUCATION**

Commission for Independent Education

The Commission for Independent Education announces a public meeting to which all persons are invited.

DATE AND TIME: August 15, 2022, 4:30 p.m.

PLACE: GoToMeeting

Please join my meeting from your computer, tablet or smartphone. <https://meet.goto.com/897977421>

You can also dial in using your phone. Access Code: 897-977-421, United States: (408)650-3123

Join from a video-conferencing room or system. Meeting ID: 897-977-421

Dial in or type: 67.217.95.2 or [inroomlink.goto.com](https://inroomlink.goto.com)

Or dial directly: 897977421@67.217.95.2 or 67.217.95.2##897977421

Get the app now and be ready when your first meeting starts: <https://meet.goto.com/install>

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** On August 15, 2022, 4:30 p.m. the Commission for Independent Education will consider the General Business of the Commission.

**PUBLIC COMMENT:** No public comments will be taken.

A copy of the agenda may be obtained by contacting: Commission Office at Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400.

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: Commission Office at Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400. 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: Commission Office at Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400.

**DEPARTMENT OF EDUCATION**

Division of Florida Colleges

The Florida State College at Jacksonville District Board of Trustees announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, August 8, 2022, 1:30 p.m. – 3:30 p.m.

PLACE: FSCJ's Cecil Center Campus, 5640 POW-MIA Memorial Parkway, Jax., FL 32221

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Campus Tour

A copy of the agenda may be obtained by contacting: NA 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: Kim Sodek. 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: Kim Sodek

**STATE BOARD OF ADMINISTRATION**

**RULE NO.:** **RULE TITLE:**

19-8.010Reimbursement Contract

The Florida Hurricane Catastrophe Fund announces a public meeting to which all persons are invited.

DATE AND TIME: August 23, 2022, 9:00 a.m. (ET) to conclusion of the meeting

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This is a meeting of the Trustees of the State Board of Administration to authorize the Florida Hurricane Catastrophe Fund (the Fund) to file a Notice of Proposed Rule for Rule 19-8.010, F.A.C., Reimbursement Contract, and to file this rule for adoption if no member of the public timely requests a rule hearing or if a rule hearing is requested but no Notice of Change is needed. The rule and incorporated forms are available on the Fund's website: [www.sbafla.com/fhcf](http://www.sbafla.com/fhcf).

A copy of the agenda may be obtained by contacting: Not available.

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: Mary Linzee Branham, Florida Hurricane Catastrophe Fund, (850)413-1335, marylinzee.branham@sbafla.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).

#### FLORIDA COMMISSION ON OFFENDER REVIEW

The Florida Commission on Offender Review announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, August 23, 2022, 10:00 a.m.

PLACE: There will be no in person Commission meeting. The meeting will be held via conference call. To participate in the meeting, call United States (Toll Free): 1(877)309-2073 or United States: (571)317-3129 and dial access code 337-350-165. For questions and correspondence from inmate supporters, please email [inmatessupporter@fcor.state.fl.us](mailto:inmatessupporter@fcor.state.fl.us). For questions and correspondence regarding victims' rights, please email [victimquestions@fcor.state.fl.us](mailto:victimquestions@fcor.state.fl.us).

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Regularly scheduled meeting for all Conditional Medical Release cases and all other Commission business.

A copy of the agenda may be obtained by contacting: Florida Commission on Offender Review, (850)488-1293.

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: Florida Commission on Offender Review at [ada@fcor.state.fl.us](mailto:ada@fcor.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.

#### REGIONAL PLANNING COUNCILS

##### Central Florida Regional Planning Council

The Local Emergency Planning Committee announces a public meeting to which all persons are invited.

DATE AND TIME: August 18, 2022, 9:30 a.m.

PLACE: In-Person Details: A-C-T Environmental & Infrastructure (Once on property, we will be in the building on the right.) 1875 West Main Street Bartow, FL 33830

Virtual Details: <https://meet.goto.com/324338493>

You can also dial in using your phone. United States: (646)749-3122, Access Code: 324-338-493

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Regular meeting to discuss the Local Emergency Planning program and provide input to the Local Planning Committee.

A copy of the agenda may be obtained by contacting: Curtis Knowles, [cknowles@cfrpc.org](mailto:cknowles@cfrpc.org) or by calling 1(863)534-7130, Ext. 124.

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: Curtis Knowles, [cknowles@cfrpc.org](mailto:cknowles@cfrpc.org) or by calling 1(863)534-7130, Ext. 124. 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: Curtis Knowles, [cknowles@cfrpc.org](mailto:cknowles@cfrpc.org) or by calling 1(863)534-7130, Ext. 124.

#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

##### Construction Industry Licensing Board

The Construction Industry Licensing Board announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, September 12, 2022, 10:00 a.m.

PLACE: Telephone conference number: 1(888)585-9008, participant code: 564 952 647

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Continuing Education and Exams Committee of the Board.

A copy of the agenda may be obtained by contacting: Donald Shaw, 2601 Blair Stone Rd, Tallahassee, FL 32399-1039, (850)717-1983.

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: Donald Shaw, 2601 Blair Stone Rd, Tallahassee, FL 32399-1039, (850)717-1983. 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: Donald Shaw, 2601 Blair Stone Rd, Tallahassee, FL 32399-1039, (850)717-1983.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Construction Industry Licensing Board**

The Construction Industry Licensing Board announces a public meeting to which all persons are invited.

**DATES AND TIMES:** Wednesday, September 14, 2022, 12:00 Noon; Thursday, September 15, 2022, 8:30 a.m.; Friday, September 16, 2022, 8:30 a.m.

**PLACE:** The Ritz-Carlton Sarasota, 1111 Ritz Carlton Dr, Sarasota, FL 34236, (941)309-2050

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General Business, disciplinary and committee meetings of the Board

A copy of the agenda may be obtained by contacting: Donald Shaw, 2601 Blair Stone Rd, Tallahassee, FL 32399-1039, (850)717-1983.

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: Donald Shaw, 2601 Blair Stone Rd, Tallahassee, FL 32399-1039, (850)717-1983. 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: Donald Shaw, 2601 Blair Stone Rd, Tallahassee, FL 32399-1039, (850)717-1983.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**Division of State Lands**

The DEPARTMENT OF ENVIRONMENTAL PROTECTION announces a hearing to which all persons are invited.

**DATE AND TIME:** September 6, 2022, 4:00 p.m. – 5:00 pm

**PLACE:** Blackwater Heritage Trail Visitor Center, 5533 Alabama St., Milton, FL 32570

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Acquisition and Restoration Council (ARC), as defined in Section 259.035, F.S., announces a public meeting to which all persons are invited. The purpose of this meeting is for Council to take public testimony on the 2022 Florida Forever Cycle 2 project proposals and existing land acquisition projects.

A copy of the agenda may be obtained by contacting: Shauna R. Allen with the Division of State Lands at Shauna.R.Allen@FloridaDEP.gov, or by visiting the Department of Environmental Protection website beginning August 1, 2022, at <https://floridadep.gov/lands/environmental-services/content/acquisition-and-restoration-council-arc>.

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: Shauna Allen with the Office of Environmental Services at (850)245-2713 or email: shauna.r.allen@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).

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: Shauna Allen with the Office of Environmental Services at (850)245-2713 or email: shauna.r.allen@FloridaDEP.gov.

**DEPARTMENT OF HEALTH**

**Division of Children's Medical Services**

The Child Abuse Death Review Circuit 5 Committee \*Updated Meeting Link\* announces a public meeting to which all persons are invited.

**DATE AND TIME:** August 18, 2022, 1:30 p.m. – 1:45 p.m.

**PLACE:** Meeting previously posted 5/20/2022 in Vol. 48/99 has an updated Zoom Meeting Link. New Zoom Meeting Link: <https://us06web.zoom.us/j/89915832927?pwd=S1FLcGIycFNBTk1KMVFvOFUxei9EUT09>

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Committee will address administrative issues, review cases, and discuss the CADR Action Plan. A portion of the meeting is required by Section 383.412(3)(a), F.S. to be closed to the public to allow the Committee to discuss information that is confidential and exempt from public meetings and public records. This portion of the meeting will be announced at the meeting.

A copy of the agenda may be obtained by contacting: jkell@mfc.us.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 7 days before the workshop/meeting by contacting: jkell@mfc.us.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: jkell@mfc.us.com.

**DEPARTMENT OF CHILDREN AND FAMILIES**

**Family Safety and Preservation Program**

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

DATE AND TIME: August 19, 2022, 9:00 a.m. – 4:00 p.m. Eastern or until all business has concluded

PLACE: Virtual: Zoom Meeting: Register to attend the meeting at this link <https://us06web.zoom.us/join/join?jv=tZEpfu-vqj0uGdE3XmySdTHbJPgjr20r2kQ>

In person: Florida Department of Children and Families, 400 West Robinson Street, Suite S1106F, Orlando FL 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is for the Independent Living Services Advisory Council (ILSAC) to conduct general business. A more detailed agenda with relevant presentation material will be posted on the department’s website, <https://www.myflfamilies.com/service-programs/independent-living/meeting-schedule.shtml>.

A copy of the agenda may be obtained by contacting: Cal Walton, III, [cal.walton@myflfamilies.com](mailto:cal.walton@myflfamilies.com).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 days before the workshop/meeting by contacting: Cal Walton, III, [cal.walton@myflfamilies.com](mailto:cal.walton@myflfamilies.com). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Cal Walton, III, [cal.walton@myflfamilies.com](mailto:cal.walton@myflfamilies.com).

**SUNSHINE STATE ONE CALL OF FLORIDA**

The Sunshine State One Call of Florida, Inc., d/b/a Sunshine 811 announces a public meeting to which all persons are invited.

DATES AND TIMES: Strategic Planning, Committee, and Board of Directors meetings, Wednesday, August 17, 2022; Thursday, August 18, 2022; Friday, August 19, 2022

PLACE: Marriott Hutchinson Island Beach Resort, Golf & Marina, 555 NE Ocean Blvd. Stuart, FL. 34996 and by video conference.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Strategic Planning Meeting

Wednesday, August 17, 2022, 8:30 a.m. – 5:00 p.m.

Strategic Planning Meeting Purpose –

- Update Sunshine 811 Strategic Plan

This meeting will also be held by video conference. To participate, please click on: <https://sunshine811.webex.com/sunshine811/j.php?MTID=md3158ee9775379213b18dc52bf0d248c>

Wednesday, Aug 17, 2022, 8:00 a.m. | 10 hours | (UTC-04:00) Eastern Time (US & Canada), Meeting number: 2631 131 3027, Password: qKvMPp5X4C8 (75867759 from video systems)

Join by video system: Dial 26311313027@sunshine811.webex.com

You can also dial 173.243.2.68 and enter your meeting number. Join by phone: (415)655-0001 US Toll, 1(844)621-3956 United States Toll Free, Access code: 263 113 13027

Committee Meetings, Thursday, August 18, 2022, 8:30 a.m. – 5:00 p.m.

Committee Meetings: Purpose –

- Regular quarterly business meetings of the Operations, Damage Prevention, Legislative Ad-Hoc, Finance and Executive Committees beginning at 8:30 p.m.

These meetings will also be held by video conference. To participate, please click on:

<https://sunshine811.webex.com/sunshine811/j.php?MTID=ma92373ce0a9177e37ad2d4072123b309>

Thursday, Aug 18, 2022, 8:00 a.m. | 10 hours | (UTC-04:00) Eastern Time (US & Canada)

Meeting number: 2634 427 5060, Password: 9VXuJJTPV68 (98985587 from video systems)

Join by video system: Dial 26344275060@sunshine811.webex.com

You can also dial 173.243.2.68 and enter your meeting number. Join by phone: (415)655-0001 US Toll, 1(844)621-3956 United States Toll Free, Access code: 263 442 75060

Board of Directors Meeting, Friday, August 19, 2022, 8:30 a.m. – 5:00 p.m.

Committee Meetings: Purpose – may reconvene to conduct unfinished business if necessary.

Board of Directors Meeting: Purpose –

- Regular quarterly business meeting;
- Committee reports and presentation of motions to the Board of Directors;

This meeting will also be held by video conference. To participate, please click on:

<https://sunshine811.webex.com/sunshine811/j.php?MTID=md33f5608a252764e3eefbf5e1333c4a1>

Friday, August 19, 2022, 8:00 a.m. | 9 hours | (UTC-04:00) Eastern Time (US & Canada)

Meeting number: 2630 238 2242, Password: meNKcukU328 (63652858 from video systems)

Join by video system: Dial 26302382242@sunshine811.webex.com

You can also dial 173.243.2.68 and enter your meeting number. Join by phone: (415)655-0001 US Toll, 1(844)621-3956 United States Toll Free, Access code: 263 023 82242

A copy of the agenda may be obtained by contacting: [www.sunshine811.com/agenda](http://www.sunshine811.com/agenda)

For more information, you may contact: Lori Budiani, Executive Assistant: [lori.budiani@sunshine811.com](mailto:lori.budiani@sunshine811.com).

**KITTELSON & ASSOCIATES, INC**

The FLORIDA DEPARTMENT OF TRANSPORTATION, DISTRICT SEVEN announces a public meeting to which all persons are invited.

**DATES AND TIMES:** Two in-person options: Tuesday, August 30, 2022; Wednesday, August 31, 2022

One Virtual Option: Wednesday, August 31, 2022

Both in-person options from 5:30 p.m. – 7:30 p.m.

Virtual Option from 12:00 Noon – 2:00 p.m.

**PLACE:** Meeting Option #1 at Holiday Inn Express & Suites, Tampa East / Ybor City 2520 N. 50th Street, Tampa, FL. 33619  
Meeting Option #2 at Lesley Miller Jr. All People’s Community Park & Life Center, 6105 E Sligh Ave, Tampa, FL 33617

Virtual Option: Follow this link:  
<https://meet.goto.com/658282773>

You can also dial in using your phone. (For supported devices, tap a one-touch number below to join instantly.)

United States (Toll Free): 1(866)899-4679, Access Code: 658-282-773

One-touch: tel:+18668994679,,658282773#

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** You are invited to attend and participate in the Public Meeting for the 56th Street/50th Street Corridor Planning Study.

FDOT D7 is scheduling a Public Meeting to present the study background and gather feedback on potential alternatives and intersection treatments.

This project is coordinated with Hillsborough County, the City of Tampa, the City of Temple Terrace, Hillsborough Transportation Planning Organization (TPO), and the Hillsborough Area Regional Transit Authority’s (HART) to develop potential solutions that improve multimodal safety, operations, and connectivity. Two segments of the study corridor were identified by the Hillsborough TPO as a Vision Zero corridor, meaning there were a high number of severe crashes leading to fatalities and incapacitating injuries. The study will determine how best to meet the needs of current and future users, and establish a long-term plan to guide evolution of the corridor that appropriately balances land use and transportation planning.

The first public option is on Tuesday, August 30, 2022, 5:30 p.m. – 7:30 p.m., located at the Holiday Inn Express & Suites, Tampa East located at 2520 N. 50th Street, Tampa, FL. 33619.

The second is on Wednesday, August 31, 2022, 5:30 p.m. – 7:30 p.m., located at the Lesley Miller Jr. All People’s Community Park & Life Center located at 6105 E Sligh Ave, Tampa, FL 33617.

A virtual option will be held on Wednesday, August 31, 12:00 Noon – 2:00 p.m. and can be accessed using the following:

Follow this link: <https://meet.goto.com/658282773>

You can also dial in using your phone. (For supported devices, tap a one-touch number below to join instantly.)

United States (Toll Free): 1(866)899-4679, Access Code: 658-282-773

One-touch: tel:+18668994679,,658282773#

The same content will be shared at each meeting.

Written comments can be mailed to: Brian Shroyer, CPM, Project Manager, Florida Department of Transportation District Seven, Planning & Environmental Management Office (PLEMO) MS 7-500, 11201 N. McKinley Drive, MS 7-500, Tampa, FL 33612, emailed to: [Brian.Shroyer@dot.state.fl.us](mailto:Brian.Shroyer@dot.state.fl.us) or provided on the “Send us your comments” page on the project website at

<https://www.fdotd7studies.com/projects/56thstreetcorridor/>

FDOT welcomes and appreciates everyone’s participation. If you have questions about the project or the scheduled meeting, or would like to obtain more information, please contact Brian Shroyer, CPM, Project Manager, at 1(813)975-6449 or 1(800)226-7220 or visit our project website at <https://www.fdotd7studies.com/projects/56thstreetcorridor/>.

**Comuníquese Con Nosotros**

Nos importa mucho la opinión del público sobre el proyecto. Si usted tiene preguntas o comentarios, o simplemente desea más información sobre este proyecto, por favor comuníquese con nuestro representante, Manuel Flores al teléfono 1(813)975-4248 o al correo electrónico [Manuel.Flores@dot.state.fl.us](mailto:Manuel.Flores@dot.state.fl.us).

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

The environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by the Florida Department of Transportation (FDOT) pursuant to 23 U.S.C. §327 and a Memorandum of Understanding dated May 26, 2022, and executed by the Federal Highway Administration and FDOT.

A copy of the agenda may be obtained by contacting: Brian Shroyer, CPM, Project Manager, at 1(813)975-6449 or 1(800)226-7220 or visit our project website at <https://www.fdotd7studies.com/projects/56thstreetcorridor/>.

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: Roger Roscoe, Public Involvement Coordinator, Florida Department of Transportation, District Seven, MS 7-500, 11201 N. McKinley Drive, Tampa, FL 33612, 1(813)975-6411. 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: Roger Roscoe, Public Involvement Coordinator, Florida Department of Transportation, District Seven, MS 7-500, 11201 N. McKinley Drive, Tampa, FL 33612, 1(813)975-6411.

**THE CORRADINO GROUP, INC.**

The Florida Department of Transportation (FDOT) District Four announces a public meeting to which all persons are invited.

**DATE AND TIME:** Tuesday, August 23, 2022, 5:00 p.m. – 7:00 p.m.

**PLACE:** Please use the following link to register for the virtual session: <https://bit.ly/SRA1A>. If you prefer to dial in by phone, call (415)930-5321 and then dial the Audio Access Code: 815-939-926. The in-person session will be at the Vero Beach City Hall, Council Chambers, located at 1053 20th Place, Vero Beach, FL 32960.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Financial Management No.: 443996-1-52-01 and 440822-1-52-01

**Project Description:** SR A1A and SR 5/US 1 Roadway Improvements Project in the City of Vero Beach

The project improvements on SR A1A from south of Jasmine Lane to north of SR 60/Beachland consist of repaving and restriping the existing asphalt pavement; widening the roadway to accommodate a 7-foot buffered bicycle lane; constructing a 6-foot sidewalk on the east side (northbound direction); upgrading drainage, signage and pavement markings; upgrading existing curb ramps to meet Americans with Disabilities Act (ADA) standards; adding two signalized pedestrian mid-block crossings at Iris Lane and Dahlia Lane; and, upgrading pedestrian signal and lighting at the intersection of SR A1A and SR 60/Beachland Boulevard. SR A1A and SR 5/US 1 turn lanes project improvements consist of constructing a southbound right turn lane at the intersection of SR 5/US 1 and 8th Street; extending the southbound right turn lane at the intersections of SR A1A and the 17th Street Causeway and SR A1A and SR 60/Beachland Boulevard; and upgrading existing drainage.

Construction will begin in August 2022 and is estimated to be completed in Fall 2023. The estimated cost is \$5.6 million.

The Construction Open House will be held virtually and in person. The virtual public meeting will be held from 5:00 p.m. – 6:00 p.m. with a brief presentation followed by questions and comments from the public. The in person open house will be held from 6:00 p.m. – 7:00 p.m. and will have an informal open house format. FDOT staff and consultant staff members will be available to discuss the project and answer questions.

A copy of the agenda may be obtained by contacting: Aaron Watt, P.E., FDOT Project Manager, at (772)429-4938 or by email at [aaron.watt@dot.state.fl.us](mailto:aaron.watt@dot.state.fl.us).

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status.

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: Aaron Watt, P.E., FDOT Project Manager, at (772)429-4938 or by email at [aaron.watt@dot.state.fl.us](mailto:aaron.watt@dot.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: Samantha Kayser, Community Outreach Specialist, at (772)579-5479 or by email at [skayser@corradino.com](mailto:skayser@corradino.com).

## Section VII Notice of Petitions and Dispositions Regarding Declaratory Statements

**FLORIDA DEPARTMENT OF CORRECTIONS**

NOTICE IS HEREBY GIVEN that the Florida Department of Corrections received a Petition for Declaratory Statement on July 20, 2022, from inmate Charles Stallworth, DC# M49801. The petitioner seeks the opinion of the Department regarding the interpretation of section 944.17(5)(c), Florida Statutes, as it relates to his particular set of circumstances.

The petition seeks to resolve a controversy or answer questions or doubts regarding the interpretation and application of the above-referenced statute as it relates to the petitioner’s acceptance into Department custody.

Persons whose substantial interests may be affected by a declaratory statement issued in this matter may file a motion to intervene or a petition for administrative hearing within twenty-one (21) days after the publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Lauren Sanchez, 501 South Calhoun Street, Tallahassee, Florida 32399, [Lauren.Sanchez@fdc.myflorida.com](mailto:Lauren.Sanchez@fdc.myflorida.com), (850)717-3605.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Talent Agencies**

NOTICE IS HEREBY GIVEN that Department of Business and Professional Regulation, Talent Agencies, has received the petition for declaratory statement from Chris Newton, The Newton Agency LLC. The petition seeks the agency’s opinion as to the applicability of none provided as it applies to the petitioner.

Petitioner’s petition, received on June 21, 2022, asks, “What is the maximum commission/agency fee an agent is allowed per Florida Talent Agency rules and regulations?”

A copy of the Petition for Declaratory Statement may be obtained by contacting: Amanda Ackermann, Executive Director, Office of Talent Agencies, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)487-1395, or by electronic mail to Amanda.Ackermann@myfloridalicense.com.

Except for good cause shown, motions for leave to intervene must be filed within 21 days after the publication of this notice.

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

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

NONE

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

NONE

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

NONE

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

NONE

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

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., Thursday, July 28, 2022 and 3:00 p.m., Wednesday, August 3, 2022.

<b>Rule No.</b>	<b>File Date</b>	<b>Effective Date</b>
5JER22-2	8/3/2022	8/3/2022
19-8.010	7/29/2022	8/18/2022
19-8.028	7/29/2022	8/18/2022
19-8.029	7/29/2022	8/18/2022
53ER22-41	7/28/2022	8/1/2022
53ER22-42	7/28/2022	8/1/2022
53ER22-43	7/28/2022	8/1/2022
53ER22-44	7/28/2022	8/1/2022
53ER22-45	7/28/2022	8/1/2022
53ER22-46	7/28/2022	8/1/2022
55A-3.005	7/28/2022	8/17/2022
55A-7.003	7/28/2022	8/17/2022
55A-7.007	7/28/2022	8/17/2022
55A-7.008	7/28/2022	8/17/2022
55A-7.009	7/28/2022	8/17/2022
55A-7.010	7/28/2022	8/17/2022
55A-7.011	7/28/2022	8/17/2022
55A-7.0111	7/28/2022	8/17/2022
55A-7.013	7/28/2022	8/17/2022
55A-7.016	7/28/2022	8/17/2022
59G-1.050	8/1/2022	8/21/2022
61G15-20.0018	7/26/2022	8/15/2022
61J2-3.008	8/1/2022	8/21/2022
62S-8.001	8/2/2022	8/22/2022

62S-8.002	8/2/2022	8/22/2022
62S-8.003	8/2/2022	8/22/2022
64B19-11.012	8/2/2022	8/22/2022
69L-6.007	8/2/2022	8/22/2022
<b>LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES</b>		
<b>Rule No.</b>	<b>File Date</b>	<b>Effective Date</b>
5K-4.020	12/10/2021	**/**/****
5K-4.035	12/10/2021	**/**/****
5K-4.045	12/10/2021	**/**/****
60FF1-5.009	7/21/2016	**/**/****
62-6.001	5/10/2022	**/**/****
62-600.405	11/16/2021	**/**/****
62-600.705	11/16/2021	**/**/****
62-600.720	11/16/2021	**/**/****
64B8-10.003	12/9/2015	**/**/****
65C-9.004	3/31/2022	**/**/****
69L-7.020	10/22/2021	**/**/****
64B8-10.003	12/9/2015	**/**/****

The Florida Department of Environmental Protection (DEP) has determined that the Sun ‘n Lake Improvement District project involving rehabilitation of the Sun ‘n Lakes Improvement District’s stormwater management system is not expected to generate controversy over potential environmental effects. The proposed project rehabilitates the existing stormwater management system and includes the replacement/repair of stormwater treatment pond structures/skimers, replacement/repair of stormwater culverts, and refurbishing of stormwater ditches and ponds. The estimated cost for this project is \$5.98 million. The project may qualify for Clean Water SRF loans composed of federal and state funds. DEP will consider public comments about the environmental impacts of the proposed projects that are postmarked or delivered at the address below within 30 days of this notice. A copy of the FCEN can be obtained by writing to: Greg Alfsen, DEP, 3900 Commonwealth Blvd., MS 3505, Tallahassee, Florida 32399 3000, or calling (850)245-2983 or emailing gregory.alfsen@dep.state.fl.us.

DEPARTMENT OF ECONOMIC OPPORTUNITY  
 Division of Community Development  
 DEO Final Order No. DEO-22-023  
 STATE OF FLORIDA  
 DEPARTMENT OF ECONOMIC OPPORTUNITY  
 In re: AMENDMENT TO THE CITY OF KEY WEST,  
 FLORIDA,  
 LAND DEVELOPMENT REGULATIONS  
 ADOPTED BY CITY OF KEY WEST, FLORIDA  
 ORDINANCE NO. 22-09

**REGIONAL UTILITY AUTHORITIES**  
 Peace River/Manasota Regional Water Supply Authority  
 Notice of Publication of 2022-2023 Regulatory Plan  
 NOTICE IS HEREBY GIVEN that on August 3, 2022, the Peace River Manasota Regional Water Supply Authority published its 2022-2023 Regulatory Plan on the Peace River Manasota Regional Water Supply Authority’s website. The Regulatory Plan is available on the Authority’s website at: <https://regionalwater.org/uploads/Regulatory%20Plan/RegulatoryPlan2022-2023.pdf>.

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
 Clean Water State Revolving Fund  
 NOTICE OF AVAILABILITY  
 FLORIDA CATEGORICAL EXCLUSION NOTICE (FCEN)  
 Sun ‘n Lake Improvement District  
 Sebring, Florida  
 CW28035

FINAL ORDER  
APPROVING CITY OF KEY WEST ORDINANCE NO. 22-09

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to Section 380.05(6), Florida Statutes, approving land development regulations adopted by the City of Key West, Florida (“City”), by Ordinance No. 22-09 (“Ordinance”).

FINDINGS OF FACT

- Section 380.0552, Florida Statutes, and Rule 28-36.002, Florida Administrative Code, designate the City as an area of critical state concern.
- The City adopted the Ordinance on May 5, 2022 and rendered it to the Department on June 6, 2022.
- The Ordinance amends the City’s Historic Architectural Guidelines for windows and shutters, which are incorporated into Section 90-142 of the City’s Land Development Regulations by reference. The Ordinance replaces the former guidelines for windows and shutters with



new guidelines for windows, storefronts, shutters, and window protection that allow for increased modern storm protection and energy efficiency while preserving the historic character of the City.

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* Section 380.05(6), Florida Statutes.

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

6. The Ordinance is consistent with the City’s Comprehensive Plan generally, as required by Section 163.3177(1), Florida Statutes, and is specifically consistent with Objective 1A-1.2, and Policies 1A-1.2.1, 1A-1.2.2, 1A-1.2.3, 1A-1.2.4, 1A-1.2.5, 1A-1.2.7, and 1A-1.2.10.

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

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

- (1)(a) Strengthen local government capabilities for managing land use and development;
- (e) Protection of the historical heritage of Key West and the Key West Historical Preservation District; and
- (h) Protection of the public health, safety, welfare and economy of the City of Key West, and the maintenance of Key West as a unique Florida resource.

WHEREFORE, IT IS ORDERED that the Department finds that Ordinance No. 22-09 is consistent with the City’s Comprehensive Plan and the Principles for Guiding Development for the City and is hereby APPROVED.

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

DONE AND ORDERED in Tallahassee, Florida.

/s/ James D. Stansbury

James D. Stansbury, Bureau Chief, Bureau of Community Planning and Growth, Department of Economic Opportunity

NOTICE OF ADMINISTRATIVE RIGHTS

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

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

DEPENDING ON WHETHER OR NOT MATERIAL FACTS ARE DISPUTED IN THE PETITION, A HEARING WILL BE CONDUCTED PURSUANT TO EITHER SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, OR SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES. ANY PETITION MUST BE FILED WITH THE AGENCY CLERK OF THE DEPARTMENT OF ECONOMIC OPPORTUNITY WITHIN 21 CALENDAR DAYS OF THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER. A PETITION IS FILED WHEN IT IS RECEIVED BY: AGENCY CLERK, DEPARTMENT OF ECONOMIC OPPORTUNITY, OFFICE OF THE GENERAL COUNSEL, 107 EAST MADISON ST., MSC 110, TALLAHASSEE, FLORIDA 32399-4128, FAX: (850)921-3230

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

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the following persons by the methods indicated this 2nd day of August, 2022.

/s/ Jaiden Foss

Jaiden Foss, Agency Clerk, Department of Economic Opportunity, 107 East Madison Street, MSC 110, Tallahassee, FL 32399-4128

By U.S. Mail:

The Honorable Teri Johnston, Mayor, City of Key West, P.O. Box 1409, Key West, FL 33041-1409

Cheri Smith, City Clerk, City of Key West, P.O. Box 1409, Key West, FL 33041-1409

Katie Halloran, Director, City of Key West Planning Department, P.O. Box 1409, Key West, FL 33041-1409

DEPARTMENT OF ECONOMIC OPPORTUNITY  
Division of Community Development  
DEO Final Order No. DEO-22-024  
STATE OF FLORIDA  
DEPARTMENT OF ECONOMIC OPPORTUNITY  
In re: AMENDMENT TO THE CITY OF KEY WEST,  
FLORIDA,  
LAND DEVELOPMENT REGULATIONS  
ADOPTED BY CITY OF KEY WEST, FLORIDA  
ORDINANCE NO. 22-10

FINAL ORDER  
APPROVING CITY OF KEY WEST ORDINANCE NO. 22-  
10

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to Section 380.05(6), Florida Statutes, approving land development regulations adopted by the City of Key West, Florida (“City”), by Ordinance No. 22-10 (“Ordinance”).

FINDINGS OF FACT

1. Section 380.0552, Florida Statutes, and Rule 28-36.002, Florida Administrative Code, designate the City as an area of critical state concern.
2. The City adopted the Ordinance on May 5, 2022 and rendered it to the Department on June 6, 2022.
3. The Ordinance amends Chapter 102, *Historic Preservation*, of the City’s Land Development Regulations to revise the City’s Historic Architectural Review Commission (“HARC”) criteria that allow for use of alternative building materials in cases of undue economic hardship. Specifically, the Ordinance amends the definition of “undue economic hardship” to remove the requirement that an applicant’s income must be below 80 percent of the median income for the City and instead allows the applicant’s income to be at the median income level for the City. The amended definition also includes language to clarify that an applicant may provide either their income tax return for the previous two years or Supplemental Nutrition Assistance Program documentation to establish their economic status. Additionally, the Ordinance grants HARC staff the authority to receive affidavits and request additional information from property owners to establish that an undue economic hardship exists. Finally, the Ordinance grants HARC staff the authority to make determinations that undue economic hardships exist and allow property owners to substitute historic or traditional building materials with alternative building materials.

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* Section 380.05(6), Florida Statutes.

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

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

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

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

- (1)(a) Strengthen local government capabilities for managing land use and development;
- (e) Protection of the historical heritage of Key West and the Key West Historical Preservation District; and
- (h) Protection of the public health, safety, welfare and economy of the City of Key West, and the maintenance of Key West as a unique Florida resource.

WHEREFORE, IT IS ORDERED that the Department finds that Ordinance No. 22-10 is consistent with the City’s Comprehensive Plan and the Principles for Guiding Development for the City and is hereby APPROVED.

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

DONE AND ORDERED in Tallahassee, Florida.

/s/ James D. Stansbury

James D. Stansbury, Bureau Chief, Bureau of Community Planning and Growth, Department of Economic Opportunity

NOTICE OF ADMINISTRATIVE RIGHTS

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

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

DEPENDING ON WHETHER OR NOT MATERIAL FACTS ARE DISPUTED IN THE PETITION, A HEARING WILL BE CONDUCTED PURSUANT TO EITHER SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, OR SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES. ANY PETITION MUST BE FILED WITH THE AGENCY CLERK OF THE DEPARTMENT OF ECONOMIC OPPORTUNITY WITHIN 21 CALENDAR DAYS OF THE FINAL ORDER BEING PUBLISHED IN THE FLORIDA ADMINISTRATIVE REGISTER. A PETITION IS FILED WHEN IT IS RECEIVED BY: AGENCY CLERK, DEPARTMENT OF ECONOMIC OPPORTUNITY, OFFICE OF THE GENERAL COUNSEL, 107 EAST MADISON ST., MSC 110, TALLAHASSEE, FLORIDA 32399-4128, FAX: (850)921-3230

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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 2nd day of August, 2022.

/s/ Jaiden Foss

Jaiden Foss, Agency Clerk, Department of Economic Opportunity, 107 East Madison Street, MSC 110, Tallahassee, FL 32399-4128

By U.S. Mail:

The Honorable Teri Johnston, Mayor, City of Key West, P.O. Box 1409, Key West, FL 33041-1409

Cheri Smith, City Clerk, City of Key West, P.O. Box 1409, Key West, FL 33041-1409

Katie Halloran, Director, City of Key West Planning Department, P.O. Box 1409, Key West, FL 33041-1409

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**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.