

## Section I

### Notice of Development of Proposed Rules and Negotiated Rulemaking

**DEPARTMENT OF TRANSPORTATION**

RULE NOS.:	RULE TITLES:
14-61.0012	Definitions
14-61.0013	Tolls
14-61.0014	Limitation on Use of Turnpike System
14-61.0015	Prohibitions on the Turnpike System
14-61.0016	Turnpike Tandem Access
14-61.0017	Other Regulations
14-61.0018	Tractor Requirements
14-61.0019	Tire Requirements
14-61.0020	Brake Requirements
14-61.0021	Emergency Equipment
14-61.0022	Lead Trailer Requirements
14-61.0023	Converter Dolly Requirements
14-61.0024	Lamps, Etc.
14-61.0025	Inspection by Driver
14-61.0026	Coupling Devices/Hitch Connections
14-61.0027	Staging
14-61.0028	Speed Limits, Minimum Distances, Passing, and Operations under Hazardous Conditions

**PURPOSE AND EFFECT:** To clarify restrictions on use of the Florida Turnpike System and Tandem-Truck access.  
**SUBJECT AREA TO BE ADDRESSED:** Florida Turnpike System access.

**RULEMAKING AUTHORITY:** 316.252, 316.535(1), 334.044(2)(14), 338.2216(1)(b), 338.235, 338.239, FS.

**LAW IMPLEMENTED:** 316.083, 316.55, 316.090, 316.183, 316.252, 316.261-263, 316.301316.515, 316.535, 316.550, 316.646, 316.655, 316.1001, 321.05, 322.57, 322.61, 324.171, 334.044(14) 338.155, 338.165(3), 338.2216, 338.234, 338.237, 338.239, 344.044(14)(32), 338.22-244, 338.239(2) 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:** Susan Schwartz, Assistant General Counsel, Florida Department of Transportation, 605 Suwannee Street, Tallahassee, FL 32399, susan.schwartz@dot.state.fl.us, (850)414-5392

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Veterinary Medicine**

**RULE NO.:** 61G18-12.007  
**RULE TITLE:** Initial Licensure Fee  
**PURPOSE AND EFFECT:** The purpose of the amendment is to eliminate the varying licensure fee so that application and licensure fees can be paid at the time of initial application, which will allow the issuance of licenses to be expedited.  
**SUBJECT AREA TO BE ADDRESSED:** Change varying fee amounts.

**RULEMAKING AUTHORITY:** 455.213(2) FS.

**LAW IMPLEMENTED:** 455.213(2), 474.2065 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:** Ruthanne Christie, Executive Director, Board of Veterinary Medicine, 2601 Blair Stone Road, Tallahassee, FL 32399-0751, N13, or by electronic mail - Ruthanne.Christie@myfloridalicense.com.

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

## Section II

### Proposed Rules

**DEPARTMENT OF EDUCATION**

**State Board of Education**

**RULE NO.:** 6A-6.0334  
**RULE TITLE:** Individual Educational Plans (IEPs) and Educational Plans (EPs) for Transferring Exceptional Students

**PURPOSE AND EFFECT:** Establish convening requirements for an IEP team meeting when a full-time virtual program is not considered appropriate for a student. The proposed rule also makes provision for use of a gifted plan or corresponding documentation from an out-of-state district, when a student is deemed be gifted in another state moves to Florida.

**SUMMARY:** Transferring exceptional students.

**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: 1) no requirement for SERC was triggered under s. 120.541(1), F.S., and is not expected to require legislative ratification and 2) based on past experiences with rules that affect individual students and their families in an educational setting and have no impact on small businesses, the adverse impact or regulatory cost, if any, do not exceed nor would be expected to exceed any one of the economic analysis criteria set forth in s. 120.541(2)(a), F.S.

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

RULEMAKING AUTHORITY: 1001.02(1), 1003.01(3), 1003.57, FS.

LAW IMPLEMENTED: 1003.01(3), 1003.57, FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: January 18, 2017, 9:00 a.m.

PLACE: Martin County School Board Office, 500 E. Ocean Blvd. Stuart, FL 34994.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mary Jane Tappen, Executive Vice Chancellor, K-12 Public Schools, at Mary.Tappen@fldoe.org.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-6.0334 Individual Educational Plans (IEPs) and Educational Plans (EPs) for Transferring Exceptional Students.

(1) Individual ~~e~~Educational ~~p~~Plans (IEPs) and ~~e~~Educational ~~p~~Plans (EPs) for students who transfer school districts within Florida. If an exceptional education student who had an IEP or EP that was in effect in a previous Florida school district transfers to a new Florida school district and enrolls in a new school, the new Florida school district (in consultation with the parents or legal guardians) must provide free and appropriate public education (FAPE) to the student, which includes services comparable to those described in the ~~student's child's~~ IEP or EP from the previous Florida school district, until the new Florida school district either:

(a) Adopts the ~~student's child's~~ IEP or EP from the previous school district; or

(b) Develops, adopts, and implements a new IEP or EP that meets the applicable requirements of Rules 6A-6.03011-.0361, F.A.C.

(2) IEPs for students transferring to or from a Florida school district and a full-time virtual program under Section 1002.37 or 1002.45, F.S.

(a) In accordance with subsection (1) of this rule, if an exceptional education student who had an IEP or EP that was in effect in a previous Florida school or school district enrolls in a full-time virtual program under Section 1002.37 or 1002.45, F.S., the virtual program must determine if the student meets the profile for success in this educational delivery context. If the student meets the profile for success in this educational delivery context, the virtual program will provide FAPE to the student, which includes services comparable to those described in the student's IEP or EP from the previous school or school district, until the IEP team for the virtual program either:

1. Adopts the student's IEP or EP from the previous school or school district; or

2. Develops, adopts and implements a new IEP or EP that meets the applicable requirements of Rules 6A-3.03011-.0361, F.A.C. A virtual program may not deny or delay enrollment pending review of a student's IEP or EP.

(b) When an IEP team of a school district determines that the full-time virtual program is appropriate for a student in accordance with Section 1003.57(5), F.S., within fifteen (15) business days prior to the withdrawal from the school district, the school district must convene an IEP team meeting with at least one (1) representative specific to the full-time virtual program to determine appropriate goals, supports and services for the student. The receiving virtual program may adopt and implement the student's existing IEP from the previous school district or may revise the IEP as needed, to meet the student's needs in the virtual environment.

(c) When an IEP team for a virtual program determines that the full-time virtual program is not appropriate for a student in accordance with Section 1003.57(5), F.S., the full-time virtual program must, within fifteen (15) business days, convene an IEP team meeting to determine appropriate goals, supports and services for the student. A representative from the school district of residence for the student must participate in this meeting. A student may not be disenrolled from a full-time virtual program until after the IEP team has met and determined appropriate services for the student.

(3)(2) IEPs or EPs for students who transfer from outside Florida. If an exceptional education student who had an IEP or EP that was in effect in a previous school district in another ~~s~~State transfers to a Florida school district and enrolls in a new school within the same school year, the new Florida school district (in consultation with the parents or legal guardians)

must provide the ~~student child~~ with FAPE (including services comparable to those described in the ~~student's child's IEP or EP~~ from the previous school district), until the new Florida school district:

(a) Conducts an initial evaluation pursuant to subsections 6A-6.0331(4) and (5), F.A.C., (if determined to be necessary by the new Florida school district); and,

(b) Develops, adopts, and implements a new IEP ~~or EP, if appropriate~~, that meets the applicable requirements of Rules 6A-6.03011-.0361, F.A.C.

(c) The new school district is not required to obtain parental consent for the initial provision of services for transferring exceptional students determined eligible for services in Florida under this rule.

(4) Gifted plans for students transferring. If a student who had a gifted plan that was in effect in a previous school district in another state transfers to a Florida school district and enrolls in a new school within the same school year, the new Florida school district (in consultation with the parents or legal guardians) must provide the student with services comparable to those described in the student's gifted plan from the previous school district, until the new Florida school district develops, adopts and implements a Florida EP that meets the applicable requirements of Rule 6A-6.030191, F.A.C. Students who transfer with gifted eligibility from another state do not need to meet the requirements of Rule 6A-6.03019, F.A.C., for continued services.

(a) The new school district is not required to obtain parental consent for the initial provision of services for transferring gifted students determined eligible for services in Florida under this rule.

(b) For the purposes of this rule, a gifted plan could include documentation from the previous school district in another state that the student was determined eligible for gifted services in accordance with the applicable requirements of that district or state and was receiving gifted services.

~~(5)(3)~~ Transmittal of records. To facilitate the transition for a ~~student child~~ described in subsections (1)-(4) of this rule and (2) above:

(a) The new school district in which the student enrolls must take reasonable steps to promptly obtain the student's records, including the IEP or EP and supporting documents and any other records relating to the provision of special education or related services to the ~~student child~~, from the previous school district in which the ~~student child~~ was enrolled, pursuant to 34 CFR 99.31(a)(2); and,

(b) The previous school district in which the ~~student child~~ was enrolled must take reasonable steps to promptly respond to the request from the new school district.

Rulemaking Authority 1001.02(1), 1003.01(3), 1003.57, ~~1006.09~~ FS. Law Implemented 1001.03(8), 1001.42(4)(l), 1003.01(3), 1003.57

FS. History—New 7-13-83, Formerly 6A-6.334, Amended 3-9-92, 12-22-08,

NAME OF PERSON ORIGINATING PROPOSED RULE: Hershel Lyons, Chancellor, K-12 Public Schools.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Pam Stewart, Commissioner, Department of Education.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 22, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 30, 2016

**DEPARTMENT OF HEALTH**

**Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling**

RULE NO.: RULE TITLE:

64B4-3.0075 Provisional Licensure

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

SUMMARY: The incorporated form will be updated.

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

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

RULEMAKING AUTHORITY: 491.004(5) FS.

LAW IMPLEMENTED: 491.0046 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: Jennifer Wenhold, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy

and Mental Health Counseling/MQA, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B4-3.0075 Provisional Licensure.

(1) No change.

(2) An applicant seeking a provisional license must submit a completed application to the Board on Form DH-MQA 1176, Provisional License Application (Revised ~~11/16~~ ~~4/09~~), hereby adopted and incorporated by reference, which can be obtained from <http://www.flrules.org/Gateway/reference.asp?No=Ref-> or the Board's office website at 4052 Bald Cypress Way, Bin C-08, Tallahassee, Florida 32399-3258 ~~www.doh.state.fl.us/mqa/494~~. The application shall be accompanied by the application fee specified in Rule 64B4-4.014, F.A.C., which is non-refundable.

(3) No change.

Rulemaking Authority 491.004(5) FS. Law Implemented 491.0046 FS. History—New 6-8-09, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 3, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 7, 2016

**DEPARTMENT OF CHILDREN AND FAMILIES**

**Economic Self-Sufficiency Program**

RULE NO.: RULE TITLE:

65A-1.602 Food Assistance Program Case Processing

PURPOSE AND EFFECT: The proposed administrative rule amends the language in the Food Assistance Work Registration Notice form CF-ES 2095 by revising the non-discrimination and fair hearing statements and making technical changes.

SUMMARY: This rule addresses food assistance program case processing within the context of food assistance program eligibility determinations.

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

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department considered the factors in Section 120.541, F.S. The proposed rule is not expected to exceed the criteria in paragraph 120.541(2)(a), F.S., therefore, legislative ratification is not required under subsection 120.541(3), F.S. Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 414.45 FS.

LAW IMPLEMENTED: 402.82, 414.31, 414.32 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: January 09, 2017 11:00am-12:00pm

PLACE: 1317 Winewood Boulevard, Building 3, Room 455, Tallahassee, Florida 32399-0700

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: Victor Walker. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Victor Walker Economic Self-Sufficiency Program, (850) 717-4141, 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700, Victor.Walker@myflfamilies.com

THE FULL TEXT OF THE PROPOSED RULE IS:

65A-1.602 Food Assistance Program Case Processing.

(1) through (4) No change.

(5) Able Bodied Adults Without Dependents (ABAWD).

ABAWDs are required to report whenever their hours of employment are less than 20 hours per week, averaged monthly. They may have their certification period shortened in order to comply with the time limit provisions assigned to them. The CF-ES Form 2095 Food Assistance Work Registration, ~~03/2017~~ ~~7/2014~~, incorporated by reference, <https://www.flrules.org/Gateway/reference.asp?No=Ref-04808>, is used to inform food assistance participants about work participation requirements.

(6) through (14) No change.

Rulemaking Authority 414.45, 402.82 FS. Law Implemented 402.82, 414.31, 414.32 FS. History—New 1-31-94, Formerly 10C-1.602, Amended 7-29-01, 4-17-06, 1-8-15, 5-12-16,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Susan Thomas  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Mike Carroll  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 13, 2016  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 01, 2016

**DEPARTMENT OF CHILDREN AND FAMILIES**

**Family Safety and Preservation Program**

RULE NO.: RULE TITLE:  
65C-16.017 Florida Adoption Reunion Registry  
PURPOSE AND EFFECT: The Department intends to amend Rule 65C-16.017, F.A.C., and delete provisions regarding fees for service.

SUMMARY: The fee to register with the Florida Adoption Reunion Registry is removed.

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department used a checklist to conduct an economic analysis and determine if there is an adverse impact or regulatory costs associated with this rule that exceeds the criteria in section 120.541(2)(a), F.S. Based upon this analysis, the Department has determined that the proposed rule is not expected to require legislative ratification.

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

RULEMAKING AUTHORITY: 63.233, FS.  
LAW IMPLEMENTED: 63.165, 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: Jodi Abramowitz, jodi.abramowitz@myflfamilies.com or 850-717-4189.

THE FULL TEXT OF THE PROPOSED RULE IS:

- 65C-16.017 Florida Adoption Reunion Registry.
  - (1) through (4) No change.
  - (5) The Department shall mail a letter to registrants acknowledging receipt of the application.
  - (5) through (6) are renumbered (6) through (7) No change.
  - (7) ~~Fee for Service.~~
  - (a) ~~The registry fee for initial filing of identifying information with the registry shall be \$35.00. This fee shall be submitted in the form of a money order, bank draft, or personal check by the registrant to the Department of Children and Families, Office of Child Welfare, 1317 Winewood Blvd., Building 1, Tallahassee, Florida 32399, Attention: Reunion Registry Specialist.~~
  - (b) ~~The registry fee for updating information previously filed or for changing, limiting or withdrawing consent to release identifying information shall be \$10.00 for each occurrence. This fee shall be submitted in the form of a money order, bank draft, or personal check by the registrant to the Department of Children and Families, Office of Child Welfare, 1317 Winewood Blvd., Building 1, Tallahassee, Florida 32399, Attention: Reunion Registry Specialist.~~
  - (c) ~~The Department shall mail a letter to registrants acknowledging receipt of the application and registry fee.~~
  - (d) ~~When an application has been accepted by the registry for processing, fees will be deposited and will not be returned to the applicants, even if registration proves to be impossible.~~
  - (e) ~~Fees for counseling services shall be set and collected by the Department, licensed agency, or other professional who provides the service.~~
  - (f) ~~The Department shall waive fees in cases where need and hardship is documented. Acceptable documentation of hardship includes verification that applicant is receiving unemployment benefits, public assistance, social security income or supplemental nutrition assistance.~~
- Rulemaking Authority 63.233 FS. Law Implemented 63.165 FS. History—New 8-19-03, Amended 11-30-08, 7-7-16,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Courtney Smith  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Mike Carroll  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 12/12/16  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: 12/21/16

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

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Plant Industry**

RULE NOS.:      RULE TITLES:

- 5B-3.001      Definitions
- 5B-3.002      Purpose
- 5B-3.003      Requirements for the Interstate Movement of Nursery Stock and Other Plants and Plant Products
  
- 5B-3.0032     Requirements for the International Movement of Plants and Plant Products
- 5B-3.0035     Restrictions on Host Fruit of Fruit Flies
- 5B-3.0038     Quarantine Action

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 42 No. 194, October 5, 2016 issue of the Florida Administrative Register.

**5B-3.001 Definitions and Purpose.**

No change.

Rulemaking Authority 570.07(23), 581.031(1), (4), (5) FS. Law Implemented 570.07, 581.011, 581.031, ~~581.141, 581.182, 581.211~~ FS. History—Repromulgated 12-31-74, Formerly 5B-3.01, Amended 3-16-92, 7-2-95, 4-1-97, 2-17-04,\_\_\_\_\_.

**5B-3.002 Purpose.**

No change.

Rulemaking Authority 570.07(23), 581.031(1), (4), (5) FS. Law Implemented 570.07, 570.32, 581.031, 581.141, 581.182, 581.211 FS. History— Repromulgated 12-31-74, Formerly 5B-3.02, Amended 3-16-92, 4-1-97, Repealed \_\_\_\_\_.

**5B-3.003 Requirements for the Interstate Movement of Nursery Stock and Other Plants and Plant Products.**

Any person, nurseryman, stock dealer, agent, or plant broker doing business outside the State of Florida who desires to ship into this state nursery stock and other plants and plant products from any state, U.S. possession, territory, or district of the United States, shall comply with the following regulations:

(1) through (6) no change.

(7) The movement of propagative parts of sugarcane into the State of Florida is prohibited unless accompanied by a special permit issued by the department. Sorghum seed is exempt from this requirement provided it is free from plant pests. A special permit may be requested by submitting to the Division at the address shown on the form an Application for

Special Permit to Import Sugarcane, FDACS-08083, revised 9/16, which is incorporated herein by reference. The requester must be in compliance as outlined in FDACS 08344, revised 12/16 ~~Revised—9/16~~, Compliance Agreement Shipment of Propagative Parts of Sugarcane Into The State Of Florida, also incorporated herein by reference. A copy of the application may be obtained via <http://www.flrules.org/Gateway/reference>. A copy of the compliance agreement is available via <http://www.flrules.org/Gateway/reference>.

(8) – (9) no change.

Rulemaking Authority 570.07(23), 581.031(1), (4), (5) FS. Law Implemented 581.031, 581.182 FS. History—New 3-16-92, Amended 7-2-95, 4-1-97, 6-12-00, 10-8-03,\_\_\_\_\_.

**5B-3.0032 Requirements for the International Movement of Plants and Plant Products.**

No change.

Rulemaking Authority 570.07(23), 581.031(4) FS. Law Implemented 581.031(15), (19), (20) FS. History—New 4-1-97, Amended 10-8-03,\_\_\_\_\_.

**5B-3.0035 Restrictions on Host Fruit of Fruit Flies.**

All host fruit listed below from an area infested with the fruit flies *Anastrepha* spp. (except *A. suspensa*), *Bactrocera* spp., *Dacus* spp., *Rhagoletis* spp. and *Ceratitis* spp. is prohibited entry into the State of Florida, unless accompanied by a certificate issued by an authorized representative of the USDA or the state of origin denoting the absence of fruit flies listed above and or ~~or~~ having complied with a treatment approved established ~~established~~ by the department or USDA to insure freedom from fruit flies as outlined in the United States Department of Agriculture, Animal and Plant Health Inspection Service, Plant Protection and Quarantine Treatment Manual, Chapter 5, revised 12/2016. Chapter 5 of this manual is incorporated herein and a copy may be obtained via <http://www.flrules.org/Gateway/reference>. The following host list does not exclude from restriction any movement into Florida of other fruit or articles that may be infested. The purpose of the list is to provide information as to the preferred hosts of fruit flies which most commonly move in commerce.

(1) through (10) - No change.

(11) *Citrus* spp. – orange, grapefruit, tangerine, and other citrus relatives as defined in Rule 5B-63.001, F.A.C., ~~above~~

(12) through (55) - No change.

Rulemaking Authority 570.07(23), 581.031(1), (4), (5) FS. Law Implemented 581.031 FS. History—New 7-2-95, Amended 10-8-03,\_\_\_\_\_.

**5B-3.0038 Quarantine Action.**

No change.

Rulemaking Authority 570.07(23), 581.031(4), 581.101 FS. Law Implemented 581.031(7), (9), 581.101 FS. History—New 4-1-97, Amended 6-12-00, 10-8-03, 9-24-08, \_\_\_\_\_.

**DEPARTMENT OF EDUCATION**

**Florida’s Office of Early Learning**

RULE NO.: RULE TITLE:  
6M-4.400 Required Parent Co-payment  
NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 42 No. 246, December 21, 2016 issue of the Florida Administrative Register.

The Notice of Proposed Rule is amended to correct the date of the public hearing, if requested, to read January 17, 2017.

**DEPARTMENT OF EDUCATION**

**Florida’s Office of Early Learning**

RULE NO.: RULE TITLE:  
6M-4.630 Statewide Provider Contract Monitoring  
Tool for the School Readiness Program  
NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 42 No. 247, December 22, 2016 issue of the Florida Administrative Register.

The Notice of Proposed Rule is amended to correct the date of the public hearing, if requested, to read January 18, 2017.

**DEPARTMENT OF EDUCATION**

**Florida’s Office of Early Learning**

RULE NOS.: RULE TITLES:  
6M-8.201 Child Enrollment Procedure for the  
Voluntary Prekindergarten (VPK) Education  
Program  
6M-8.2011 Voluntary Prekindergarten Parent Guide  
NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 42 No. 247, December 22, 2016 issue of the Florida Administrative Register.

The Notice of Proposed Rule is amended to correct the date of the public hearing, if requested, to read January 17, 2017.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RULE NO.: RULE TITLE:  
62-302.540 Water Quality Standards for Phosphorus  
Within the Everglades Protection Area  
NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 36 No. 37, September 17, 2010 issue of the Florida Administrative Register.

The change is in response to written material submitted to the agency between the date of publication of the notice and the end of the final public hearing. § 120.54(3)(d), Fla. Stat.

Since the notice of proposed rule was originally published, a National Pollutant Discharge Elimination System permit was issued to the South Florida Water Management District (SFWMD) for the phosphorus discharges from the stormwater treatment areas (STAs) to the Everglades Protection Area. The permit was a key component of the negotiated water quality restoration program of the Everglades, generally referred to as Restoration Strategies, and not challenged. The purpose of the rule change in this notice is to clearly reflect the permit requirements for the STAs. The Department of Environmental Protection had discussions with local agricultural stakeholders, key environmental groups, the SFWMD, and U.S. Environmental Protection Agency to ensure this rule change was agreeable to all parties.

62-302.540 Water Quality Standards for Phosphorus Within the Everglades Protection Area.

(1) through (4) No change.

(5) Long-Term Compliance Permit Requirements for Phosphorus Discharges into the EPA.

(a) Phosphorus discharge levels ~~Discharges~~ into the EPA shall be deemed in compliance with this rule state water quality standards upon a demonstration that those phosphorus levels in the discharges will be at or below a water quality based effluent limit calculated pursuant to Chapter 62-650, F.A.C., to achieve the phosphorus criterion set forth in this rule.

(b) No change.

(6) through (7) No change.

**DEPARTMENT OF ECONOMIC OPPORTUNITY**

**Division of Strategic Business Development**

RULE NOS.: RULE TITLES:  
73A-3.002 Application Process  
73A-3.003 Qualification Process  
73A-3.004 Certification Decision Process  
NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 42 No. 243, December 16, 2016 issue of the Florida Administrative Register.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION should have included the following language:

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 performed a review and determined that the proposed rules have no adverse or regulatory cost which exceeds any of the

criteria established in Section 120.541(2)(a), Florida Statutes. The rules are not expected to require legislative ratification because the rules are being repealed based on repeal of the law the rules implemented, Section 288.1254, Florida Statutes.

## Section IV Emergency Rules

### DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:  
62ER16-1 Public Notice of Pollution

The Department of Environmental Protection hereby provides notice of renewal of Emergency Rule 62ER16-1, Public Notice of Pollution, as adopted on September 26, 2016 and noticed in the Florida Administrative Register on September 27, 2016, Vol. 42/188. On September 28, 2016, the Department published a Notice of Proposed Rule pursuant to Section 120.54(3)(a)1., Florida Statutes, in the Florida Administrative Register for proposed Rule 62-4.161, to adopt a permanent rule regarding public notice of pollution. On November 18, 2016, a petition was filed with the Division of Administrative Hearings challenging the proposed rule, DOAH Case No. 16-6889RP. This challenge remains pending. Pursuant to Section 120.54(4)(c)1., Florida Statutes, Emergency Rule 62ER16-1, Florida Administrative Code, is renewed until such time when the challenge to proposed rule 62-4.161 is resolved and no longer pending.

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

### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy  
RULE NO.: RULE TITLE:  
61H1-28.0052 Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules

The Board of Accountancy hereby gives notice of the issuance of an Order regarding the Petition for Waiver or Variance, filed on September 9, 2016, by Tella Babadi Feist. The Notice of Petition for Waiver or Variance was published in Vol. 42, No. 180, of the September 15, 2016, Florida Administrative Register. Petitioner sought a waiver or variance of paragraph 61H1-28.0052(1)(b), F.A.C., entitled “Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules,” that requires candidates to pass all four test sections of the CPA Examination within a rolling eighteen-month period, which begins on the NASBA

grade release date for the first test section(s) passed. The Board considered the instant Petition at a duly-noticed public meeting, held November 4, 2016, in Tampa, Florida.

The Board’s Order, filed on December 5, 2016, granted the petition finding that Petitioner had established that the purpose of the underlying statute, Section 473.306, Florida Statutes, would be met by granting a variance from paragraph 61H1-28.0052(1)(b), F.A.C. The Board further found that Petitioner established that applying the requirements of the aforementioned rule to her circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 NW 76th Dr., Suite A, Gainesville, Florida 32607.

### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy  
RULE NO.: RULE TITLE:  
61H1-28.0052 Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules

The Board of Accountancy hereby gives notice of the issuance of an Order regarding the Petition for Variance or Waiver, filed on September 9, 2016, by William D. Jones. The Notice of Petition for Variance or Waiver was published in Vol. 42, No. 180, of the September 15, 2016, Florida Administrative Register. Petitioner sought a variance or waiver of paragraph 61H1-28.0052(1)(b), F.A.C., entitled “Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules,” that requires candidates to pass all four test sections of the CPA Examination within a rolling eighteen-month period, which begins on the NASBA grade release date for the first test section(s) passed. The Board considered the instant Petition at a duly-noticed public meeting, held November 4, 2016, in Tampa, Florida.

The Board’s Order, filed on December 5, 2016, granted the petition finding that Petitioner had established that the purpose of the underlying statute, Section 473.306, Florida Statutes, would be met by granting a variance from paragraph 61H1-28.0052(1)(b), F.A.C. The Board further found that Petitioner established that applying the requirements of the aforementioned rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 NW 76th Dr., Suite A, Gainesville, Florida 32607.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: RULE TITLE:

61H1-28.0052 Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules

The Board of Accountancy hereby gives notice of the issuance of an Order regarding the Petition for Variance or Waiver, filed on September 21, 2016, by Simon Owi. The Notice of Petition for Variance or Waiver was published in Vol. 42, No. 190, of the September 29, 2016, Florida Administrative Register. Petitioner sought a waiver or variance of paragraph 61H1-28.0052(1)(b), F.A.C., entitled “Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules,” that requires candidates to pass all four test sections of the CPA Examination within a rolling eighteen-month period, which begins on the NASBA grade release date for the first test section(s) passed. The Board considered the instant Petition at a duly-noticed public meeting, held November 4, 2016, in Tampa, Florida.

The Board’s Order, filed on December 5, 2016, granted the petition finding that Petitioner had established that the purpose of the underlying statute, Section 473.306, Florida Statutes, would be met by granting a variance from paragraph 61H1-28.0052(1)(b), F.A.C. The Board further found that Petitioner established that applying the requirements of the aforementioned rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Voloria Kelly, Division Director, Board of Accountancy, 240 NW 76th Dr., Suite A, Gainesville, Florida 32607.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF LEGAL AFFAIRS

Division of Victim Services and Criminal Justice Programs

The Council on the Social Status of Black Men and Boys announces telephone conference calls to which all persons are invited.

DATES AND TIMES: January 26, 2017, 10:00 a.m. – 11:00 a.m.; February 23, 2017, 10:00 a.m.– 11:00 a.m.

PLACE: Toll-free dial-in number: 1(888)670-3525, participant code: 2057836401

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The Ad Hoc Nominating Committee will focus on nominations for the 2017-2018 slate for officers to serve on

the executive board of chair, vice chair, first vice chair and second vice chair.

A copy of the agenda may be obtained at <http://www.cssbmb.com>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Bureau of Criminal Justice Programs at (850)414-3300. 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: Bureau of Criminal Justice Programs at (850)414-3300.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

The Florida Agriculture Center and Horse Park Authority announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, January 4, 2017, 5:00 p.m.

PLACE: Florida Horse Park, 11008 S Highway 475, Ocala, Florida 34480

GENERAL SUBJECT MATTER TO BE CONSIDERED:

This is a meeting of the Executive Committee to discuss general business.

A copy of the agenda may be obtained by contacting: Emily Holmes at (352)307-6699 or by email to [events@flhorsepark.com](mailto:events@flhorsepark.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: Emily Holmes at (352)307-6699 or by email to [events@flhorsepark.com](mailto:events@flhorsepark.com). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Water Policy

The Florida Department of Agriculture and Consumer Services Soil and Water Conservation Council announces a public meeting to which all persons are invited.

DATE AND TIME: January 12, 2017, 1:00 p.m. – 3:00 p.m.

PLACE: Alachua Regional Service Center, 14101 Northwest Highway 441, Alachua, Florida 32615

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Items for discussion include an update on Soil and Water Conservation Districts noticing meetings, an update on the Implementation Verification Program and related rule development. New business includes one new appointment

and six re-appointments to the Soil and Water Conservation Council, and the election of officers. Also, any other new business that comes before the Council.  
A copy of the agenda may be obtained by contacting: Brenda Howard with the Office of Agricultural Water Policy at (850)617-1703.

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DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Water Policy  
The Polk Soil and Water Conservation District announces a public meeting to which all persons are invited.  
DATE AND TIME: January 17, 2017, 6:30 p.m.  
PLACE: Polk County Board of County Commissioners Chambers, 330 W. Church St., Bartow, FL 33831  
GENERAL SUBJECT MATTER TO BE CONSIDERED: Routine meeting business.  
A copy of the agenda may be obtained by contacting: Brenda Howard with the Office of Agricultural Water Policy at (850)617-1703.

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DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Licensing  
The Private Investigation, Recovery and Security Advisory Council announces a public meeting to which all persons are invited.  
DATE AND TIME: Thursday, March 9, 2017, 9:00 a.m.  
PLACE: Staybridge Suites, 1600 Summit Lake Drive, Tallahassee, Florida 32317, (850)219-7000  
GENERAL SUBJECT MATTER TO BE CONSIDERED: The quarterly meeting of the Council pursuant to the requirement of Section 493.6104(4), Florida Statutes. The Council will conduct a general business meeting.  
A copy of the agenda may be obtained by contacting: Stefannie Carter, Post Office Box 5647, Tallahassee, Florida 32314, (850)245-5443.  
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: Stefannie Carter at (850)245-5443. 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: Stefannie Carter at (850)245-5443.

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DEPARTMENT OF EDUCATION

The Florida Rehabilitation Council announces a telephone conference call to which all persons are invited.  
DATE AND TIME: January 5, 2017, 12:00 Noon – 1:00 p.m.

PLACE: Conference call number: 1(888)670-3525, participant code: 7513637441

GENERAL SUBJECT MATTER TO BE CONSIDERED: Developing questions for the Customer Satisfaction Survey Focus Groups.

A copy of the agenda may be obtained by contacting: Roy Cosgrove, (850)245-3317, roy.cosgrove@vr.fldoe.org.  
Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Roy Cosgrove, (850)245-3317, roy.cosgrove@vr.fldoe.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).  
For more information, you may contact: Roy Cosgrove, (850)245-3317, roy.cosgrove@vr.fldoe.org.

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DEPARTMENT OF LAW ENFORCEMENT

The Criminal and Juvenile Justice Information Systems (CJJIS) Council announces a telephone conference call to which all persons are invited.  
DATE AND TIME: January 5, 2017, 10:00 a.m.  
PLACE: Conference call  
GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion on court case management system.  
A copy of the agenda may be obtained by contacting: racheltruxell@fdle.state.fl.us.  
Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: racheltruxell@fdle.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).  
For more information, you may contact: racheltruxell@fdle.state.fl.us.

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STATE BOARD OF ADMINISTRATION

RULE NOS.:RULE TITLES:  
19-8.029Insurer Reporting Requirements  
19-8.030Insurer Responsibilities  
The Florida Hurricane Catastrophe Fund Advisory Council announces a telephone conference call to which all persons are invited.  
DATE AND TIME: January 4, 2017, 1:30 p.m. (ET) until conclusion of meeting  
PLACE: Persons wishing to participate may dial: 1(888)670-3525 and enter conference code: 7135858151  
GENERAL SUBJECT MATTER TO BE CONSIDERED: A Notice of Proposed Rule for Rule 19-8.029, F.A.C., Insurer

Reporting Requirements, and Rule 19-8.030, F.A.C., Insurer Responsibilities, was published on December 7, 2016, providing the public with 21 days from that date to request a rule hearing. If a rule hearing is timely requested, the Advisory Council will meet by conference call on January 4, 2017, to review comments made by the public at the rule hearing. In addition, other general business of the Council may be addressed.

A copy of the agenda may be obtained by contacting: Donna Sirmons, Florida Hurricane Catastrophe Fund, P.O. Drawer 13300, Tallahassee, FL 32317-3300, donna.sirmons@sbafla.com, (850)413-1349.

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: Donna Sirmons at the email or number listed above. 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).

**PUBLIC SERVICE COMMISSION**

The Florida Public Service Commission announces public meetings in the following docket to which all persons are invited.

DATE AND TIME: Thursday, January 26, 2017, 6:00 p.m., CT

PLACE: Pensacola State College, Hagler Auditorium, 1000 College Boulevard, Pensacola, Florida 32504; (Note: Auditorium is at the corner of Underwood Ave. and N. 9th Ave.)

DATE AND TIME: Friday, January 27, 2017, 10:00 a.m., CT  
 PLACE: FSU Panama City Campus, Holley Lecture Hall, 4750 Collegiate Drive, Panama City, Florida 32405

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
 Docket No. 160186-EI -- Petition for rate increase by Gulf Power Company and Docket No. 160170-EI -- Petition for approval of 2016 depreciation and dismantlement studies, approval of proposed depreciation rates and annual dismantlement accruals and Plant Smith Units 1 and 2 regulatory asset amortization, by Gulf Power Company.

The purpose of the meetings are to give customers and other interested persons an opportunity to offer comments regarding the quality of service the utility provides, the proposed rate increase, and to ask questions and comment on other issues. One or more of the Commissioners of the Florida Public Service Commission may attend and participate in these

meeting. For questions, contact: Commission staff, Lee Eng Tan at (850)413-6185.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate at this proceeding should contact: the Office of Commission Clerk no later than five days prior to the conference at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. 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).

**EMERGENCY CANCELLATION OF MEETING**

If settlement of the case or a named storm or other disaster requires cancellation of the proceedings, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation will also be provided on the Commission's website (<http://www.psc.state.fl.us/>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling: the Office of the General Counsel at (850)413-6199.

**EXECUTIVE OFFICE OF THE GOVERNOR**

The Financial Emergency Board for the City of Opa-locka announces public meetings to which all persons are invited.

DATES AND TIMES: January 4, 2017, 10:00 a.m., ET; January 5, 2017, 10:00 a.m., ET; January 11, 2017, 10:00 a.m., ET; January 19, 2017, 10:00 a.m., ET

PLACE: City Commission Chambers, 215 N. Perviz Avenue, Opa-locka, FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
 City of Opa-locka's FY 2016-17 Proposed Budget.

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: JoAnn Osborne, joann.osborne@eog.myflorida.com, (850)717-9264. 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).

**EXECUTIVE OFFICE OF THE GOVERNOR**

The Contracts Review Committee of the Financial Emergency Board announces a public meeting to which all persons are invited.

DATE AND TIME: January 11, 2017, 9:00 a.m., ET  
 PLACE: City Commission Chambers, 215 N. Perviz Avenue, Opa-locka, FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
 A meeting of the Contracts Review Committee of the Financial Emergency Board for the City of Opa-locka to discuss the current state of the City's contractual and financial affairs.

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: JoAnn Osborne, joann.osborne@eog.myflorida.com, (850)717-9264. 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).

EXECUTIVE OFFICE OF THE GOVERNOR

The Financial Emergency Board for the City of Opa-locka announces a public meeting to which all persons are invited.

DATE AND TIME: January 11, 2017, 9:30 a.m., ET

PLACE: City Commission Chambers, 215 N. Perviz Avenue, Opa-locka, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: A meeting of the Financial Emergency Board for the City of Opa-locka to discuss the current state of the City’s financial affairs and to consider action items related to the ongoing work of the Board.

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: JoAnn Osborne, joann.osborne@eog.myflorida.com, (850)717-9264. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

REGIONAL PLANNING COUNCILS

South Florida Regional Planning Council

The South Florida Regional Planning Council and the Southeast Florida Regional Prosperity Institute announce a public meeting to which all persons are invited.

DATE AND TIME: Monday, January 23, 2017, 10:00 a.m.

PLACE: 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021

GENERAL SUBJECT MATTER TO BE CONSIDERED: Any Development Order received prior to the meeting. Any Generally Consistent Comprehensive Plan Amendment Review received prior to the meeting; Any Generally Inconsistent Comprehensive Plan Amendment Review received prior to the meeting; Meeting on monthly Council business.

A copy of the agenda may be obtained by contacting: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite #140, Hollywood, Florida 33021.

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: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite #140, Hollywood, Florida 33021. 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: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite #140, Hollywood, Florida 33021.

REGIONAL PLANNING COUNCILS

Treasure Coast Regional Planning Council

The Treasure Coast Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: January 12, 2017, 2:00 p.m.

PLACE: Treasure Coast Regional Planning Council, 421 SW Camden Ave., Stuart, FL 34994

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of Council’s Comprehensive Economic Development Committee.

A copy of the agenda may be obtained by contacting: Kim Koho Vaday, (772)221-4060.

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: Kim Koho Vaday, (772)221-4060. 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 Koho Vaday, (772)221-4060.

REGIONAL PLANNING COUNCILS

Treasure Coast Regional Planning Council

The Treasure Coast Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: February 16, 2017, 10:00 a.m.

PLACE: Florida Department of Health Martin County, 3441 SE Willoughby Blvd., Stuart, FL 34994

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To conduct a meeting of Council’s Local Emergency Planning Committee.

A copy of the agenda may be obtained by contacting: Kim Koho Vaday, (772)221-4060.

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: Kim Koho Vaday, (772)221-4060. 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 Koho Vaday, (772)221-4060.

**DEPARTMENT OF CORRECTIONS**

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

**DATE AND TIME:** January 10, 2017, 9:00 a.m.

**PLACE:** Florida Department of Corrections Headquarters Building, 501 South Calhoun Street, Conference Room 118, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Department of Corrections announces a regular scheduled meeting of the Tier II Executive Governance Committee. The primary business of the meeting will be to review governance operational revisions, review the Project Registry, and hear and decide on any presented project requests.

A copy of the agenda may be obtained by contacting: Florida Department of Corrections, attention Monique Labare, Bureau of Business Solutions Support, 501 South Calhoun Street, Tallahassee, Florida 32399-2500.

**WATER MANAGEMENT DISTRICTS**

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

**DATE AND TIME:** January 4, 2017, 9:00 a.m.

**PLACE:** 7601 HWY 301 N, Tampa, FL 33637

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Regular monthly meeting to obtain feedback from interested persons on current pending permit applications. The agenda is available at [www.watermatters.org/calendar/calendar.php/](http://www.watermatters.org/calendar/calendar.php/).

A copy of the agenda may be obtained by contacting: Justin J. Eddy, (813)985-7481, ext. 2097.

**WATER MANAGEMENT DISTRICTS**

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

**DATE AND TIME:** Wednesday, January 11, 2017, 1:30 p.m.

**PLACE:** SWFWMD Tampa Office 7601 Highway 301 N, Tampa, FL 33637

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Well Drillers Advisory Committee (WDAC) Meeting.

Some members of the District's Governing Board may also attend the meeting.

A copy of the agenda may be obtained by contacting: [teri.rhodes@watermatters.org](mailto:teri.rhodes@watermatters.org), 1(800)836-0797 (FL only) or (813)985-7481, ext. 4476.

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: SWFWMD Human Resources, 1(800)423-1476 (FL only), or (352)796-7211, ext. 4702. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**DEPARTMENT OF MANAGEMENT SERVICES**

Commission on Human Relations

The Florida Commission on Human Relations announces a public meeting to which all persons are invited.

**DATE AND TIME:** Thursday, January 19, 2017, 10:00 a.m., ET.

**PLACE:** Telephone conference call: 1(888)670-3525, when prompted enter participant code: 1760507820, then # key

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The purpose of the meeting is for the Commission to vote on the disposition of cases pending before it for decision.

A copy of the agenda may be obtained by contacting: Jim Mallue at (850)907-6805 or [Jim.Mallue@fchr.myflorida.com](mailto:Jim.Mallue@fchr.myflorida.com).

**ACCESS POINT:** The FCHR office at 4075 Esplanade Way, Room 110, Tallahassee, FL 32399, will serve as an access point for this meeting. Interested persons wishing to attend this meeting may also do so by appearing in person at this designated access point, at which location telephonic access to the meeting will be provided.

For more information, you may contact: Jim Mallue at (850)907-6805 or [Jim.Mallue@fchr.myflorida.com](mailto:Jim.Mallue@fchr.myflorida.com).

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

Board of Landscape Architecture

The Board of Landscape Architecture announces a public meeting to which all persons are invited.

**DATE AND TIME:** Friday, January 13, 2017, 9:00 a.m.

PLACE: The Mission Inn Resort, 10400 County Rd. 48, Howey-in-the-Hills, FL 34737

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: Board of Landscape Architecture, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)487-1395.

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: Board of Landscape Architecture, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)487-1395. 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: Board of Landscape Architecture, 2601 Blair Stone Road, Tallahassee, FL 32399, (850)487-1395.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

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

DATE AND TIME: January 6, 2017, 3:00 p.m.

PLACE: Conference call number: 1(888)670-3525, participant code: 7335214083#

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: MyFloridaLicense.com - Our Businesses and Professionals - Building Code Administrators and Inspectors.

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: The Board office. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Department of Business and Professional Regulation, Building Code Administrators and Inspectors, 2701 Blair Stone Road, Tallahassee FL 32399 or call (850)717-1980.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Rule No.: RULE TITLE

62-302.540 Water Quality Standards for Phosphorus Within the Everglades Protection Area

The Environmental Regulation Commission (ERC) announces a public hearing to which all persons are invited.

DATE AND TIME: February 8, 2017, 9:00 a.m.

PLACE: Douglas Building, 3900 Commonwealth Blvd., Conference Room A, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The Department of Environmental Protection will bring to the ERC proposed amendments to Rule 62-302.540, F.A.C., for approval to adopt those rule revisions. The Department is proposing to amend Rule 62-302.540, F.A.C., to 1) delete those portions of the Rule necessary to ensure consistency with USEPA's Clean Water Act determination on the existing rule, as well as state and federal laws, and 2) amend paragraph (5)(a) to clearly reflect the requirements of the National Pollutant Discharge Elimination System permit issued in 2012 to the South Florida Water Management District for discharges to the Everglades Protection Area. In addition to this ERC hearing notice, a change to the originally proposed revision of paragraph (5)(a) is separately being published as a Notice of Change in this issue of the Florida Administrative Register, and is included in the rule text below. The Notice of Proposed Rulemaking for this rule was published in the September 17, 2010 issue of the Florida Administrative Register (Vol. 36, No. 37). Petitions for administrative hearing were filed with the Division of Administrative Hearings to challenge the proposed rule. Those proceedings remain pending.

THE TEXT OF THE CHANGE TO PARAGRAPH (5)(A) AS IT APPEARS IN THE PUBLISHED NOTICE OF CHANGE:

62-302.540 Water Quality Standards for Phosphorus Within the Everglades Protection Area.

(5) Long-Term Compliance Permit Requirements for Phosphorus Discharges into the EPA.

(a) Phosphorus discharge levels ~~Discharges~~ into the EPA shall be deemed in compliance with this rule state water quality standards upon a demonstration that those phosphorus levels in the discharges will be at or below a water quality based effluent limit calculated pursuant to Chapter 62-650, F.A.C., to achieve the phosphorus criterion set forth in this rule.

THE TEXT BELOW SHOWS THE ENTIRE PROPOSED RULE AS IT WILL BE PRESENTED TO THE ERC. FOR PARAGRAPH (5)(A), THE COMPARISON IS TO THE

RULE TEXT CURRENTLY IN EFFECT, RATHER THAN IN COMPARISON TO THE RULE TEXT IN THE NOTICE OF PROPOSED RULE AS IS REQUIRED FOR THE PUBLISHED NOTICE OF CHANGE.

62-302.540 Water Quality Standards for Phosphorus Within the Everglades Protection Area.

(1) Purpose and Scope. ~~The water quality standards adopted by this rule include all of the following elements:~~

~~(a) The purpose of this rule is to implement the requirements of the Everglades Forever Act by utilizing the powers and duties granted the Department under the Act and other applicable provisions of Chapter 373 and 403, F.S., to establish water quality standards for phosphorus, including a numeric phosphorus criterion, within the EPA.~~

~~(b) The water quality standards adopted by this rule include all of the following elements:~~

~~(a)1. No change.~~

~~2. Establishment of moderating provisions for permits authorizing discharges into the EPA in compliance with water quality standards, including the numeric phosphorus criterion; and~~

~~(b)3. No change.~~

(2) Findings.

(a) No change.

~~(b) Best Management Practices (BMPs) have reduced phosphorus loads from the Everglades Agricultural Area to the EPA by more than twice the amount required by existing rules. Stormwater Treatment Areas (STAs) have reduced phosphorus concentrations to less than the goal of 50 ppb established in the Everglades Forever Act.~~

~~(c) While a significant percentage of the EPA currently meets the numeric phosphorus criterion, further efforts are required to achieve the criterion in the remaining impacted areas of the EPA.~~

~~(d) Even as water quality continues to improve, restoration will be a long term process because of historic phosphorus accumulations found in sediments within impacted areas. This phosphorus can diffuse back into the water column, a phenomenon the Department recognizes as reflux.~~

~~(e) The Basin Specific Feasibility Studies completed by the District considered environmental factors, implementation cost, scheduling, and technical factors in evaluating measures to reduce phosphorus levels entering the EPA. These studies and other information provided to the Commission show that:~~

~~1. At this time, chemical treatment technology is not cost effective for treating discharges entering the EPA and poses the potential for adverse environmental effects.~~

~~2. Optimization of the existing STAs, in combination with BMPs, is currently the most cost effective and environmentally preferable means to achieve further phosphorus reductions to the EPA, and to restore impacted~~

~~areas. The effectiveness of such measures should be determined and maximized prior to requiring additional measures. Optimization shall take into consideration viable vegetative technologies, including Periphyton based STAs that are found to be cost effective and environmentally acceptable.~~

~~(f) The District and the Department recognize that STA and BMP optimization requires a sustained commitment to construct, implement, stabilize and measure phosphorus reduction benefits.~~

~~(b)(g) No change.~~

~~(h) The Long Term Plan constitutes a comprehensive program to optimize the STAs and BMPs to achieve further phosphorus reductions and thereby accomplish implementation of Best Available Phosphorus Reduction Technology (BAPRT).~~

~~(i) through (k) renumbered (c) through (e) No change.~~

~~(4) The Commission finds that this rule must incorporate a flexible approach towards the application of the numeric phosphorus criterion for phosphorus in order to guide the implementation of phosphorus reductions in the Everglades Protection Area. Chapter 403, F.S., the Everglades Forever Act and U.S. Environmental Protection Agency regulations set forth at 40 CFR Part 131 include general policies that authorize such flexibility under appropriate circumstances, including those described in paragraphs (c) through (h) and (k) above. The Commission has exercised this authority by including in this rule both a numeric interpretation of the phosphorus criterion and the various other standard setting provisions of this rule, including the permitting and moderating provisions.~~

(3) Definitions.

~~(a) "Best Available Phosphorus Reduction Technology" (BAPRT) shall be as defined by Section 373.4592(2)(a), F.S. BMPs shall maintain and, where practicable, improve upon the performance of urban and agricultural source controls in reducing overall phosphorus levels. Agricultural BMPs within the Everglades Agricultural Area and the C-139 Basin shall be in accordance with Chapters 40E-61 and 40E-63, F.A.C. STA phosphorus reductions shall be improved through implementation of optimization measures as defined by Section 373.4592(2)(l), F.S. BAPRT may include measures intended to reduce phosphorus levels in discharges from a single basin or sub basin, or a program designed to address discharges from multiple basins.~~

~~(b) "Long Term Plan" shall be as defined by Section 373.4592(2)(j), F.S.~~

~~(c) through (e) renumbered (a) through (c) No change.~~

~~(f) "Optimization" shall be as defined by Section 373.4592(2)(l), F.S.~~

~~(d)(g) No change.~~

~~(h) "Technology based effluent limitation" or "TBEL" shall be defined in Section 373.4592(2)(p), F.S.~~

~~(e)(i) No change.~~

(4) Phosphorus Criterion.

(a) through (c) No change.

(d) Achievement of the Criterion in WCA-1, WCA-2 and WCA-3.

1. No change.

2. Achievement of the criterion shall be determined based on data collected monthly from the network of monitoring stations in the impacted area. Impacted Areas of the water body will have achieved the criterion if the five year geometric mean averaged across all stations is less than or equal to 10 ppb. In order to provide protection against imbalances of aquatic flora or fauna, the following provisions must also be met:

a. through b. No change.

c. The annual geometric mean at all individual stations is less than or equal to 15 ppb. Individual station analyses are representative of only that station.

~~If these limits are not met, no action shall be required, provided that the net improvement or hydropattern restoration provisions of subsection (6) below are met. Notwithstanding the definition of Impacted Area in subsection (3), individual stations in the network shall be deemed to be unimpacted for purposes of this rule if the five-year geometric mean is less than or equal to 10 ppb and the annual geometric mean is less than or equal to 15 ppb.~~

~~(e) through (f) No change.~~

(5) Long-Term Compliance Permit Requirements for Phosphorus Discharges into the EPA.

~~(a) In addition to meeting all other applicable permitting criteria, an applicant must provide reasonable assurance that the discharge will comply with state water quality standards as set forth in this section.~~

~~(a)(b) Phosphorus discharge levels Discharges into the EPA shall be deemed in compliance with this rule state water quality standards upon a demonstration that: those levels in the discharges will be at or below a water quality based effluent limit calculated pursuant to Chapter 62-650, F.A.C., to achieve the phosphorus criterion set forth in this rule.~~

~~1. Phosphorus levels in the discharges will be at or below the phosphorus criterion set forth in this rule; or~~

~~2. Discharges will not cause or contribute to exceedences of the phosphorus criterion in the receiving waters, the determination of which will take into account the phosphorus in the water column that is due to reflux; or~~

~~3. Discharges will comply with moderating provisions as provided in this rule.~~

~~(b)(e) No change.~~

~~(d) Discharge limits for permits allowing discharges into the EPA shall be based upon TBELs established through BAPRT and shall not require water quality based effluent limitations through 2016. Such TBELs shall be applied as effluent limitations as defined in subsection 62-302.200(10), F.A.C.~~

~~(6) Moderating Provisions. The following moderating provisions are established for discharges into or within the EPA as a part of state water quality standards applicable to the phosphorus criterion set forth in this rule:~~

~~(a) Net Improvement in Impacted Areas.~~

~~1. Until December 31, 2016, discharges into or within the EPA shall be permitted using net improvement as a moderating provision upon a demonstration by the applicant that:~~

~~a. The permittee will implement, or cause to be implemented, BAPRT, as defined by Section 373.4592(2)(a), F.S., and further provided in this section, which shall include a continued research and monitoring program designed to reduce outflow concentrations of phosphorus; and~~

~~b. The discharge is into or within an impacted area.~~

~~2. BAPRT shall use an adaptive management approach based on the best available information and data to develop and implement incremental phosphorus reduction measures with the goal of achieving the phosphorus criterion. BAPRT shall also include projects and strategies to accelerate restoration of natural conditions with regard to populations of native flora or fauna.~~

~~3. For purposes of this rule, the Long Term Plan shall constitute BAPRT. The planning goal of the Long Term Plan is to achieve compliance with the criterion set forth in subsection (4) of this rule. Implementation of BAPRT will result in net improvement in impacted areas of the EPA. The Initial Phase of the Long Term Plan shall be implemented through 2016. Revisions to the Long Term Plan shall be incorporated through an adaptive management approach including a Process Development and Engineering component to identify and implement incremental optimization measures for further phosphorus reductions.~~

~~4. The Department and the District shall propose amendments to the Long Term Plan as science and environmental conditions warrant. The Department shall approve all amendments to the Long Term Plan.~~

~~5. As part of the review of permit applications, the Department shall review proposed changes to the Long Term Plan identified through the Process Development and Engineering component of the Long Term Plan to evaluate changes necessary to comply with this rule, including the numeric phosphorus criterion. Those changes which the department deems necessary to comply with this rule, including the numeric phosphorus criterion, shall be included as conditions of the respective permit or permits for the structures associated with the particular basin or basins involved. Until December~~

~~31, 2016, such permits shall include technology based effluent limitations consistent with the Long Term Plan.~~

~~(b) Hydropattern Restoration. Discharges into or within unimpacted areas of the EPA shall be permitted for hydropattern restoration purposes upon a demonstration by the applicant that:~~

~~1. The discharge will be able to achieve compliance with the requirements of sub-subparagraph (6)(a)1.a. above;~~

~~2. The environmental benefits of establishing the discharge clearly outweigh the potential adverse impacts that may result in the event that phosphorus levels in the discharge exceed the criterion; and~~

~~3. The discharge complies with antidegradation requirements.~~

~~(c) Existing Moderating Provisions. Nothing in this rule shall eliminate the availability of moderating provisions that may otherwise exist as a matter of law, rule or regulation.~~

(7) through (8) renumbered (6) through (7) No change.  
 Rulemaking Specific Authority 373.043, 373.4592, 403.061 FS. Law Implemented 373.016, 373.026, 373.4592, 403.021(11), 403.061, 403.201 FS. History—New 7-15-04, Amended 5-25-05,\_\_\_\_\_.

A copy of the agenda may be obtained by contacting: Shayna Acree, ERC Coordinator, at 3900 Commonwealth Blvd., MS 35, Tallahassee, Florida 32399-3000, email: [ERC@dep.state.fl.us](mailto:ERC@dep.state.fl.us), phone: (850)245-2249 or on the Department's ERC website: <http://www.dep.state.fl.us/legal/ERC/default.htm>.

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: Shayna Acree at (850)245-2249. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**DEPARTMENT OF HEALTH**

**Board of Nursing**

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

DATES AND TIMES: Wednesday, April 5, 2017, 4:00 p.m.; Thursday, April 6, 2017, 8:30 a.m., reconvening at 1:30 p.m.; Friday, April 7, 2017, 8:30 a.m.

PLACE: Best Western Gateway Grand Hotel & Conference Center, 4200 NW 97th Blvd., Gainesville, FL 32606

GENERAL SUBJECT MATTER TO BE CONSIDERED: Credential and Education Committee Hearings, Disciplinary Hearings and General Business.

A copy of the agenda may be obtained by contacting: <http://www.floridasnursing.gov/meeting-information/>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to

participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: the Board of Nursing. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

**DEPARTMENT OF HEALTH**

**Division of Children's Medical Services**

The Florida Department of Health, Division of Children's Medical Services, Early Steps Program announces a public meeting to which all persons are invited.

DATE AND TIME: January 26, 2017, 10:00 a.m. – 3:00 p.m.  
 PLACE: DoubleTree by Hilton Orlando Airport, 5555 Hazeltine National Drive, Orlando, Florida 32812

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Interagency Coordinating Council for Infants and Toddlers is meeting to provide advice and assistance to Florida's Early Steps Program.

A copy of the agenda may be obtained by contacting: [Kelly.Rogers@flhealth.gov](mailto:Kelly.Rogers@flhealth.gov).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: [Kelly.Rogers@flhealth.gov](mailto:Kelly.Rogers@flhealth.gov). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: [Kelly.Rogers@flhealth.gov](mailto:Kelly.Rogers@flhealth.gov).

**DEPARTMENT OF CHILDREN AND FAMILIES**

**RULE NO.: RULE TITLE:**

65-2.049 District Procedures

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

DATE AND TIME: January 11, 2017, 2:30 p.m.  
 PLACE: Flagler Government Services Building, 1769 East Moody Blvd., Bunnell, FL 32110

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting of the Department of Children and Families Circuit 7 Community Alliance.

A copy of the agenda may be obtained by contacting: Clay LaRoche, (386)481-9196.

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: Clay LaRoche, (386)481-9196. 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: Clay LaRoche, (386)481-9196.

**DEPARTMENT OF CHILDREN AND FAMILIES**

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

DATE AND TIME: January 12, 2017, 10:00 a.m. – 11:30 a.m., CT

PLACE: Gulf Coast Children’s Advocacy Center, 210 East Eleventh Street, Panama City, FL 32401

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

The Department of Children and Families, Circuit 14 Community Alliance provides a forum for providers and the Community to identify needs and gaps in services in order to improve the lives of children and families in the Big Bend area which covers Franklin, Gadsden, Jefferson, Leon, Liberty and Wakulla Counties. For those who cannot attend in person, a conference call is available at 1(888)670-3525, participant code: 2450895791.

A copy of the agenda may be obtained by contacting: Jeanna Olson, Circuit 2 & 14 Community Development Administrator, at (850)921-8269 or jeanna.olson@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 48 hours before the workshop/meeting by contacting: Jeanna Olson, Circuit 2 & 14 Community Development Administrator, at (850)921-8269 or jeanna.olson@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: Jeanna Olson, Circuit 2 & 14 Community Development Administrator, at (850)921-8269 or jeanna.olson@myflfamilies.com.

**DEPARTMENT OF CHILDREN AND FAMILIES**

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

DATE AND TIME: January 19, 2017, 10:00 a.m. – 11:30 a.m., ET

PLACE: Leon Human Service Center 1000 W. Tharpe Street, Tallahassee, FL 32303

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

The Department of Children and Families, Circuit 2 Community Alliance provides a forum for providers and the Community to identify needs and gaps in services in order to improve the lives of children and families in the Big Bend area which covers Franklin, Gadsden, Jefferson, Leon, Liberty and Wakulla Counties. For those who cannot attend in person, a conference call is available at 1(888)670-3525, participant code: 2450895791. Agenda: Department of Children and Families Update, Big Bend Community Based Care Update, Mental Health Governing Council Update, Assisted Living Facilities Update.

A copy of the agenda may be obtained by contacting: Jeanna Olson, Circuit 2 & 14 Community Development Administrator, at (850)921-8269 or at jeanna.olson@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 48 hours before the workshop/meeting by contacting: Jeanna Olson, Circuit 2 & 14 Community Development Administrator, at (850)921-8269 or jeanna.olson@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: Jeanna Olson, Circuit 2 & 14 Community Development Administrator, at (850)921-8269 or jeanna.olson@myflfamilies.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**

DEPARTMENT OF EDUCATION  
University of Florida

Notice of Bid

The University of Florida, Procurement Services will receive sealed bids for the following: ITB17KO-123, IFAS Project 16065, B8816 Research Building, Ona, FL, to be opened on Thursday, January 19, 2017 at 2:00 p.m., at University of Florida, Purchasing Services, 971 Elmore Drive, Gainesville, FL. A mandatory Pre-bid meeting will take place on January 4, 2017 at 1:00 p.m. at the project site (UF IFAS Range Cattle REC, 3401 Experiment Station, Ona, FL). Scope of Work: Base Bid: Provide 800 amp 120/208 volt 3 phase 4 wire power to service existing operational server equipment room 312. Project requires electrical feeders from existing transformer in first floor vault to new server room distribution panelboard

also located in first floor level transformer vault. Four sets conductors and raceways are routed from the transformer vault to the third floor server room 312 terminated with two - 400 amp/3 pole enclosed circuit breakers. Server equipment power is distributed within two 400 amp, 208 volt, 3 phase, 4 wire overhead busway.

Questions should be directed to Karen Olitsky, kolitsk@ufl.edu or (352)294-1163. For more information, visit www.purchasing.ufl.edu. AMERICANS WITH DISABILITY ACT OF 1991 - If special accommodations are needed in order to attend the Bid Opening, contact Procurement, procurement@ufl.edu or (352)392-1331 within three (3) days of the event.

DEPARTMENT OF EDUCATION

School Districts

Renovate and Remodel Existing Gymnasium into Auditorium at Ft. Caroline Middle School No. 238/DCSB No. C-91620/OFDC-RFQ-001-17

NOTICE TO PROFESSIONAL CONSULTANTS-OFFICE OF FACILITIES DESIGN AND CONSTRUCTION-Request for Qualifications (RFQ)-OFDC-RFQ-001-17. Professional Services: Architectural/Engineering Services-December 16, 2016-The Office of Facilities Design and Construction announces that Architectural/Engineering Professional Services are required for a project entitled RENOVATE AND REMODEL EXISTING GYMNASIUM INTO AUDITORIUM AT FT CAROLINE MIDDLE SCHOOL NO. 238/ DCSB Project No. C-91620 for Duval County Public Schools. The firm selected will be responsible for design, bid review and construction administration of this project having an estimated construction cost of approximately \$2,300,000 (CONSTRUCTION BUDGET). Applicants are advised that all plans, drawings and specifications for this project may be reused by the Owner for future projects in the School District. Applications are to be sent to: Duval County Public Schools, Facilities Design and Construction, 1701 Prudential Drive – Fifth Floor, Jacksonville, FL 32207-8182. PROJECT MANAGER: Kris Eskelin, PHONE NO.: (904)390-2846. RESPONSE DUE DATE: JANUARY 24, 2017 AND WILL BE ACCEPTED UNTIL 4:30 p.m. MBE GOALS: 15% SBE Participation. Only firms certified with DCPS as an SBE may be used towards the goal. Information on the selection process can be found at www.duvalschools.org /Departments /Facilities/ Selection of Architect/Engineer-OFDC RFQ-001-17.

VILLAGE OF PALMETTO BAY  
 PUBLIC NOTICE  
 Village of Palmetto Bay  
 Notice of Unsolicited Proposal  
 Parking Improvements for Village of Palmetto Bay  
 Private Public Partnership (PPP) Ch. 287.05712, Florida  
 Statutes  
 No. 1617-03-001

NOTICE IS HEREBY GIVEN that the Village of Palmetto Bay, Florida, a Municipal corporation of the State of Florida, has received an unsolicited proposal for a qualifying public-private partnership (PPP) in accordance with Ch. 287.05712, Florida Statutes for a public garage (“the Project”) in the Palmetto Bay, Florida downtown area. The Village requests, and in accordance with Florida Statue HB-85, will accept alternative proposals for the Project until January 20, 2017. A mandatory meeting will take place at Municipal Hall located on 9705 E. Hibiscus Street, Palmetto Bay, Florida 33157, on Monday, January 9, 2016, at 10:00 a.m.

Persons or entities wishing to submit alternative proposals for the Project (“Proposers”) may do so by delivering sealed proposals to: Village of Palmetto Bay, Procurement Department, Attn: Litsy C. Pittser, 9705 E. Hibiscus Street, Palmetto Bay, Florida 33157. Each sealed proposal submitted should be clearly marked on the outside: “Sealed Proposal – Parking Improvements for Village of Palmetto Bay.”

All proposals must be timely submitted no later than 3:00 p.m. on January 20, 2017 and must contain the information and requirements set forth under Ch. 287.05712, Florida Statutes and the additional submission requirements required by the Village of Palmetto Bay, as provided below. Any proposal received after 3:00 p.m. on January 20, 2017 will not be opened nor considered. Responsibility for submitting timely proposals rests solely with Proposers; the Village will not be responsible for any delays caused by mail, courier service or other occurrence.

Proposals will be ranked by order of preference by the Village. In ranking the proposals, the Village will consider factors in accordance with Ch. 287.05712, Florida Statutes that include but are not limited to, professional qualifications, innovative design and techniques, energy efficiency, cost reduction terms and finance plans. A more complete listing of the factors and requirements that the Village will consider can be obtained by proposers’ request via email to: [Lpittser@palmettobay-fl.gov](mailto:Lpittser@palmettobay-fl.gov) Litsy C. Pittser.

The Village reserves the right to reject any or all proposals, or as provided under Ch. 287.05712, Florida Statutes, to award and negotiate an interim agreement and/or comprehensive agreement with the firm whose proposal best serves the interest of the Village. Nothing contained herein shall be

interpreted as an obligation or binding agreement by the Village regarding the Project.

The Village’s Cone of Silence shall be in effect during the procurement process in accordance with Section 2-138 of the Village of Palmetto Bay Code. All communications regarding the Project shall be addressed in writing via email to [Lpittser@palmettobay-fl.gov](mailto:Lpittser@palmettobay-fl.gov); Litsy C. Pittser., Procurement Specialist.

All proposals received in response to this Notice will become the property of the Village of Palmetto Bay and will not be returned. Such proposals and related information shall be subject to applicable provisions of the Florida Public Records Law.

WHARTON-SMITH, INC.

SCPS New Millennium Middle School

Prequalified subcontractor bids are being solicited by Wharton-Smith, Inc., the Construction Manager for Seminole County Public Schools – New Millennium Middle School.

This 215,000 SF project consists of the following: earthwork; utilities; grading; fencing; hardscape, landscaping, concrete, precast columns, CMU/brick cavity wall, masonry, metals, p-lam casework; sealants, foam insulation; roofing, fire proofing, metal wall panels; smoke vents; doors & frames, windows, overhead doors, rolling grilles; drywall; hard, resilient, wood & epoxy flooring; painting, acoustical ceiling, sound absorption panels, sound reflective panels, specialties, operable partitions, lockers, walkway covers; theatrical, rigging, athletic and food service equipment; kiln, window treatment, telescoping bleachers, fixed theater seating, music casework, elevator, fire sprinklers, plumbing, ice-storage HVAC system, and electrical.

A Non-Mandatory Pre-Bid Meeting is scheduled for Tuesday, January 10, 2017 at 9:00 a.m. at the Wharton-Smith T&L Center, 750 Monroe Rd., Sanford, FL 32771.

RFI Deadline is by 2:00 p.m. on January 15, 2017. Email questions to [comest@whartonsmith.com](mailto:comest@whartonsmith.com).

Bids will be received at the offices of Wharton-Smith, 750 Monroe Rd., Sanford, FL 32771 or may be emailed to [comest@whartonsmith.com](mailto:comest@whartonsmith.com) or faxed to (407)829-4453 by 2:00 p.m. on January 24, 2017.

MBE/WBE Subcontractors & Suppliers are encouraged to participate. Payment & Performance Bonds may be required for bids greater than \$100,000.

Bid documents are available electronically by contacting Tonja Williams (407)321-8410. Do not contact the Architect or Owner for information on this project. All inquiries should be directed to the office at [comest@whartonsmith.com](mailto:comest@whartonsmith.com).

CG C032669 PC C048385 CU C056506

**Section XII  
Miscellaneous**

DEPARTMENT OF STATE

**Index of Administrative Rules Filed with the Secretary of State**

Pursuant to Section 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 8 a.m. Friday, December 16, and 3 p.m. Thursday, December 22, 2016. An improved electronic publication system is forthcoming on the Florida Administrative Rules website, FLRules.org, which will accommodate complete publication of rules filed for adoption in the previous 7 days, including rules awaiting legislative action.

Rule No.	File Date	Effective Date
5H-23.002	12/22/2016	1/11/2017
5C-30.003	12/22/2016	1/11/2017
64B6-7.006	12/22/2016	1/11/2017
61N-2.0111	12/22/2016	1/11/2017
61N-2.0141	12/22/2016	1/11/2017
61N-2.0151	12/22/2016	1/11/2017
62B-41.002	12/22/2016	1/11/2017
62B-41.003	12/22/2016	1/11/2017
62B-41.005	12/22/2016	1/11/2017
62B-41.0055	12/22/2016	1/11/2017
62B-41.007	12/22/2016	1/11/2017
62B-41.0075	12/22/2016	1/11/2017
62B-41.008	12/22/2016	1/11/2017
64B11-4.003	12/21/2016	1/10/2017
64B16-26.204	12/21/2016	1/10/2017
64B16-30.001	12/21/2016	1/10/2017
68A-9.002	12/22/2016	1/11/2017
68A-12.004	12/22/2016	1/11/2017
68A-16.003	12/22/2016	1/11/2017
68A-25.002	12/22/2016	1/11/2017
68A-26.002	12/22/2016	1/11/2017
68A-27.0012	12/22/2016	1/11/2017
68A-27.003	12/22/2016	1/11/2017
69O-161.001	12/22/2016	1/11/2017
69O-161.009	12/22/2016	1/11/2017
69O-161.010	12/22/2016	1/11/2017
69O-161.011	12/22/2016	1/11/2017

12-24.011	12/21/2016	1/10/2017
12A-1.0115	12/21/2016	1/10/2017
12A-1.087	12/21/2016	1/10/2017
12A-1.097	12/21/2016	1/10/2017
12A-13.002	12/21/2016	1/10/2017
12A-17.003	12/21/2016	1/10/2017
12A-17.005	12/21/2016	1/10/2017
12A-19.100	12/21/2016	1/10/2017
12B-5.150	12/21/2016	1/10/2017
12B-6.005	12/21/2016	1/10/2017
12B-8.003	12/21/2016	1/10/2017
12C-1.013	12/21/2016	1/10/2017
12C-1.0222	12/21/2016	1/10/2017
12C-1.034	12/21/2016	1/10/2017
12C-1.051	12/21/2016	1/10/2017
12D-6.002	12/20/2016	1/9/2017
34-12.330	12/20/2016	1/9/2017
34-7.010	12/20/2016	1/9/2017
53ER16-67	12/16/2016	12/16/2016
5E-14.1025	12/20/2016	1/9/2017
5E-14.105	12/20/2016	1/9/2017
5E-14.117	12/20/2016	1/9/2017
5E-14.132	12/20/2016	1/9/2017
5E-14.136	12/20/2016	1/9/2017
5E-14.142	12/20/2016	1/9/2017
5E-14.1421	12/20/2016	1/9/2017
5L-3.004	12/20/2016	1/9/2017
60S-3.0035	12/21/2016	1/10/2017
60S-9.001	12/21/2016	1/10/2017
60W-1.003	12/21/2016	1/10/2017
60W-4.003	12/21/2016	1/10/2017
60W-5.003	12/21/2016	1/10/2017
60W-5.004	12/21/2016	1/10/2017
61G4-15.001	12/16/2016	1/5/2017
64B10-16.001	12/20/2016	1/9/2017
64B10-16.002	12/20/2016	1/9/2017
64B10-16.0021	12/20/2016	1/9/2017
64B10-16.0025	12/20/2016	1/9/2017
64B10-16.003	12/20/2016	1/9/2017
64B10-16.005	12/20/2016	1/9/2017
64B10-16.007	12/20/2016	1/9/2017

64B-9.005	12/21/2016	1/10/2017
64B-9.007	12/21/2016	1/10/2017
65C-30.020	12/20/2016	1/9/2017
65C-31.002	12/19/2016	1/8/2017
68A-6.007	12/16/2016	12/31/2016
69K-18.001	12/16/2016	1/5/2017
69K-18.002	12/16/2016	1/5/2017
69L-6.028	12/19/2016	1/8/2017
69L-6.035	12/19/2016	1/8/2017
69L-7.020	12/19/2016	7/1/2017
69U-110.045	12/20/2016	1/9/2017
69U-110.053	12/20/2016	1/9/2017
69U-120.0451	12/20/2016	1/9/2017
69U-120.730	12/20/2016	1/9/2017
<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>
40B-9.021	12/21/2016	**/**/****
40B-9.041	12/21/2016	**/**/****
40B-9.126	12/21/2016	**/**/****
40B-9.131	12/21/2016	**/**/****
40B-9.1381	12/21/2016	**/**/****
40B-9.1411	12/21/2016	**/**/****
40B-9.142	12/21/2016	**/**/****
40B-9.145	12/21/2016	**/**/****
40B-9.123	12/9/2016	**/**/****
60FF1-5.009	7/21/2016	**/**/****
64B8-9.009	6/15/2016	**/**/****
64B8-10.003	12/9/2015	**/**/****
69L-7.100	12/19/2016	**/**/****
69L-7.501	12/19/2016	**/**/****

crime. Services are defined as those efforts that respond to the emotional and physical needs of crime victims, assist victims of crime to stabilize their lives after victimization, assist victims to understand and participate in the criminal justice system, and provide victims of crime with a measure of safety and security. Eligibility to apply for VOCA funds is limited to victim assistance programs administered by state or local government agencies or not-for-profit corporations registered in Florida, or a combination thereof, that can demonstrate the following:

- 1) Proof that the Internal Revenue Service recognizes the organization as being tax exempt under 501(c)(3) of the Internal Revenue Code;
- 2) A statement from a state taxing body or state secretary of state certifying that the organization is a nonprofit organization and that no part of the organization's net earnings may benefit any private shareholder or individual;
- 3) A certified copy of a certificate of incorporation or similar document establishing nonprofit status; or
- 4) Any of the above, if it applies to a state or national parent organization, with a statement by the state or national parent organization that the applicant is a local nonprofit affiliate.

The funding cycle for the VOCA grant funds under this notice is October 1, 2017, through September 30, 2018.

Application and Deadline: Organizations may participate in the annual competitive grant process which involves submission of an application followed by an application review.

The VOCA application may be accessed using the Office of the Attorney General's online system EGrants, which can be accessed through <https://egrants.myfloridalegal.com/> on January 9, 2017. If you need assistance you may contact (850)414-3380 or email [contact.voca@myfloridalegal.com](mailto:contact.voca@myfloridalegal.com).

The deadline for applying for a VOCA grant under this notice is no later than 5:00 p.m. Eastern Time on Friday, February 24, 2017. Applicant agencies are encouraged to submit the completed application as soon as possible prior to the deadline. Mailed, faxed, or hand delivered applications or required documentation will not be accepted.

DEPARTMENT OF LEGAL AFFAIRS  
 Division of Victim Services and Criminal Justice Programs  
 NOTICE OF AVAILABILITY VOCA GRANT FUNDS  
 December 2016

NOTICE OF AVAILABILITY  
 VOCA Grant Funds

Announcement: The Office of the Attorney General (OAG) is pleased to announce the anticipated availability of Victims of Crime Act (VOCA) grant funds from the U.S. Department of Justice. The purpose of the VOCA grant reimbursement program is to support the provision of services to victims of

DEPARTMENT OF HEALTH  
 Board of Nursing

Emergency Action

On December 21, 2016, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the certificate of Heather A. Coyne, C.N.A., Certificate # CNA 128356. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2016). The State Surgeon General determined that

this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Emergency Action

On December 21, 2016, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the certificate of Aisha Shenea Coby, C.N.A., Certificate # CNA 106739. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2016). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Emergency Action

On December 21, 2016, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Julie Lynn Masters,, R.N., License # RN 9421638. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2016). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Order Lifting Emergency Restriction

On December 21, 2016, State Surgeon General issued an Order Lifting Emergency Restriction of License with regard to the license of Kimberly June Willoughby, R.N., License No. RN 9386122. The Department orders that the Emergency Restriction of License be lifted.

DEPARTMENT OF HEALTH

Board of Opticianry

Emergency Action

On December 21, 2016, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Elizabeth Ann Fernandez, D.O., License # DO 2239. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2016). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

Final Order No. DEO-16-249

In re: A LAND DEVELOPMENT REGULATION  
ADOPTED BY CITY OF KEY WEST, FLORIDA,  
ORDINANCE NO. 16-22

FINAL ORDER

APPROVING CITY OF KEY WEST ORDINANCE NO. 16-

22

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to section 380.05(6), Florida Statutes, and rule 28-36.002, Florida Administrative Code, approving land development regulations adopted by the City of Key West, Florida (“the City”), Ordinance No. 16-22 (the “Ordinance”).

FINDINGS OF FACT

1. The City is designated as an area of critical state concern by rule 28-36.002, Florida Administrative Code.
2. The Ordinance was adopted by the City on November 2, 2016, and rendered to the Department on December 1, 2016.
3. The Ordinance amends the City’s Land Development Regulations (“LDRs”) to clarify and preserve the character of the historic district by amending the definition of “Signs” in the historic district. It also creates three new zones within the historic district based on commercial intensity, and establishes maximum signage on a building.

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; See also rule 28-36.002, Florida Administrative Code.

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 specifically, Policy 1-1.1.6, Objective 1A-1.1, and Policy 1A-1.1.1.

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 Florida Keys Area of Critical State Concern are set forth in rule 28-36.003(1), Florida Administrative Code.

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

(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 City Ordinance No. 16-22 is consistent with the City's Comprehensive Plan and Principles for Guiding Development for the City of Key West Area of Critical State Concern and is hereby APPROVED.

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

DONE AND ORDERED in Tallahassee, Florida.

/s/ \_\_\_\_\_  
Taylor Teepell, Director  
Division of Community Development  
Department of Economic Opportunity

NOTICE OF ADMINISTRATIVE RIGHTS

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

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

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

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 22nd day of December, 2016.

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

By Certified U.S. Mail:

The Honorable Craig Cates  
Mayor, Monroe County  
3132 Flagler Avenue  
Key West, FL 33040

Sue Harrison, Clerk  
Monroe County  
Board of County Commissioners  
1100 Simonton St.  
Key West, FL 33040

Thaddeus Cohen, Director  
Planning and Environmental Resources  
3140 Flagler Ave.  
Key West, FL 33040

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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.

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