

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

**DEPARTMENT OF EDUCATION**

**Florida's Office of Early Learning**

RULE NO.:           RULE TITLE:  
6M-4.500           Child Attendance and Provider  
                          Reimbursements

PURPOSE AND EFFECT: The purpose of the revised rule is to clarify the procedures for child attendance and provider reimbursements.

SUBJECT AREA TO BE ADDRESSED: School Readiness Program Child Attendance and Provider Reimbursements.

RULEMAKING AUTHORITY: 1001.213(2), FS.

LAW IMPLEMENTED: 1002.82(2)(c), 1002.82(2)(f)1.a.(III), 1002.82(2)(p), 1002.87(8), (9), FS.

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

DATE AND TIME: Tuesday, January 10, 2017, 3:30 p.m. to 4:30 p.m. EST or until business is concluded, whichever is earlier

PLACE: via GoToWebinar only. To register for the webinar, please visit:

[http://www.floridaearlylearning.com/statewide\\_initiatives/laws\\_and\\_rules/proposed\\_rules.aspx](http://www.floridaearlylearning.com/statewide_initiatives/laws_and_rules/proposed_rules.aspx)

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Katerina Maroney, School Readiness Policy Supervisor, (850)717-8614 If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Katerina Maroney, 250 Marriott Drive, Tallahassee, FL 32399, (850)717-8614 or email [Katerina.Maroney@oel.myflorida.com](mailto:Katerina.Maroney@oel.myflorida.com).

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

not currently available. However, it will be made available on the Office of Early Learning website prior to the date of the rule development workshop:

[http://www.floridaearlylearning.com/statewide\\_initiatives/laws\\_and\\_rules/proposed\\_rules.aspx](http://www.floridaearlylearning.com/statewide_initiatives/laws_and_rules/proposed_rules.aspx)

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Building Commission**

RULE NO.:           RULE TITLE:  
61G20-1.001           Florida Building Code Adopted

PURPOSE AND EFFECT: To open the aforementioned rule for development to address the statutorily required triennial update process. The Commission shall conduct a rule development workshop to accept public input regarding the approved modifications/supplement to the selected edition of the model codes. The combination of the selected model codes (2015 International Codes) and the approved modifications/supplement comprise the 6th Edition (2017) Florida Building Code pursuant to the triennial update process specified in Sections 553.73(3) and (7), F.S. Local technical amendments to the 5th Edition (2014) Florida Building Code and continuation of previously adopted Florida-specific amendments will also be considered. The approved modifications supplement is available on the Commission's website, [www.floridabuilding.org](http://www.floridabuilding.org).

SUBJECT AREA TO BE ADDRESSED: Statutorily required triennial update process to the Florida Building Code, 6th Edition (2017).

RULEMAKING AUTHORITY: 553.73(1), 553.73(2), 553.73(7), 553.73(8), 553.901 FS.

LAW IMPLEMENTED: 553.72, 553.73(2), 553.73(3), 553.73(7), 553.73(8), 553.73(9), 553.901 FS.

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

DATE AND TIME: February 7, 2017, 8:30 a.m. or as soon as thereafter as the matter comes before the Florida Building Commission in accordance with its agenda, which may entail further consideration on subsequent days.

PLACE: Hyatt Regency Jacksonville Riverfront, 225 E. Coastline Dr., Jacksonville, FL

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Barbara Bryant, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)717-1838. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mo Madani, Planning Manager, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)717-1825

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

## Section II Proposed Rules

**DEPARTMENT OF HEALTH**

**Division of Medical Quality Assurance**

RULE NO.: 64B-9.001  
RULE TITLE: Biennial Licensing

PURPOSE AND EFFECT: To amend the forms and update the schedule for biennial renewal of licenses issued by the Division of Medical Quality Assurance.

SUMMARY: This rulemaking amends the forms for license renewal and updates the schedule of renewal for the healthcare professions licensed by the department.

**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: Based on the SERC checklist, this rulemaking will not have an adverse impact or regulatory costs in excess of \$1 million within five years as established 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: 456.004(1), FS.

LAW IMPLEMENTED: 456.004(1), 456.013, 456.036(5), 456.039, 456.0391, 456.0635, 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: Lola Pouncey, Bureau Chief, 4052 Bald Cypress way, Bin #C-01, Tallahassee, FL 32399, (850)245-4064 or Lola.Pouncey@FIHealth.gov.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B-9.001 Biennial Licensing.

(1) Pursuant to Section 456.004(1), F.S., the Department implemented a plan for staggered biennial renewal of licenses

issued by the Division of Medical Quality Assurance. Each licensed person who is subject to practitioner profiling under Sections 456.039(1) or 456.0391(1), F.S., shall renew using Form DH-MQA 1229 (11/16) (02/10), Renewal Notice. All other licensed persons shall renew using Form DH-MQA 1230 (02/10), License Renewal Application (Active and Inactive Status) Notice, incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-#####>. Licensed facilities shall renew by using Form DH-MQA 1231 (11/16) (02/10), Business Establishment Renewal Application, Renewal Notice. These forms are incorporated by reference and available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-#####> can be obtained from the Division at 4052 Bald Cypress Way, Bin C01, Tallahassee, FL 32399, or on line at <http://www2.doh.state.fl.us/mqaservices/login.asp>.

(2) through (3) No change.

(4) The schedule for biennial license renewal for each respective profession shall be as follows:

|  |
|--|
|  |
| Acupuncturists   |
| Athletic Trainers  |
| Anesthesiologist Assistants                                  |
| Certified Master Social Workers                              |
| Certified Nursing Assistants (Group I)                       |
| Certified Nursing Assistants (Group II)                      |
| Chiropractic Physicians & Assistants                         |
| Clinical Laboratory Personnel                                |
| Clinical Social Workers                                      |
| Consultant Pharmacists                                       |
| Dental Hygienists  |
| Dental Laboratories  |
| Dentists   |
| Dentists – Health Access                                     |
| Dietitians/Nutritionists                                     |
| Dispensing Opticians   |
| Electrologists   |
| Electrolysis Facilities                                      |
| Emergency Medical Technicians                                |
| Hearing Aid Specialists                                      |
| Marriage & Family Therapists                                 |
| Massage Therapists   |
| Massage Establishments                                       |
| Medical Doctors (Group I)                                    |
| Medical Doctors (Group II)                                   |
| Medical Doctors – Public Psychiatry/Health Certificate       |
| Medical Doctors – Limited License                            |
| Medical Doctors – Rear Admiral LeRoy Collins, Jr., Temporary |
| Certificate for Practice in Areas of Critical Need           |

|   |   |              |
|---|---|--------------|
| Medical Physicists  | 2-10, 5-16-12, _____.   | January 31   |
| Mental Health Counselors  |   | March 31     |
| Midwives  | NAME OF PERSON ORIGINATING PROPOSED RULE:   | December 31  |
| Naturopathic Physicians   | Lola Pouncey  | September 30 |
| Nuclear Pharmacists   | NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:   | February 28  |
| Naturopathic Physicians   | Celeste Philip, MD, MPH, Surgeon General and Secretary  | September 30 |
| Non-Resident Sterile Compounding Permit                         | DATE PROPOSED RULE APPROVED BY AGENCY HEAD:   | February 28  |
| Nurses  | December 16, 2016   |              |
| Group I: Registered & Advanced Registered Nurse Practitioners   | DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR:  | April 30     |
| Registered Nurse Practitioners                                  | November 17, 2016   |              |
| Registered Nurse Practitioners                                  |   |              |
| Group II: Registered & Advanced Registered Nurse Practitioners  | DEPARTMENT OF HEALTH  | July 31      |
| Group III: Registered & Advanced Registered Nurse Practitioners | School Psychology   | April 30     |
| Licensed Practical Nurses                                       | RULE NO.: RULE TITLE:   | July 31      |
| Nursing Home Administrators                                     | 64B21-50.001 Disciplinary Guidelines  | September 30 |
| Occupational Therapists & Assistants                            | PURPOSE AND EFFECT: To add certain insurance billing practices as grounds for discipline for licensed school psychologists as required by recently enacted legislation.   | February 28  |
| Optometrists  | SUMMARY: This rulemaking recommends the disciplinary guidelines for licensed school psychologists to add certain insurance billing practices as grounds for discipline as required by recently enacted legislation.   | February 28  |
| Optometrist Branch Offices                                      |   | February 28  |
| Optometrist Branch Offices                                      |   | February 28  |
| Orthotists & Prosthetists                                       |   | November 30  |
| Osteopathic Physicians  |   | March 31     |
| Osteopathic Physicians – Limited License                        |   | March 31     |
| Osteopathic Physicians – Rear Admiral LeRoy Collins, Jr.        | SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:  | March 31     |
| Temporary Certificate for Practice in Areas of Critical Need    |   | March 31     |
| Pharmacy  |   | February 28  |
| Pharmacists   | 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.  | September 30 |
| Pharmacy Technicians  |   | December 31  |
| Physical Therapists & Assistants                                |   | November 30  |
| Physician Assistants  | A SERC has not been prepared by the Agency.   | January 31   |
| Podiatric Physicians  |   | March 31     |
| Podiatric Physicians – Limited License                          | 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: Based on the SERC checklist, this rulemaking will not have an adverse impact or regulatory costs in excess of \$1 million within five years as established in s. 120.541(2)(a), F.S. | March 31     |
| Psychologists   |   | May 31       |
| Respiratory Care Practitioners                                  |   | May 31       |
| Respiratory Therapists  |   | May 31       |
| School Psychologists  |   | November 30  |
| Speech Language Pathologists/Audiologists & Assistants          |   | December 31  |

**EXTENSION OF BIENNIAL LICENSURE PERIODS –**  
 When a current biennial licensure period for a profession is extended for a period longer than two years to conform to the above schedule of biennial periods, the biennial licensure fee for the profession shall be increased pro-rata to cover the additional extended period. The increased licensure fee shall be based on the biennial licensure fee established by the board. The amended licensure period and the pro-rated renewal fee shall be implemented for the purpose of restructuring the Department’s renewal schedule.

(5) No change.

Rulemaking Authority 456.004(1) FS. Law Implemented 456.004(1), 456.013, 456.036(5), 456.039, 456.0391, 456.0635 FS. History—New 11-5-00, Amended 11-24-05, 11-8-07, 7-30-08, 7-19-09, 11-8-09, 8-

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:** 456.079 FS.

**LAW IMPLEMENTED:** 456.072, 456.079, 490.009 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:** Allen Hall, Executive Director, 4052 Bald Cypress Way, Bin #C05, Tallahassee, FL 32399, (850)245-4374 or Allen.Hall@FIHealth.gov.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B21-504.001 Disciplinary Guidelines.

(1) When the Department finds that a licensee has committed any of the acts set forth in Section 490.009(1) or 456.072(1), F.S., it shall issue a final order imposing one or more of the penalties listed in Section 456.072(2), F.S., as recommended in the following disciplinary guidelines. For applicants, all listed violations are sufficient for refusal to certify an application for licensure. In addition to any other discipline imposed, the Department, pursuant to Section 456.072(4), F.S., shall assess the costs related to the investigation and prosecution of a case. If the violation is for fraud or making false or fraudulent representation, the Department shall impose a fine of \$10,000 per count or offense.

(a) through (ff) No change.

(gg) Section 456.072(1)(oo), F.S.: willfully failing to comply with Sections 627.64194 or 642.513, F.S. with such frequency as to indicate a general business practice – a fine of \$1,000 up to \$5,000 and a letter of concern up to a reprimand. For a second offense, a fine of \$5,000 up to \$10,000 and probation. After the second offense, from suspension and a fine of \$7,500 up to \$10,000 to revocation.

(2) through (3) No change.

Rulemaking Authority 456.079 FS. Law Implemented 456.072, 456.079, 490.009 FS. History—New 9-11-03, Amended 7-5-06, 10-28-10, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Allen Hall

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Celeste Philip. MD, MPH, Surgeon General and Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 16, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 26, 2016

**DEPARTMENT OF HEALTH**

**Optical Establishments**

RULE NO.: RULE TITLE:

64B29-1.001 Optical Establishment Registration

PURPOSE AND EFFECT: To update the application for registration and correct the website address where application forms can be located.

SUMMARY: This rulemaking updates the application for registration as an optical establishment and corrects the website address where application forms can be located.

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: Based on the SERC checklist, this rulemaking will not have an adverse impact or regulatory costs in excess of \$1 million within five years as established 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: 456.004, 456.037, 456.072, 484.007(3), 484.013(4), 484.014(4) FS

LAW IMPLEMENTED: 456.004(1), (5), 456.025(7), 456.072, 484.007(3), 484.013(4), 484.014(4) 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, 4052 Bald Cypress Way, Bin #C08, Tallahassee, FL 32399, (850)245-4460 or Jennifer.Wenhold@FHHealth.gov.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B29-1.001 Optical Establishment Registration.

(1) Except as provided in Section 484.018, F.S., every person desiring to operate an optical establishment in this state must submit a completed MQA Form # OE-001, Application for Optical Establishment Permit, effective August 2016 ~~November 2009~~, ~~incorporated herein~~ by reference, and available at <http://flrules.org/Gateway/reference.asp?No=ref#####> or which can be obtained from the Board of Opticianry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258, ~~or at~~ <http://floridasopticianry.gov/licensing.www.doh.state.fl.us/mqa/opticianry> ~~to the Department of Health along~~ with a non-refundable application fee of \$100.00.

(2) through (5) No change.

Rulemaking Authority 456.004, 456.037, 456.072, 484.007(3), 484.013(4), 484.014(4) FS. Law Implemented 456.004(1), (5), 456.025(7), 456.072, 484.007(3), 484.013(4), 484.014(4) FS. History—New 11-25-96, Formerly 59EE-1.001, Amended 2-23-

10.\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Adrienne Rodgers  
 NAME OF AGENCY HEAD WHO APPROVED THE  
 PROPOSED RULE: Celeste Philip, MD, MPH, Surgeon  
 General and Secretary  
 DATE PROPOSED RULE APPROVED BY AGENCY  
 HEAD: December 16, 2016  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
 PUBLISHED IN FAR: October 26, 2016

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

NONE

**Section IV**  
**Emergency Rules**

NONE

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL  
 REGULATION  
 Division of Hotels and Restaurants  
 RULE NO.: RULE TITLE:  
 61C-4.010 Sanitation and Safety Requirements  
 The Florida Department of Business and Professional  
 Regulation, Division of Hotels and Restaurants hereby gives  
 notice:  
 On December 6, 2016 the Division of Hotels and Restaurants  
 received a Petition for a Routine Variance for Subparagraph 3-  
 305.11(A)(2), 2009 FDA Food Code, Section 3-305.14, 2009  
 FDA Food Code, Section 6-202.15, 2009 FDA Food Code,  
 Section 6-202.16, 2009 FDA Food Code, subsection 61C-  
 4.010(1), Florida Administrative Code, and subsection 61C-  
 4.010(6), Florida Administrative Code from Eucar Castro  
 located in Orlando. The above referenced F.A.C. addresses the  
 requirement for proper handling and dispensing of food. They  
 are requesting to dispense bulk time/temperature control for  
 safety foods from an open air mobile food dispensing vehicle.  
 The Petition for this variance was published in Vol. 42, No.,  
 236 on December 7, 2016. The Order for this Petition was  
 signed and approved on December 22, 2016. After a complete

review of the variance request, the Division finds that the  
 application of this Rule will create a financial hardship to the  
 food service establishment. Furthermore, the Division finds  
 that the Petitioner meets the burden of demonstrating that the  
 underlying statute has been achieved by the Petitioner  
 ensuring that each pan within the steam table is properly  
 covered with an individual lid; the steam table is enclosed  
 within a cabinet with tight-fitting doors, and is protected by an  
 air curtain installed and operated according to the  
 manufacturer’s specifications that protects against flying  
 vermin or other environmental contaminants; all steam table  
 foods must be properly reheated for hot holding at approved  
 commissaries and held hot at the proper minimum temperature  
 per the parameters of the currently adopted FDA Food Code;  
 and steam table food is to be dispensed by the operator with  
 no customer self-service. The Petitioner shall also strictly  
 adhere to the operating procedures and copies of the variance  
 and operating procedures are to be present on the MFDV  
 during all periods of operation.

A copy of the Order or additional information may be  
 obtained by contacting:  
 Daisy.Aleman@myfloridalicense.com, Division of Hotels and  
 Restaurants, 2601 Blair Stone Road, Tallahassee, Florida  
 32399-1011.

DEPARTMENT OF FINANCIAL SERVICES  
 OIR – Insurance Regulation

RULE NO.: RULE TITLE:  
 69O-149.005 Reasonableness of Benefits in Relation to  
 Premiums

The Office of Insurance Regulation hereby gives notice:  
 Metropolitan Life Insurance Company filed a petition for  
 Variance from Rule 69O-149.005(14)(b), F.A.C. on July 22,  
 2016. The petition requested that the Office grant a variance  
 from the multiple year rate guarantee or rating cap provision  
 that may not exceed 24 months. Petitioner requested that the  
 time frame be extended to at least 36 months or such longer  
 period the Office may permit, with respect to group health  
 insurance policies insuring groups of 51 or more persons.

Notice of the Petition was filed in the F.A.R. on July 28, 2016.  
 An Order Granting the Petition was issued on December 22,  
 2016 allowing the Petitioner to issue dental and vision  
 coverage for large group polices with multiple year rate  
 guarantees for up to 48 months. The Variance is granted for a  
 period of 2 years.

A copy of the Order or additional information may be  
 obtained by contacting: Debra Seymour at  
 Debra.Seymour@flor.com

## Section VI Notice of Meetings, Workshops and Public Hearings

**DEPARTMENT OF LEGAL AFFAIRS**

The Florida Commission on the Status of Women announces telephone conference calls to which all persons are invited.

**DATE AND TIME:** January 4, 2017, 8:30 a.m.  
**PLACE:** Call (850)414-3300 for instructions on participation  
**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
 Executive Committee

**DATE AND TIME:** January 10, 2017, 8:30 a.m.  
**PLACE:** Call (850)414-3300 for instructions on participation  
**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
 Public Policy Committee

**DATE AND TIME:** January 11, 2017, 10:00 a.m.  
**PLACE:** Call (850)414-3300 for instructions on participation  
**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
 Essay Contest Task Force

**DATE AND TIME:** January 12, 2017, 9:30 a.m.  
**PLACE:** Call (850)414-3300 for instructions on participation  
**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
 Full Commission

**DATE AND TIME:** January 24, 2017, 10:00 a.m.  
**PLACE:** Call (850)414-3300 for instructions on participation  
**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
 Public Outreach Committee

**NOTE:** In the absence of a quorum, items on this agenda will be discussed as workshop, and notes will be recorded although no formal action will be taken. If you have any questions, please call (850)414-3300.

A copy of the agenda may be obtained by contacting: Florida Commission on the Status of Women at the Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, PHONE: (850)414-3300, FAX: (850)921-4131.

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: Florida Commission on the Status of Women at the Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, (850)414-3300, fax: (850)921-4131. 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: Florida Commission on the Status of Women at the Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, (850)414-3300, fax: (850)921-4131.

**REGIONAL PLANNING COUNCILS**

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

**DATE AND TIME:** January 5, 2017, 3:30 p.m.  
**PLACE:** North Central Florida Regional Planning Council, 2009 Northwest 67th Place, Gainesville, Florida  
**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To conduct the regular business of the Clearinghouse Committee of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 NW 67th Place, Gainesville, Florida 32653-1603.

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 business days before the workshop/meeting by calling (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

**REGIONAL PLANNING COUNCILS**

**Central Florida Regional Planning Council**  
 The Heartland Regional Transportation Planning Organization announces a workshop to which all persons are invited.

**DATE AND TIME:** January 11, 2017, 11:00 a.m.  
**PLACE:** Bert J. Harris, Jr. Agricultural Center Auditorium, 4509 George Blvd., Sebring, FL 33875  
**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Heartland Regional Transportation Planning Organization (HRTPO) Local Government Transportation Project Application Workshop.

A copy of the agenda may be obtained by contacting: Marybeth Soderstrom, Community Engagement Manager, (863)534-7130, ext. 134 or at msoderstrom@cfrpc.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 3 days before the workshop/meeting by contacting: Marybeth Soderstrom, Community Engagement Manager, (863)534-7130, ext. 134 or at msoderstrom@cfrpc.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). If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

**REGIONAL PLANNING COUNCILS**

Central Florida Regional Planning Council  
 The Heartland Regional Transportation Planning Organization announces a public meeting to which all persons are invited.  
 DATE AND TIME: January 11, 2017, 9:30 a.m.  
 PLACE: Bert J. Harris, Jr. Agricultural Center Auditorium, 4509 George Blvd., Sebring, FL 33875

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
 Heartland Regional Transportation Planning Organization (HRTPO) Technical Advisory Committee (TAC) Meeting.

A copy of the agenda may be obtained by contacting: Marybeth Soderstrom, Community Engagement Manager, (863)534-7130, msoderstrom@cfrpc.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 3 days before the workshop/meeting by contacting: Marybeth Soderstrom, Community Engagement Manager, (863)534-7130, msoderstrom@cfrpc.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). 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.

**WATER MANAGEMENT DISTRICTS**

Suwannee River Water Management District  
 The Suwannee River Water Management District announces a public meeting to which all persons are invited.  
 DATE AND TIME: Tuesday, January 17, 2017, 11:00 a.m., followed by a field trip  
 PLACE: City of Alachua Commission Chambers – City Hall, 15100 NW 142nd Terrace, Alachua, FL 32615

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
 The Suwannee River and St. Johns River water management districts’ governing boards will hold a joint Governing Board meeting to consider the North Florida Regional Water Supply Plan.

A copy of the agenda may be obtained by contacting: Suwannee River Water Management District, Attention Robin Lamm, (386)362-1001 or by visiting the District’s website at mysuwanneeriver.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: Robin Lamm at (386)362-1001. 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.

**WATER MANAGEMENT DISTRICTS**

St. Johns River Water Management District  
 The St. Johns River Water Management District announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, January 17, 2017, 11:00 a.m. followed by a field trip

PLACE: City of Alachua Commission Chambers – City Hall, 15100 NW 142nd Terrace, Alachua, FL 32615

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**  
 The Suwannee River and St. Johns River water management districts’ governing boards will hold a joint Governing Board meeting to consider for approval the North Florida Regional Water Supply Plan.

NOTE: One or more Governing Board members may attend and participate in the meetings by means of communications media technology.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention Lori Griffith, 4049 Reid Street, Palatka, FL 32177, by phone at (386)329-4470, or by visiting the District’s website at sjrwmd.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: District Clerk at (386)329-4500. 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).

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#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DATE AND TIME: January 11, 2017, 9:00 a.m. – 12:00 p.m.

PLACE: Marathon Government Center, Board Meeting Room, 2798 Overseas Highway, Marathon, FL 33050

#### GENERAL SUBJECT MATTER TO BE CONSIDERED:

The Department of Environmental Protection's Water Quality Protection Program Canal Restoration Advisory Subcommittee announces a public meeting to which all persons are invited. Update the members of the Subcommittee and the general public on the progress of ongoing canal water quality restoration projects and to discuss future actions. The meeting is open to the public.

A copy of the agenda may be obtained by contacting: Gus Rios, Environmental Administrator, South District Marathon Office, (305)289-7081, gus.rios@dep.state.fl.us

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Gus Rios, Environmental Administrator, South District Marathon Office, (305)289-7081, gus.rios@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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#### DEPARTMENT OF HEALTH

Board of Nursing

The Board of Nursing announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 9, 2017, 10:30 a.m.

PLACE: Toll-free number: 1(888)670-3525, 990 808 6106 (Public)

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider cases where Probable Cause has previously been found.

A copy of the agenda may be obtained by contacting: <http://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.

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#### DEPARTMENT OF CHILDREN AND FAMILIES

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

DATE AND TIME: Monday, January 9, 2017, 2:00 p.m.

PLACE: Juvenile Welfare Board Building, 14155 58th Street North, Clearwater, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Ongoing Pinellas Community Alliance business.

A copy of the agenda may be obtained by contacting: Stephanie Allen at (727)373-7842.

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: Stephanie Allen at (727)373-7842. 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).

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#### OTHER AGENCIES AND ORGANIZATIONS

HML Public Outreach

The Florida Department of Transportation District Six announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, January 11, 2017, 5 p.m. to 7 p.m.,

PLACE: North Miami Beach Library, 1601 NE 164 Street, North Miami Beach, Florida 33162

#### GENERAL SUBJECT MATTER TO BE CONSIDERED:

The Florida Department of Transportation (FDOT) District Six will hold a Public Meeting for a roadway project along State Road (SR) 5/US 1/Biscayne Boulevard from NE 151 Street to NE 196 Street in Miami-Dade County, to discuss the project. The project identification number is 430808-1-52-02. The public meeting will follow an informal format allowing the public to arrive at any time from 5 p.m. and 7 p.m. Graphic displays will be shown during the meeting, and FDOT representatives will provide an overview of the project and will be available to answer questions.

A copy of the agenda may be obtained by contacting: Public Information Specialist, Sandra Bello at (305)510-0827, email: [sandra@hmlpublicoutreach.com](mailto:sandra@hmlpublicoutreach.com).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Ivette Ruiz-Paz at (305)470-5349 or in writing: FDOT, 1000 N.W. 111 Avenue, Miami, FL 33172, email: [Ivette.ruiz-paz@dot.state.fl.us](mailto:Ivette.ruiz-paz@dot.state.fl.us). If you are hearing or speech



impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). For more information, you may contact: Public Information Specialist, Sandra Bello at (305)510-0827, email: [sandra@hmlpublicoutreach.com](mailto:sandra@hmlpublicoutreach.com).

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

### DEPARTMENT OF CORRECTIONS

#### RULE NOS.:RULE TITLES:

- 33-103.005 Informal Grievance
- 33-103.006 Formal Grievance - Institution or Facility Level
- 33-103.007 Appeals and Direct Grievances to the Office of the Secretary

NOTICE IS HEREBY GIVEN that the Florida Department of Corrections has issued an order disposing of the petition for declaratory statement filed by Joseph Cabral, DC# P03849 on November 14, 2016. The following is a summary of the agency's disposition of the petition:

As an inmate of the Florida Department of Corrections, Joseph Cabral, DC# P03849, may only participate in administrative proceedings that are brought pursuant to sections 120.54(3)(c) and (7), Florida Statutes. Pursuant to section 120.81(3), Florida Statutes, the Petitioner lacks standing to bring a Petition for Declaratory Statement, and the Department lacks jurisdiction to issue a declaratory statement in this case.

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

### WATER MANAGEMENT DISTRICTS

South Florida Water Management District

#### RULE NO.: RULE TITLE:

- 40E-2.011: Policy and Purpose
- 40E-2.031: Implementation
- 40E-2.041: Permits Required
- 40E-2.091: Publications Incorporated by Reference
- 40E-2.301: Conditions for Issuance of Permits

NOTICE IS HEREBY GIVEN that the South Florida Water Management District (District or SFWMD) has received the petition for declaratory statement from the City of Pompano Beach on December 19, 2016. The petition seeks the agency's opinion as to the applicability of Sections 373.223, 373.2235 and 373.226, Florida Statutes; Florida Administrative Code Rules 40E-2.011, 40E-2.031, 40E-2.041, 40E-2.091 and 40E-2.301; the Applicant's Handbook for Water Use Permit Applications Within the South Florida Water Management District Sections 2.0 and 2.1; and SFWMD Water Use Permit

No. 60-00070-W ("Pompano Beach Water Use Permit") as it applies to the petitioner.

The Petitioner filed the Petition for Declaratory Statement on December 19, 2016, seeking a Declaratory Statement from the District as to: 1) "whether the [Pompano Beach] AirPark has ownership and control of the water underlying its property solely by virtue of its ownership of the overlying land; 2) whether the Airpark would be able to obtain a consumptive use permit from SFWMD absent a showing that its proposed water allocation was a reasonable-beneficial use and there was a demonstrable need for the water pursuant to [the Applicant's Handbook for Water Use Permit Applications Within the South Florida Water Management District] AH Sections 2.0 and 2.1; and, 3) whether the only use of water authorized under the Pompano Beach Water Use Permit is for public water supply and that any other use of water by the Airpark, would require a modification of the permit and proof that the water allocation was a reasonable-beneficial use and there was a demonstrable need for the water pursuant to the AH Sections 2.0 and 2.1."

A copy of the Petition for Declaratory Statement may be obtained by contacting: Kathie (Ruff) Redfield, Paralegal, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, (800)432-2045, ext. 6320 or (561)682-6320, email: [kruff@sfwmd.gov](mailto:kruff@sfwmd.gov). Please refer all comments to: Kathie (Ruff) Redfield, Paralegal, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, (800)432-2045, ext. 6320 or (561)682-6320, email: [kruff@sfwmd.gov](mailto:kruff@sfwmd.gov).

### DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN that the Department of Financial Services, Division of State Fire Marshal (Department), has issued an order disposing of the petition for declaratory statement filed by Dale E. Fey, Jr., Fire Marshal, North Collier Fire District (Petitioner) on September 26, 2016. The following is a summary of the agency's disposition of the petition:

The Petition seeks the agency's opinion as to whether the language of s. 633.202(19), Florida Statutes modifies or changes the requirement for area of refuge in the Florida Fire Prevention Code. The Department's response is the language of section 633.202(19), Florida Statutes, effectively changes the requirements for an area of refuge in each structure from the FFPC, 5th Edition, to the requirements of the Florida Building Code, Accessibility.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Leah Marino, Executive Senior Attorney, Office of the General Counsel, 612 Larson Building, 200 E. Gaines Street, Tallahassee,

Florida 32399-0333, (850)413-4210, email:  
leah.marino@myfloridacfo.com.

**DEPARTMENT OF FINANCIAL SERVICES**

NOTICE IS HEREBY GIVEN that the Department of Financial Services, Division of State Fire Marshal (Department), has issued an order disposing of the petition for declaratory statement filed by Clearwater Fire & Rescue, Steve Strong, Fire Marshal on September 06, 2016. The following is a summary of the agency's disposition of the petition:

The Petition seeks the agency's opinion whether it is the intent to allow combustibles in means of egress/corridor/breezeways if they meet NFPA 1:19.2.1.2.1, and is contracted with a valet trash service in a non-sprinkled egress/corridor/breezeway? The Department's response is that combustible materials may not be stored in exits even if the rubbish container meets the requirements of NFPA 1:19.2.1.2.1. The size and material of the containers are irrelevant because the containers at issue are obstructing exits. Additionally, non-sprinkled or sprinkled means of egress/corridor/breezeway is also irrelevant because NFPA 1:10.19.4 clearly prohibits combustible materials to be stored in exits.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Leah Marino, Executive Senior Attorney, Office of the General Counsel, 612 Larson Building, 200 E. Gaines Street, Tallahassee, Florida 32399-0333, (850)413-4210, email: leah.marino@myfloridacfo.com.

**DEPARTMENT OF FINANCIAL SERVICES**

Finance

NOTICE IS HEREBY GIVEN that the Office of Financial Regulation has declined to rule on the petition for declaratory statement filed by Dr. Ashie Akpoji aka Moonshine, LLC, on October 17, 2016. The following is a summary of the agency's declination of the petition:

The petition sought a declaratory statement from the Office on whether Petitioner's proposed business model (of offering funds to Florida clients to assist relatives in foreign countries) falls within the Florida Money Transmitter Statute, Chapter 560, Florida Statutes. On December 23, 2016 a Final Order was issued denying the Petition. The facts provided in the Petition are inadequate for the Office to make a determination whether Petitioner's proposed activities constitute money transmission. Although Petitioner states that it receives no money from the public and performs no international money transfers, the Petition is substantially silent regarding the manner in which MS would pay fees to foreign merchants or beneficiary bank accounts.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk,

Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9784, Agency.Clerk@flofr.com, or online at <https://real.flofr.com/ConsumerServices/SearchLegalDocuments/LDSearch.aspx#/searchLegalDocuments>.

Please refer all comments to: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9784, Agency.Clerk@flofr.com.

**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

Florida Gulf Coast University

**NOTICE TO CONSTRUCTION MANAGERS**

Florida Gulf Coast University, announces that Construction Management Services will be required for the project listed below:

**Project and Location: North Lake Village Dining Facility**

**Florida Gulf Coast University, Ft. Myers, Florida.**

**Description of Project**

This project will be located along the south edge of Lake Como in the North Lake Village area on FGCU Campus. The total construction budget is \$3,300,000 dollars.

The single story, 7,800 gross square foot facility is comprised of two indoor dining rooms and supporting full kitchen facilities.

The selected firm will provide all aspects of building construction based on completed construction documents including LEED certification. Preconstruction services have been performed under prior, separate contract.

**Project Context**

Another improvement project all along North Lake Village lake front is presently underway and will be immediately adjacent to the NLV Dining Hall site on the north side. Site permitting is complete. Site and building permitting through Lee County Development is not required. A detailed project program will not be available prior to CM selection.

**Selection of Firm**

Selection will be made on the basis of construction manager’s qualifications, as listed in the Professional Qualifications Supplement and the ability to manage projects.

Firms desiring to provide construction management services for the project shall submit a letter of application and a completed Board of Trustees “Construction Manager Qualifications Supplement”. Proposals must not exceed 80 pages, including the Construction Manager Qualifications Supplement and letter of application. Pages should be numbered consecutively.

All applicants must be licensed to practice as General Contractors in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application.

**Instructions**

Firms desiring to apply for consideration shall submit a letter of application.

The letter of application should have attached the following:

1. A completed Florida Gulf Coast University “Professional Qualifications Supplement” dated February 2013, and following the instructions provided at:

<http://www.fgcu.edu/Facilities/ProfessionalSupplements.html>

2. Applications on any other form will not be considered; however, you may choose the electronic “fillable” DOC version or the PDF version of this form.

3. A copy of the applicant’s current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant

is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Submit five (5) hard bound copies of the above requested data and as specifically bound in the order listed above and an electronic copy in PDF file format on a USB flash drive.

Applications which do not comply with the above instructions may be disqualified. Application materials will not be returned. The selected construction manager must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Professional Qualifications Supplement forms can be obtained as noted above. Any questions may be directed to:

**Tom Mayo, Director of Facilities Planning**, 10501 FGCU Blvd. South, Fort Myers, Florida 33965-6565. Phone: (239)590-1504, Fax (239)590-1505, email [tmayo@fgcu.edu](mailto:tmayo@fgcu.edu).

**Submittals must be received in the Facilities Planning Office by 3:00 p.m. local time, on Friday, January 20, 2017. Facsimile (FAX) submittals are not acceptable and will not be considered.**

**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. Tuesday, December 20, and 3 p.m. Friday, December 23, 2016 (Monday, December 26, 2016 was an observed holiday). 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 |
|------------|------------|----------------|
| 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-5.300  | 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  |
| 5C-30.003  | 12/22/2016 | 1/11/2017 |
| 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  |
| 5H-23.002  | 12/22/2016 | 1/11/2017 |
| 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 |
| 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 |
| 62-761.100 | 12/22/2016 | 1/11/2017 |
| 62-761.200 | 12/22/2016 | 1/11/2017 |

|            |            |           |
|------------|------------|-----------|
| 62-761.210 | 12/22/2016 | 1/11/2017 |
| 62-761.300 | 12/22/2016 | 1/11/2017 |
| 62-761.350 | 12/22/2016 | 1/11/2017 |
| 62-761.400 | 12/22/2016 | 1/11/2017 |
| 62-761.405 | 12/22/2016 | 1/11/2017 |
| 62-761.420 | 12/22/2016 | 1/11/2017 |
| 62-761.430 | 12/22/2016 | 1/11/2017 |
| 62-761.440 | 12/22/2016 | 1/11/2017 |
| 62-761.450 | 12/22/2016 | 1/11/2017 |
| 62-761.500 | 12/22/2016 | 1/11/2017 |
| 62-761.510 | 12/22/2016 | 1/11/2017 |
| 62-761.600 | 12/22/2016 | 1/11/2017 |
| 62-761.610 | 12/22/2016 | 1/11/2017 |
| 62-761.640 | 12/22/2016 | 1/11/2017 |
| 62-761.700 | 12/22/2016 | 1/11/2017 |
| 62-761.710 | 12/22/2016 | 1/11/2017 |
| 62-761.800 | 12/22/2016 | 1/11/2017 |
| 62-761.820 | 12/22/2016 | 1/11/2017 |
| 62-761.850 | 12/22/2016 | 1/11/2017 |
| 62-761.900 | 12/22/2016 | 1/11/2017 |
| 62-762.101 | 12/22/2016 | 1/11/2017 |
| 62-762.201 | 12/22/2016 | 1/11/2017 |
| 62-762.211 | 12/22/2016 | 1/11/2017 |
| 62-762.301 | 12/22/2016 | 1/11/2017 |
| 62-762.401 | 12/22/2016 | 1/11/2017 |
| 62-762.411 | 12/22/2016 | 1/11/2017 |
| 62-762.421 | 12/22/2016 | 1/11/2017 |
| 62-762.431 | 12/22/2016 | 1/11/2017 |
| 62-762.441 | 12/22/2016 | 1/11/2017 |
| 62-762.451 | 12/22/2016 | 1/11/2017 |
| 62-762.501 | 12/22/2016 | 1/11/2017 |
| 62-762.502 | 12/22/2016 | 1/11/2017 |

|               |            |           |
|---------------|------------|-----------|
| 62-762.511    | 12/22/2016 | 1/11/2017 |
| 62-762.601    | 12/22/2016 | 1/11/2017 |
| 62-762.602    | 12/22/2016 | 1/11/2017 |
| 62-762.611    | 12/22/2016 | 1/11/2017 |
| 62-762.641    | 12/22/2016 | 1/11/2017 |
| 62-762.701    | 12/22/2016 | 1/11/2017 |
| 62-762.702    | 12/22/2016 | 1/11/2017 |
| 62-762.711    | 12/22/2016 | 1/11/2017 |
| 62-762.801    | 12/22/2016 | 1/11/2017 |
| 62-762.802    | 12/22/2016 | 1/11/2017 |
| 62-762.821    | 12/22/2016 | 1/11/2017 |
| 62-762.851    | 12/22/2016 | 1/11/2017 |
| 62-762.891    | 12/22/2016 | 1/11/2017 |
| 62-762.901    | 12/22/2016 | 1/11/2017 |
| 62B-41.002    | 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-41.003    | 12/22/2016 | 1/11/2017 |
| 62B-41.005    | 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-41.0055   | 12/22/2016 | 1/11/2017 |
| 62B-41.007    | 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-41.0075   | 12/22/2016 | 1/11/2017 |
| 62B-41.008    | 12/22/2016 | 1/11/2017 |
| 62B-41.008    | 12/22/2016 | 1/11/2017 |
| 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              |
| 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             |
| 64B6-7.006  | 12/22/2016       | 1/11/2017             |
| 64B-9.005   | 12/21/2016       | 1/10/2017             |
| 64B-9.007   | 12/21/2016       | 1/10/2017             |
| 64K-1.004   | 12/23/2016       | 1/12/2017             |
| 65C-30.020  | 12/20/2016       | 1/9/2017              |
| 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             |
| 68A-9.002   | 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             |
| 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 | **/**/**** |

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
 Clean Water State Revolving Fund  
 NOTICE OF AVAILABILITY  
 FLORIDA CATEGORICAL EXCLUSION NOTICE  
 Tavares, Florida

The Florida Department of Environmental Protection (DEP) has determined that the City of Tavares’ proposed projects, which consist of lift station 49 improvements, replacing 16,000 linear feet of gravity sewers, lining selected gravity sewers, and the rehabilitation of selected manholes, are not expected to generate controversy over potential environmental effects. The total estimated construction cost is \$3,212,238. This project may qualify for Clean Water State Revolving Fund (CWSRF) loans comprised of federal or state funds. DEP will consider public comments about the environmental impacts of the proposed projects that are postmarked or delivered at the address below within 30 days of this notice. A full copy of the Florida Categorical Exclusion Notice can be obtained by writing to Pankaj Shah, CWSRF Program, Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 3505, Tallahassee, Florida 32399-3000, calling (850)245-2962, or by emailing Pankaj.Shah@dep.state.fl.us.

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
 Clean Water State Revolving Fund  
 NOTICE OF AVAILABILITY  
 FLORIDA CATEGORICAL EXCLUSION NOTICE  
 Deltona, Florida

The Florida Department of Environmental Protection (DEP) has determined that the City of Deltona’s projects that include a surface water intake/pump station on Lake Monroe, a 24-inch transmission main, covered storage for raw surface water and stormwater, treatment consisting of coagulation, flocculation, filtration, and disinfection, as well as finished water storage, are not expected to generate controversy over potential environmental effects. The total estimated construction cost is \$13,000,000. This project may qualify for Clean Water State Revolving Fund (CWSRF) loans comprised of federal or state funds. DEP will consider public comments about the environmental impacts of the proposed projects that are postmarked or delivered at the address below within 30 days of this notice. A full copy of the Florida Categorical Exclusion Notice can be obtained by writing to Pankaj Shah, CWSRF Program, Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 3505, Tallahassee, Florida 32399-3000, by calling (850)245-2962, or by emailing Pankaj.Shah@dep.state.fl.us.

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.