

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

NONE

Section II
Proposed Rules

NONE

Section III
Notice of Changes, Corrections and
Withdrawals

NONE

Section IV
Emergency Rules

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:

62ER24-1: Hurricane Restoration Reimbursement Grant Program

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Section 10, Chapter 2022-272, Laws of Florida (L.O.F.), “[a]n act relating to disaster relief” establishes the Hurricane Restoration Reimbursement Grant Program for the purpose of providing financial assistance to mitigate coastal beach erosion for coastal homeowners whose property was significantly impacted by Hurricane Ian or Hurricane Nicole in 2022. The legislation includes legislative findings that emergency rulemaking authority is necessary to address critical shoreline erosion which may result in the loss of property by homeowners in those areas of the state that sustained damage due to Hurricane Ian or Hurricane Nicole during 2022. Section 10, Chapter 2022-272, L.O.F., requires the Department of Environmental Protection to adopt emergency rules pursuant to subsections 120.54(1) and 120.54(4), Florida Statutes, for the purpose of implementing the grant program. The Department adopted rule 62ER23-2, F.A.C., on January 30, 2023. The Legislature revised the grant program in Section 61, Chapter 2023-240, L.O.F., requiring the promulgation of a new emergency rule. The Department adopted rule 62ER23-3, F.A.C., on June 30, 2023. In order for the grant program to remain open through July 1, 2024, the date required by the Legislature, a new rule must be adopted. Given the application

period set out in the law, an emergency rule is the most appropriate and expedient means to provide eligible property owners the grant program’s requirements and grant application. **REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES:** The Legislature expressly authorized and required in Section 10, Chapter 2022-272, L.O.F., the promulgation of an emergency rule by the Department to implement the Hurricane Restoration Reimbursement Grant Program for the purpose of providing financial assistance to mitigate coastal beach erosion for coastal homeowners whose property was significantly impacted by Hurricane Ian or Hurricane Nicole in 2022. The Legislature revised the program in Section 61, Chapter 2023-240, L.O.F., requiring the promulgation of a new emergency rule. In order for the grant program to remain open through July 1, 2024, the date required by the Legislature, a new rule must be adopted. The promulgation of this emergency rule, incorporating by reference the form used to apply for financial assistance, ensures that the public is notified by the most appropriate and expedient means regarding the process to apply for a grant.

SUMMARY: The rule provides the procedures, administration, and eligibility criteria for the Hurricane Restoration Reimbursement Grant Program, which will distribute financial assistance to qualifying coastal homeowners to help remedy the damages from coastal erosion incurred after Hurricane Ian or Hurricane Nicole. The grant program allows persons living in Brevard, Broward, Charlotte, Collier, Duval, Flagler, Indian River, Lee, Manatee, Martin, Nassau, Palm Beach, Saint Johns, Saint Lucie, Sarasota, and Volusia Counties whose property was significantly impacted by Hurricane Ian or Hurricane Nicole in 2022, and who meet eligibility requirements, to seek reimbursement to remedy coastal beach erosion and reimburse eligible construction costs. The grant program applies to single- or multi-family homes, residential condominiums, and cooperatives. The emergency rule incorporates, by reference, Form 1 DEP-62ER24-1, the Hurricane Restoration Reimbursement Grant Program Application, effective as of the effective date of Chapter 62ER24-1, F.A.C.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Lainie Edwards, Deputy Director, Office of Resilience and Coastal Protection, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS 235 Tallahassee, FL 32399, or Crystal Anderson, Assistant General Counsel, Florida Department of Environmental Protection, 3900 Commonwealth Blvd., MS-35 Tallahassee, FL 32399.

THE FULL TEXT OF THE EMERGENCY RULE IS:

62ER24-1 Hurricane Restoration Reimbursement Grant Program

(1) This chapter implements the Hurricane Restoration Reimbursement Grant Program, to provide financial assistance to coastal homeowners for eligible costs related to sand placement, temporary coastal armoring, or permanent armoring construction projects to remedy coastal beach erosion incurred as a result of preparation for or damage sustained from Hurricane Ian or Hurricane Nicole in 2022.

(2) For purposes of this rule, the term:

(a) “Eligible applicant” means the individual, corporation, trust, or other legal entity eligible to be a grantee. An agent may make application upon behalf of an applicant, but such agent is not the applicant, grantee, or otherwise eligible for reimbursement.

(b) “Department” means the Department of Environmental Protection.

(c) “Grantee” means an eligible applicant that is the recorded deeded landowner for the eligible residential property who has complied with all documentation requirements in paragraph (6)(b) of this rule and received a grant from the Department. For a residential condominium or cooperative that is not the recorded deeded landowner for the eligible residential property, such entity may only be a grantee if alternative evidence is submitted proving legal control over the eligible residential property as related to the eligible project. For properties sold after September 23, 2022, the grantee may be the individual, corporation, trust, or other legal entity that incurred eligible costs during the period in which that grantee owned the property.

(d) “Eligible costs” means construction costs associated with execution of an eligible project that have been incurred and for which the grantee has evidence of payment. Construction costs may include design, engineering, construction-related monitoring required by permit or contract, surveys, materials, labor, contractors, and construction oversight. Eligible costs do not include permit fees or repair of residential structures. Reimbursement of eligible costs may be no greater than \$300,000 per parcel and no greater than 50% of the total incurred costs.

(e) “Eligible project” means construction activities that occurred after September 23, 2022, related to sand placement, temporary coastal armoring, or permanent coastal armoring construction projects intended to prepare for or remedy coastal beach erosion or damage sustained from Hurricane Ian or Hurricane Nicole, on an eligible residential property. To be eligible, projects must be permitted or authorized under chapter 161, F.S., prior to the commencement of authorized work, exempt from permitting requirements, or otherwise authorized by law. The project address on any issued permit under chapter

161, F.S., must match the address of the eligible residential property.

(f) “Eligible residential property” means a parcel that is a coastal property on the beach located in Brevard, Broward, Charlotte, Collier, Duval, Flagler, Indian River, Lee, Manatee, Martin, Nassau, Palm Beach, Saint Johns, Saint Lucie, Sarasota, or Volusia County that is either:

1. A single-family, site-built, residential property or a multi-family, site-built, residential property, not to exceed four units, where the homeowner has been granted a homestead exemption on the home under chapter 196, F.S.;

2. A residential condominium, as defined in chapter 718, F.S.; or

3. A cooperative, as defined in chapter 719, F.S.

(g) “Low-income or moderate-income applicants” are those applicants that are low-income or moderate-income person(s) as defined in section 420.0004, F.S., who provide an attestation of income on Form 3 DEP-62ER23-3, Attestation of Low-Income or Moderate-Income (effective date January 1, 2024), which is hereby adopted by reference into this rule and available at <https://floridadep.gov/hurricane>.

(h) “Required documentation” means documents and evidence required to be submitted as part of the application.

(3) To apply for a grant, an eligible applicant shall submit to the department online or by paper copy a complete application, Form 1 DEP-62ER24-1, Hurricane Restoration Reimbursement Grant Program Application (effective date January 1, 2024), which is hereby adopted by reference into this rule and available at <https://floridadep.gov/hurricane>, as well as all required documentation, as follows:

(a) Applications can be submitted through the department’s electronic portal available online beginning February 1, 2023, at 9:00 a.m. EST at: <https://floridadep.gov/hurricane>. Applications will be date and time-stamped upon submission. Applicants must sign up for a user account prior to making application.

(b) Alternatively, application materials can be submitted in paper form beginning February 1, 2023, at 9:00 a.m. EST by certified mail to the Department of Environmental Protection, 2600 Blair Stone Road, MS 3522, Tallahassee, Florida 32399-2400, which will be date and time-stamped upon entry into the grants database.

(4) The department will review all applications to determine whether the project is eligible for inclusion in the Hurricane Restoration Reimbursement Grant Program. Eligibility requirements include:

(a) An eligible applicant properly submitted a complete application, Form 1 DEP-62ER24-1, including all required documentation;

(b) The property is an eligible residential property;

(c) There are documented eligible costs for an eligible project;

(d) The applicant has applied for no greater than \$300,000 in reimbursement and provided all documentation for reimbursement, inclusive of cost share requirements.

(5) If corrections are needed to the application, the Department will review the materials and, if not sufficient, will contact the applicant and provide 7 calendar days to meet requirements. If the requested materials are received within 7 days, the date-time stamp of the initial submittal will be used for the application processing. However, if the information is not provided in that timeframe, a new or amended application must be made by the applicant if corrections are able to be made.

(6) By making application, the applicant agrees to enter into a grant agreement with the department and agrees to Form 2 DEP-62ER24-1, Grant Terms and Conditions (effective date January 1, 2024), which is hereby adopted by reference into this rule and available at <https://floridadep.gov/hurricane>.

(a) The department will award grants to applicants meeting all eligibility requirements on a first-come, first-served basis, with priority given by calendar day to low-income and moderate-income applicants until funds are exhausted or upon the expiration of this rule, whichever comes first.

(b) The department will disburse grant funds on a cost-reimbursement basis to the grantee(s).

1. To receive reimbursement, the grantee(s) must submit:

a. The parcel identification number for the applicable county.

b. A valid social security number or tax identification number.

c. Proof the eligible applicant resides at the address to which a check is asked to be mailed, if different than the eligible residential property address, as identified in sub-paragraphs 2. – 4., below.

d. A copy of the permit issued under chapter 161, F.S., prior to the commencement of work for which a grant is sought, or applicable statutory exemption or other authorization.

e. Documentation of eligible project expenses (e.g., for a completed project, photos of the completed project; for projects not yet fully complete, a copy of the design and engineering plans or similar evidence of work);

f. Paid invoices and associated documentation showing work conducted for the eligible project, dates of work, and proof of payment;

g. If applicable, Form 3, DEP-62ER24-1, Attestation of Low-Income or Moderate-Income;

h. Any other information required by the application or this rule.

2. For individuals listed on the recorded deed for the eligible residential property, checks will be issued in the name

of all individuals on the deed. If the mailing address for payment is different than the eligible residential property, the applicant must provide the driver’s license or other documented address for at least one person on the recorded deed.

3. For trusts listed on the recorded deed for the eligible residential property, checks will be issued in the name of the trustee for the trust. The applicant must provide documentation identifying the trustee of the trust and, if the mailing address for payment is different than the eligible residential property, the applicant must additionally provide the driver’s license or other documented address for the trustee.

4. For corporations listed on the on the recorded deed for the eligible residential property, checks will be issued in the name of the corporation at the mailing address as registered with the Department of State.

5. The applicant must provide any other documentation required by state law to identify proof of completion of the eligible project and proof reimbursement is allowable under this rule and the grant agreement.

(c) No checks will be mailed to a post office box.

(d) If a grantee is unable to comply with subparagraphs 2. – 4., the grantee may request the Department to accept alternative forms of proof of identity and valid address. The Department shall accept such alternative forms of proof if such alternative provides clear evidence that the person seeking disbursement is the grantee.

(e) As necessary for the Department to verify eligibility under this rule or information associated with reimbursement, the Department shall seek additional information necessary from the Applicant.

(7) This rule expires on July 1, 2024.

Rulemaking Authority ss. 10 and 12 of Chapter 2022-272, L.O.F., Law Implemented ss. 10 and 12, Ch. 2022-272, L.O.F., s. 61, Ch. 2023-240, L.O.F., History-New 1-1-24 Rule 62ER23-2, 62ER23-3.

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: January 1, 2024

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

NONE

For more information, you may contact: Peggy Bielby, Administrative Coordinator, PBielby@inn-park.com

Florida Foundation for Correctional Excellence, Inc.

The Florida Foundation for Correctional Excellence announces a public meeting to which all persons are invited.

DATE AND TIME: January 17, 2024, 10:00 a.m., ET

PLACE: 501 South Calhoun Street Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Florida Foundation for Correctional Excellence Meeting of the Board Members

January 17, 2024, 10:00 a.m., EDT

Teleconference/In-Person: FDC Central Office

Conference call in information: (888)585-9008

Pin: 957866729

Meeting Agenda

Note: records are being taken and this meeting is open to the public

January 17, 2024

Time: 10:00 a.m., EDT

Location: FDC Central Office/Zoom Teleconference/FDC

Public Conference Line

(888)585-9008

Topic: FFCE Board Meeting

1. Call to Order Denver Stutler
2. Prior Board Meeting Minutes Approval Denver Stutler
3. FDC Updates Secretary Dixon
4. FFCE Developments Erica Averion/ Noelle Manasco
 - a. Communications
 - b. Legal
 - c. Accounting
 - d. Fundraising / Development
 - e. Partnerships: Industry & Employer
5. Discussion Items Denver Stutler
 - a. Current
 - b. Future
 - c. Action Items
6. Next Steps/ Next Meeting Denver Stutler

March 20, 2024

May 22, 2024
7. Meeting Adjourned Denver Stutler

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

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

For more information, you may contact: erica@flcorrectionalexcellence.com

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

City of Cape Coral

Unsolicited Proposal UPR24333JM - P3 Opportunity for Jaycee park Improvement Project

NOTICE OF RECEIPT OF UNSOLICITED PROPOSAL FOR PUBLIC PRIVATE PARTNERSHIP OPPORTUNITY FOR JAYCEE PARK IMPROVEMENTS PROJECT CITY OF CAPE CORAL, FLORIDA

1015 Cultural Park Boulevard, Cape Coral, FL
LEGAL ADVERTISEMENT

NOTICE OF UNSOLICITED PROPOSAL FOR PUBLIC PRIVATE PARTNERSHIP OPPORTUNITY FOR JAYCEE PARK IMPROVEMENTS PROJECT (UPR24333JM)

The City of Cape Coral, Florida (hereinafter identified as the “City”) has received an unsolicited proposal submitted pursuant to those provisions set forth within Section 255.065 of the Florida Statutes, Public-Private Partnerships for the construction, design, and financing of the Jaycee Park Improvements Project (the “Jaycee Project”).

The unsolicited proposal has been deemed a qualifying project in accordance with Section 255.065 of the Florida Statutes (the “P3 Statute”). In compliance with the P3 Statute, the City is legally required to publish notice of receipt of the unsolicited proposal and permit other competitive proposals for the Jaycee Project to be received by the City.

Jaycee Park is a 12-acre waterfront park, which is located along the Caloosahatchee River in southeast portion of the City of Cape Coral, off Beach Parkway. City Council recently approved a final concept for specific improvements at Jaycee Park, which includes activating the waterfront, expanding the tree canopy, adding a splash pad, band shell, beach volleyball courts, two playgrounds, pavilions, boat slips, food truck area and bar. City Council authorized a design firm to begin design work for the improvements for the Jaycee Project. Any prospective Proposer(s) will be working with the design firm to complete the final site design, which is underway. The Jaycee Project contains a P3 revenue-sharing opportunity for operation of the food truck and bar amenities.

Anyone who has an interest in submitting a competing proposal under the provisions of Section 255.065 of the Florida Statutes, is invited to submit a proposal for construction, design, and financing of the Jaycee Park Improvements Project. The prospective Proposal(s) shall include all information, materials and requirements that are mandated pursuant to Section 255.065 of the Florida Statutes. All competing proposal(s)

must include a non-refundable \$25,000 application fee with the proposal.

Additional information is available online at <https://capecoral.ionwave.net>. A User Login is required and can be created by completing the Supplier Registration. Once registered, click “UNSOLICITED PROPOSAL (UP) No. UPR24333JM.” Competing proposals must be submitted electronically through this portal (<https://capecoral.ionwave.net>). Additionally, five (5) hard copies shall be submitted no later than 3:00 p.m. on Friday, January 26, 2024. Proposals received after 3:00 p.m. on Friday, January 26, 2024 will be rejected. Hard copies must be submitted to:

City of Cape Coral, Procurement Division, 1015 Cultural Park Boulevard, Cape Coral, FL 33990

The City reserves the absolute right to reject any or all proposals, or as provided under Section 255.065 of the Florida Statutes, award and negotiate a final agreement should a proposal best serve the interests of the City. However, this notice provides no commitment or obligation by the City to enter into any final agreement regarding the Jaycee Project. The City Council shall have final decision-making authority concerning any final award, which award shall be at their sole and absolute discretion. A Cone of Silence for competitive bids shall be in effect from the initial advertisement of this notice pursuant to Section 2-151(k) of the Cape Coral City Ordinances. All communications regarding the project must be submitted to Wanda Roop, Procurement Manager at wroop@capecoral.gov.

All proposals and related information received will be subject to applicable provisions of the Florida Public Records Law, and to any applicable procurement statutes of the State of Florida and/or ordinances of the City.

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., Tuesday, December 26, 2023, and 3:00 p.m., Monday, January 1, 2024.

| Rule No. | File Date | Effective Date |
|-------------|------------|----------------|
| 33-210.202 | 12/27/2023 | 1/16/2024 |
| 53ER23-63 | 12/27/2023 | 1/1/2024 |
| 61G20ER23-3 | 12/28/2023 | 12/31/2023 |

| | | |
|---|------------------|-----------------------|
| 61J2-10.200 | 12/28/2023 | 1/17/2024 |
| 69O-149.005 | 12/28/2023 | 1/17/2024 |
| 69O-171.012 | 12/28/2023 | 1/17/2024 |
| 69O-193.003 | 12/28/2023 | 1/17/2024 |
| 69O-198.011 | 12/28/2023 | 1/17/2024 |
| 69O-200.004 | 12/27/2023 | 1/16/2024 |
| 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 |
| 40C-4.091 | 3/31/2023 | **/**/**** |
| 40C-41.043 | 3/31/2023 | **/**/**** |
| 40E-4.091 | 6/26/2023 | **/**/**** |
| 60FF1-5.009 | 7/21/2016 | **/**/**** |
| 62-330.010 | 4/28/2023 | **/**/**** |
| 62-330.050 | 4/28/2023 | **/**/**** |
| 62-330.055 | 4/28/2023 | **/**/**** |
| 62-330.301 | 4/28/2023 | **/**/**** |
| 62-330.310 | 4/28/2023 | **/**/**** |
| 62-330.311 | 4/28/2023 | **/**/**** |
| 62-330.350 | 4/28/2023 | **/**/**** |
| 62-330.405 | 4/28/2023 | **/**/**** |
| 64B8-10.003 | 12/9/2015 | **/**/**** |
| 65C-9.004 | 3/31/2022 | **/**/**** |

fiscal year 2024-25 will be accepted beginning January 19, 2024. Applications must be received by FWC before close of business on March 20, 2024. Applications received after the deadline will be ineligible for consideration. Program guidelines and application forms may be downloaded from the web site <https://myfwc.com/boating/grants-programs/fbip/>. For more information, email FBIP@MyFWC.com or call (850)488-5600.

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.

FISH AND WILDLIFE CONSERVATION COMMISSION

Vessel Registration and Boating Safety
AVAILABILITY OF GRANT FUNDS FOR LOCAL GOVERNMENTS

The Florida Fish and Wildlife Conservation Commission (FWC) announces the anticipated availability of grant funds under the Florida Boating Improvement Program (FBIP). Eligible projects include construction and repair of boating access facilities, uniform waterway markers, mooring fields, and other local boating-related activities. County governments, municipalities and other governmental entities of the State of Florida are eligible to apply. Applications for grant funding for