

considered as candidates are required to submit five bound statements of qualifications that include at least the following data, to be organized in the following order:

1. A copy of Florida construction licensure and corporate registration certificates.
2. Completed AIA Document A305 Contractor's Qualification Statement, latest edition.
3. Proof of general, automobile and workers' compensation liability insurance coverage.
4. A separate statement as to whether the firm is a certified Small/or Minority Business Enterprise as defined by the Florida Small Business Assistance Act of 1985.
5. A list of at least five client references consisting of name, title, address, telephone number and project name(s) for each project.
6. Resumes of key personnel that would be used on this project.
7. A schedule of completion based on provided interior design scope of work and related phasing plans.
8. Past experience of a phased interior update of an occupied nursing and rehabilitation facility project.
9. A list of AHCA reviewed and/or inspected projects. No others are considered applicable.
10. Location of firm's main office.

All interested firms are further informed as follows:

1. The Hospital reserves the right to reject any or all submittals.
2. The basis for selecting candidates includes, but is not limited to, consideration of related project experience, qualifications of proposed team and schedule. The Hospital reserves the right to request additional information beyond the data set forth above.
3. Any general contracting firm previously engaged in phasing, scheduling or pricing on this project is excluded from participating in the selection of or providing general contracting work on this project.
4. Electronic project related information packets are available for pick up on Wednesday January 27, 2010, at 1515 S. Osprey Ave., Building A, Sarasota, FL 34239.

Submissions shall be titled

GENERAL CONTRACTING WORK

for

The Sarasota Memorial Hospital
Nursing and Rehabilitation Center
SARASOTA, FLORIDA

5. Submittals shall not contain pricing information.
6. Submittals must be received by the Hospital no later than 3:30 p.m., Wednesday, February 17, 2010 and submitted to Thomas Perigo, Director of Architecture and Facility Planning located at 1515 S. Osprey Avenue, Building A, Sarasota, FL 34239. Submittals received after this deadline will remain unopened and available for pick up.

7. The selection committee will meet in a public meeting at Waldemere Auditorium located at 1700 S. Tamiami Tr., Sarasota, FL 34239, Level One, on Monday March 8, 2010 from 8:00 a.m. to 12:00 Noon, to discuss and announce the top three ranked firms with whom the Hospital will subsequently engage in contract negotiations. All interested parties are invited to attend.
8. Interested persons should contact: Jim Bugyis at (941)917-1802 with any project related questions.
9. No attempts shall be made to contact Administrators, Board Members or any SMH staff other than the contact name listed, under the potential penalty of disqualification from the process.

**Section XII
Miscellaneous**

DEPARTMENT OF EDUCATION

The Florida Department of Education announces the call for publishers' submissions of comprehensive prekindergarten curricula for the 2010 Voluntary Prekindergarten (VPK) Curriculum Approval Process.

For the purposes of this approval process, a curriculum is defined as a set of written materials that

- is replicable
- addresses the use of materials, scheduling, arranging the environment, and interaction between children and adults, either separately or in combination
- includes more than activity suggestions and more than theory and pedagogy
- is aligned with the VPK Education Standards
- is aligned with scientifically-based research.

Only comprehensive curricula will be reviewed for approval during this process. In order to be considered comprehensive, the materials submitted must stand alone and cover the VPK Education Standards in all eight domains. If ancillary or supplemental materials are required in order for a given curriculum to be considered comprehensive those additional materials must be submitted with the basic curriculum as a packaged set (i.e., "curriculum package") and must be made available to providers as a complete curriculum at a set price.

For information on the 2008 Florida VPK Education Standards, see a list of standards and benchmarks at: <http://www.fldoe.org/earlylearning/pdf/vpkedstandard.pdf> or purchase the standards book from UNF/FIE at: <http://www.unf.edu/dept/fie/PDF%20Folder/Support%20Materials%202009.pdf>.

Information about the process, including policies and procedures, specifications, and deadlines, will be posted on the DOE/OEL website at in the near future at: <http://www.fldoe.org/earlylearning/curric.asp>. Questions related to this

announcement may be directed to: Dr. Tara Huls, Program Specialist or Denise Bishop, Director of Program Standards and Professional Development at (850)245-0445 or by email: tara.huls@fldoe.org or denise.bishop@fldoe.org, respectively.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Spyker Automobielen B.V. Limited Liability Company, intends to allow the establishment of C.M.Z. Enterprises, Inc., as a dealership for the sale of automobiles manufactured by Spyker Automobielen B.V. Limited Liability Company (SPYK) at 14100 Biscayne Boulevard, North Miami (Miami-Dade County), Florida 33181, on or after February 1, 2010.

The name and address of the dealer operator(s) and principal investor(s) of C.M.Z. Enterprises, Inc. are dealer operator(s): Craig M. Zinn, 16150 Pines Boulevard, Pembroke Pines, Florida 33027; principal investor(s): Craig M. Zinn, 16150 Pines Boulevard, Pembroke Pines, Florida 33027.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Carsten F. Preisz, Spyker of North America, LLC, 3075 East Thousand Oaks Boulevard, Suite 32, Westlake Village, California 91362.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for the Relocation of a
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that American Suzuki Motor Corporation, intends to allow the relocation of Sky Powersports of Hudson, LLC, as a dealership for the sale of motorcycles manufactured by American Suzuki Motor Corporation (SUZI) from its present location at 16609 US Highway 19 North, Hudson (Pasco County), Florida 34667, to a proposed location at 8822 US Highway 19, Port Richey (Pasco County), Florida 34668, on or after February 15, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Sky Powersports of Hudson LLC, are dealer operator(s): Charles R. Northey, & Robert P. Lehoullier 16609 US Highway 19 North, Hudson, Florida 34667, principal investor(s): Charles R. Northey, & Robert P. Lehoullier, 16609 US Highway 19 North, Hudson, Florida 34667-4381.

The notice indicates intent to relocate the franchise in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Tom Buttleman, American Suzuki Motor Corporation, 3251 East Imperial Highway, Brea, California 92821.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that General Motors, LLC, intends to allow the establishment of BCSS, Ltd., as a dealership for the sale of

automobiles manufactured by General Motors, LLC (BUIC) at 5500 North State Road 7, Coconut Creek (Broward County), Florida 33073, on or after February 22, 2010.

The name and address of the dealer operator(s) and principal investor(s) of BCSS, Ltd., are dealer operator(s): Louis C. Bachrodt III, 5500 North State Road 7, Coconut Creek, Florida 33073; principal investor(s): Louis C. Bachrodt III, 5500 North State Road 7, Coconut Creek, Florida 33073.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Greg Ross, General Motors, LLC, 100 GM Renaissance Center, Detroit, Michigan 48265.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that General Motors, LLC, intends to allow the establishment of BCSS, Ltd., as a dealership for the sale of automobiles manufactured by General Motors, LLC (GMC) at 5500 North State Road 7, Coconut Creek (Broward County), Florida 33073, on or after February 22, 2010.

The name and address of the dealer operator(s) and principal investor(s) of BCSS, Ltd. are dealer operator(s): Louis C. Bachrodt III, 5500 North State Road 7, Coconut Creek, Florida 33073; principal investor(s): Louis C. Bachrodt III, 5500 North State Road 7, Coconut Creek, Florida 33073.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Greg Ross, General Motors, LLC, 100 GM Renaissance Center, Detroit, Michigan, 48265.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Mitsubishi Motors North America, Inc., intends to allow the establishment of Prestige Saturn of Jacksonville, Inc., d/b/a Orange Park Mitsubishi, as a dealership for the sale of automobiles manufactured by Mitsubishi Motors North America, Inc. (MITS) at 8105 Blanding Boulevard, Jacksonville (Duval County), Florida 32244, on or after January 25, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Prestige Saturn Of Jacksonville, Inc. are dealer operator(s): Gregory Jackson, 10863 Phillips Highway, Jacksonville, Florida 32256; principal investor(s): Gregory Jackson, 10863 Phillips Highway, Jacksonville, Florida 32256.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Andrew Stewart, Mitsubishi Motors North America, Inc., 516 Heron Drive, Swedesboro, New Jersey 08085.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

REGIONAL PLANNING COUNCILS

Pursuant to Section 324 of the Emergency Planning and Community Right-to-Know Act (EPCRA), the following information is available to the public upon request during normal working hours by the Treasure Coast Regional Planning Council's Local Emergency Planning Committee, 421 S. W. Camden Avenue, Stuart, FL 34994.

- Hazardous Chemical Inventory (Tier Two) Forms
- Material Safety Data Sheets (MSDS)
- Emergency Release Follow-up Reports
- Hazardous Analyses for Facilities with Extremely Hazardous Substances
- LEPC Hazardous Materials Emergency Response Plan
- How-to-Comply Information Training for First Responders
- "Are You Prepared for a Hazardous Materials Emergency?" Video and Brochure for the General Public
- Other Public Education Materials

Your Telephone Book may contain Hazardous Materials Emergency Information that you could be asked to follow in an actual emergency.

The Treasure Coast Regional Planning Council's Local Emergency Planning Committee (Florida District 10 LEPC) serves Indian River, Martin, Palm Beach, and St. Lucie Counties. To obtain information on the above items, please contact: Kathryn E. Boer at (772)221-4060, ext. 24, e-mail: kboer@tcrpc.org or visit www.tcrpc.org.

AGENCY FOR HEALTH CARE ADMINISTRATION

HOSPITAL FIXED NEED POOL FOR COMPREHENSIVE MEDICAL REHABILITATION BEDS

The Agency for Health Care Administration has projected a fixed bed need pool for comprehensive medical rehabilitation hospital beds for July 2015 pursuant to the provisions of Rules 59C-1.008 and 59C-1.039, F.A.C. Net bed need projections for comprehensive medical rehabilitation hospital beds have been adjusted according to occupancy rate thresholds as prescribed

by the above-mentioned rules. Letters of intent to apply for Certificates of Need pursuant to this notice must be filed with: Certificate of Need Program Office, Building 1, Room 220 MS #28, 2727 Mahan Drive, Tallahassee, Florida 32308, on or before 5:00 p.m., February 8, 2010.

Any person who identifies an error in the fixed need pool numbers must advise the agency of the error within ten (10) days of publication of the number. If the agency concurs with the error, the fixed need pool number will be adjusted and republished in the first available edition of the Florida Administrative Weekly. Failure to notify the agency of the error during this ten day time period will result in no adjustment to the fixed need pool number for this cycle and a waiver of the person's right to raise the error at subsequent proceedings. Any other adjustments will be made in the first cycle subsequent to identification of the error including those errors identified through administrative hearings or final judicial review.

Any person whose substantial interest is affected by this action and who timely advised the agency of any error in the action has a right to request an administrative hearing pursuant to Section 120.57, Florida Statutes. In order to request a proceeding under Section 120.57, Florida Statutes, your request for an administrative hearing must state with specificity which issues of material fact or law are in dispute. All requests for hearings shall be made to the Agency for Health Care Administration and must be filed with: Agency Clerk, 2727 Mahan Drive, Building 3, Suite 3431, Tallahassee, Florida 32308. All requests for hearings must be filed with the agency clerk within 21 days of this publication or the right to a hearing is waived.

Comprehensive Medical Rehabilitation Bed Need

	Net Adjusted Bed Need
District 1	0
District 2	0
District 3	0
District 4	0
District 5	0
District 6	0
District 7	0
District 8	0
District 9	0
District 10	0
District 11	0
Total Statewide	0

NOTICE OF FIXED NEED POOL FOR NEONATAL INTENSIVE CARE SERVICES FOR LEVEL II AND LEVEL III BEDS

The Agency for Health Care Administration has projected a fixed need pool for Level II and Level III neonatal intensive care unit services for July 2012, pursuant to the provisions of Rules 59C-1.008 and 59C-1.042, F.A.C. Letters of intent to apply for Certificates of Need pursuant to this notice must be filed with: Certificate of Need Program Office, Building 1, Room 220, MS #28, 2727 Mahan Drive, Tallahassee, Florida 32308, on or before 5:00 p.m., February 8, 2010.

Any person who identifies an error in the fixed need pool numbers must advise the agency of the error within ten (10) days of publication of the number. If the agency concurs with the error, the fixed need pool number will be adjusted and republished in the first available edition of the Florida Administrative Weekly. Failure to notify the agency of the error during this ten day time period will result in no adjustment to the fixed need pool number for this cycle and a waiver of the person's right to raise the error at subsequent proceedings. Any other adjustments will be made in the first cycle subsequent to identification of the error including those errors identified through administrative hearings or final judicial review.

Any person whose substantial interest is affected by this action and who timely advised the agency of any error in the action has a right to request an administrative hearing pursuant to Section 120.57, Florida Statutes. In order to request a proceeding under Section 120.57, Florida Statutes, your request for an administrative hearing must state with specificity which issues of material fact or law are in dispute. All requests for hearings shall be made to the Agency for Health Care Administration and must be filed with: Agency Clerk, 2727 Mahan Drive, Building 3, Suite 3431, Tallahassee, Florida 32308. All requests for hearings must be filed with the agency clerk within 21 days of this publication or the right to a hearing is waived.

Fixed Need Pool Projections		
Neonatal Intensive Care Level II & Level III Services		
	Level II	Level III
	Net Need	Net Need
District 1	0	0
District 2	0	0
District 3	0	4
District 4	0	4
District 5	11	0
District 6	0	0
District 7	0	0
District 8	7	2
District 9	0	0

District 10	0	0
District 11	0	0
Statewide Total	18	10

NOTICE OF HOSPITAL FIXED NEED POOLS FOR PSYCHIATRIC AND SUBSTANCE ABUSE BEDS

The Agency for Health Care Administration has projected fixed bed need pools for adult and children and adolescent psychiatric and adult substance abuse beds for July 2015 pursuant to the provisions of Rules 59C-1.008, 59C-1.040, and 59C-1.041, F.A.C. Net bed need projections for adult and children and adolescent psychiatric and adult substance abuse hospital beds have been adjusted according to occupancy rate thresholds as prescribed by the above-mentioned rules. A fixed need pool projection for children and adolescent substance abuse beds is not made because the administrative rule governing this service does not include a mathematical formula for the calculation of need. An applicant seeking approval for these types of beds must establish need in its application. Letters of intent to apply for Certificates of Need pursuant to this notice must be filed with the Certificate of Need Program Office, Building 1, Room 220, MS #28, 2727 Mahan Drive, Tallahassee, Florida 32308, on or before 5:00 p.m., February 8, 2010.

Any person who identifies an error in the fixed need pool numbers must advise the agency of the error within ten (10) days of publication of the number. If the agency concurs with the error, the fixed need pool number will be adjusted and republished in the first available edition of the Florida Administrative Weekly. Failure to notify the agency of the error during this ten day time period will result in no adjustment to the fixed need pool number for this cycle and a waiver of the person's right to raise the error at subsequent proceedings. Any other adjustments will be made in the first cycle subsequent to identification of the error including those errors identified through administrative hearings or final judicial review.

Any person whose substantial interest is affected by this action and who timely advised the agency of any error in the action has a right to request an administrative hearing pursuant to Section 120.57, Florida Statutes. In order to request a proceeding under Section 120.57, Florida Statutes, your request for an administrative hearing must state with specificity which issues of material fact or law are in dispute. All requests for hearings shall be made to the Agency for Health Care Administration and must be filed with: Agency Clerk, 2727 Mahan Drive, Building 3, Suite 3431, Tallahassee, Florida 32308. All requests for hearings must be filed with the agency clerk within 21 days of this publication or the right to a hearing is waived.

Psychiatric and Substance Abuse Net Bed Need

	Adult Psychiatric Beds Net Adjusted Bed Need	Children & Adolescent Psychiatric Beds Net Adjusted Bed Need	Adult Substance Abuse Beds Net Adjusted Bed Need
District 1	0	0	0
District 2	0	0	0
District 3	1	0	0
District 4	0	0	0
District 5	0	0	0
District 6	0	6	0
District 7	0	0	0
District 8	0	0	0
District 9	0	0	0
District 10	0	0	0
District 11	0	0	0
Total Statewide	1	6	0

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

The Department of Environmental Protection (Department) gives notice of its intent to issue a variance (0151551-014-EV-VE) to CF Industries, Inc. (CF), Post Office Box 1549, Wauchula, Florida 33873, under Section 403.201(1)(a), Florida Statutes, (F.S.), from the provisions of subsection 62-302.530(30), Florida Administrative Code (F.A.C.), which provides minimum standards for dissolved oxygen levels in surface waters. This variance will only apply to dissolved oxygen levels within the hypolimnion (the deepest layer) of each man-made lake constructed under conceptual reclamation plan CFI-SP-CPC at CF's South Pasture Mine.

The South Pasture Mine is located approximately 13 miles northwest of the City of Wauchula, approximately 0.5 of a mile south of State Road 62, and along the east and west sides of Fort Green-Ona Road (County Road 663) in Sections 20-29 and 32-36, Township 33 South, Range 23 East; Sections 17, 18, and 20-36, Township 33 South, Range 24 East; and Sections 19 and 30, Township 33 South, Range 25 East in Hardee County, Florida. The primary drainage basins on the site are Brushy Creek, Coons Bay Branch, Doe Branch, East Branch, Gum Swamp Branch, Hog Branch, Horse Creek, Lettis Creek, Plunder Branch, Shirttail Branch, and Troublesome Creek (all Class III waters). The project is located entirely in the Peace River Basin, Class III Waters.

The dissolved oxygen levels in the hypolimnions of the man-made lakes are expected to drop below the minimum of 5.0 mg/L at times. The low dissolved oxygen levels in the hypolimnions of the man-made lakes are not expected to result in any on-site or off-site impacts. Oxygen levels in the upper layers of the man-made lakes are expected to meet the requirements of Rule 62-302.530, F.A.C., and be adequate to support healthy fish populations. Once reclamation is completed, the man-made lakes will be connected to reclaimed and/or preserved wetlands and streams. Water exiting each of the man-made lakes is expected to meet the requirements for dissolved oxygen and other water quality criteria of Rule 62-302.530, F.A.C. There is no practical means known or available to achieve the required dissolved oxygen levels within the hypolimnions of the man-made lakes. Therefore, consistent with Section 373.414(6)(a), F.S., the Department intends to grant a variance pursuant to Section 403.201(1)(a), F.S., for dissolved oxygen within the hypolimnions of the man-made lakes approved in conceptual reclamation plan CFI-SP-CPC.

Under this intent to issue, this variance is hereby granted subject to the applicant's compliance with any requirement in this intent to publish notice of this intent in a newspaper of general circulation and to provide proof of such publication in accordance with Section 50.051, F.S. This action is final and effective on the date filed with the Clerk of the Department unless a sufficient petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., as provided below. If a sufficient petition for an administrative hearing is timely filed, this intent to issue automatically becomes only proposed agency action on the application, subject to the result of the administrative review process. Therefore, on the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. When proof of publication is provided, if required by this intent, and if a sufficient petition is not timely filed, the variance will be granted as a ministerial action. Because an administrative hearing may result in the reversal or substantial modification of this action, the applicant is advised not to commence construction or other activities until the deadlines noted below for filing a petition for an administrative hearing or request for an extension of time have expired and until the variance has been executed and delivered. Mediation is not available.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received by the clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Under subsection 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with: Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon. If a request is filed late, the Department may still grant it upon a motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect.

If a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Intervention will be permitted only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

In accordance with Section 403.201, F.S., petitions for an administrative hearing by the applicant must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S.

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) the name and address of each agency affected and each agency's file or identification number, if known; (b) the name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination; (c) a statement of when and how the petitioner received notice of the agency decision; (d) a statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) a concise statement of the ultimate facts alleged, including the specific

facts that the petitioner contends warrant reversal or modification of the agency's proposed action; (f) a statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and (g) a statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C. Under Sections 120.569(2)(c) and (d), F.S., a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

This intent to issue a variance constitutes an order of the Department. Subject to the provisions of Section 120.68(7)(a), F.S., which may require a remand for an administrative hearing, the applicant has the right to seek judicial review of the order under Section 120.68, F.S., by the filing of a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with: Clerk of the Department, Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the order is filed with the Clerk of the Department.

The Department of Environmental Protection gives notice of its intent to grant a variance under Section 403.201, F.S., from the provisions of paragraph 62-4.244(5)(c), F.A.C., to Indian River County Board of County Commissioners, c/o Jonathan Gorham – Coastal Coordinator, 1900 27th Street, Vero Beach, FL 32960, (File No.: 0285993-002-EV) to allow a temporary mixing zone at the beach placement site of 500 meters down drift and up to 130 meters offshore, or to the nearest continuous hardbottom edge, whichever is less, when using an approved upland sand source; and to allow a mixing zone of 750 meters down drift and up to 130 meters offshore, or to the nearest continuous hardbottom edge, whichever is less, when using an approved offshore sand source. The variance is sought in conjunction with a joint coastal permit application (File No.: 0285993-001-JC) to construct a beach restoration project along a 6.6-mile section of Indian River County coastline (Sector 3) in Class III waters of the Atlantic Ocean, including a portion located within the Archie Carr National Wildlife Preserve, which is designated as Outstanding Florida Waters (OFW). Turbidity at the edge of the mixing zone shall not exceed 29 NTUs above background when the mixing zone terminates outside the OFW and shall not exceed

background turbidity levels when the mixing zone terminates within the OFW. The variance is sought during the time period of construction for the life of the permit.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received by the clerk) in the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000.

Mediation under Section 120.573 of the Florida Statutes is not available.

Because the administrative hearing process is designed to redetermine final agency action on the application, the filing of a petition for an administrative hearing may result in a modification of the agency action or even a denial of the application. If a sufficient petition for an administrative hearing or request for an extension of time to file a petition is timely filed, this agency action automatically becomes only proposed agency action on the application, subject to the result of the administrative review process. Accordingly, the applicant is advised not to commence construction or other activities in accordance with this variance until the deadlines noted below for filing a petition for an administrative hearing, or request for an extension of time has expired.

Under subsections 28-106.111(3) and 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed: Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon. If a request is filed late, the Department may still grant it upon a motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect.

In the event that a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Any intervention will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

In accordance with subsections 28-106.111(2) and 62-110.106(3)(a), (4), F.A.C., petitions for an administrative hearing by the applicant must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice

under Section 120.60(3), F.S., must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first.

Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S.

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action; and (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action; (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C. Under Sections 120.569(2)(c) and (d), F.S., a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

This action is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above. Upon the timely filing of a petition this order will not be effective until further order of the Department.

This variance constitutes an order of the Department. The applicant has the right to seek judicial review of the order under Section 120.68, Florida Statutes, by the filing of a notice of appeal under Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of

General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the final order is filed with the Clerk of the Department.

The Department of Environmental Protection gives notice of its intent to grant a variance under Section 403.201, F.S., from the provisions of paragraph 62-4.244(5)(c), F.A.C., to Okaloosa County, 1540 Miracle Strip Parkway, S. E., Ft. Walton Beach, FL 32548 (File No.: 0286575-002-BV) to allow the turbidity mixing zone to exceed 150 meters for work within Gulf Islands National Seashore, Outstanding Florida Waters (OFW); and Rule 62-4.242(2)(a)2.b., F.A.C., to allow water quality degradation within an OFW to extend beyond a period of thirty (30) days to ninety (90) days, in order to complete the project. The County intends to undertake a beach restoration project in Okaloosa County along the shoreline from Department of Environmental Protection Reference Monument R-17 to R-23. At the dredge sites, the mixing zone would extend 1,500 meters downcurrent of the dredge. The Department's file on this matter is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Protection, Bureau of Beaches and Coastal Systems, 5050 West Tennessee Street, Building B, Tallahassee, Florida 32304-9201, (850)488-7708.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received by the clerk): Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000.

Mediation under Section 120.573, F.S. is not available.

Because the administrative hearing process is designed to redetermine final agency action on the application, the filing of a petition for an administrative hearing may result in a modification of the agency action or even a denial of the application. If a sufficient petition for an administrative hearing or request for an extension of time to file a petition is timely filed, this agency action automatically becomes only proposed agency action on the application, subject to the result of the administrative review process. Accordingly, the applicant is advised not to commence construction or other activities in accordance with this variance until the deadlines noted below for filing a petition for an administrative hearing, or request for an extension of time has expired.

Under subsections 28-106.111(3) and 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department

may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with: Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon. If a request is filed late, the Department may still grant it upon a motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect.

In the event that a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Any intervention will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

In accordance with subsections 28-106.111(2) and 62-110.106(3)(a), (4), F.A.C., petitions for an administrative hearing by the applicant must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first.

Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S.

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action; and (f) A

statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action; (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C. Under Sections 120.569(2)(c) and (d), F.S., a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

This action is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above. Upon the timely filing of a petition this order will not be effective until further order of the Department.

This variance constitutes an order of the Department. The applicant has the right to seek judicial review of the order under Section 120.68, Florida Statutes, by the filing of a notice of appeal under Rule 9.110, Florida Rules of Appellate Procedure, with: Clerk of the Department, Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the final order is filed with the Clerk of the Department.

The Department of Environmental Protection gives notice of its intent to grant an exemption from the Class G-II ground water standard for color pursuant to Rule 62-520.500, F.A.C., as part of the Class V underground injection control operation Permit Number 141218-033-040-UO/5X for the City of Marco Island Marco Lakes raw water supply. The exemption is for the aquifer storage and recovery (ASR) project injecting surface water from Marco Lakes into Class G-II ground water. The ASR facility is located east of CR 951, north of US 41, and west of Henderson Creek, Collier County, Florida. The exemption is granted for the duration of Marco Island's underground injection control operation permit number 141218-033-040-UO/5X for ASR-1, 2, 3, 5, 6, 8, and 9 and is made a part of the permit. The applicant, in conjunction with the Permit Number 141218-033-040-UO/5X, must petition for any future exemptions for construction of any new ASR wells or an operation permit for any ASR project at the facility.

A person whose substantial interests are affected by the Department's proposed exemption decision may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received): Office of General Counsel of the Department, 3900

Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, within 21 days of publication of this notice. The petitioner must mail a copy of the petition to the applicant, the City of Marco Island, Mr. Rony Joel, Director of Public Works, 50 Bald Eagle Drive, Marco Island, Florida 34145, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, Florida Statutes, or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will only be at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Department's action is based must contain the following information:

- (a) The name, address, and telephone number of each petitioner; the name, address, and telephone number of the petitioner's representative, if any; the Department case or identification number and the county in which the subject matter or activity is located;
- (b) A statement of when and how each petitioner received notice of the Department action;
- (c) A statement of how each petitioner's substantial interests are affected by the Department action;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A statement of facts that the petitioner contends warrant reversal or modification of the Department action;
- (f) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief; and
- (g) Demand for relief (sought by the petitioner, stating precisely the action that the petitioner wants the Department to take).

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department on the petitions have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation is not available for this proceeding.

The application is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Florida

Department of Environmental Protection, 2600 Blair Stone Road, Room 212E, Tallahassee, Florida 32399-2400; telephone Joe Haberfeld at (850)245-8655.

NOTICE OF INTENT TO ISSUE PROPOSED
MODIFICATION OF POWER PLANT CERTIFICATION

The Florida Department of Environmental Protection (Department) hereby provides notice of an intent to modify the Power Plant Conditions of Certification issued pursuant to the Florida Electrical Power Plant Siting Act, Chapter 403.501 et seq., Florida Statutes, concerning: Cedar Bay Cogeneration Plant, Power Plant Siting Application No. PA88-24I, OGC Case No.: 09-4160. Pursuant to Section 403.516(1)(c), Florida Statutes, the Department proposes to modify the Conditions of Certification for the Cedar Bay Cogeneration Power plant site to conform with revised rule language, including the facility's Ground Water Monitoring Report [DEP form 62-620.910(10)]. A copy of the proposed modification may be obtained by contacting: Michael P. Halpin, P.E., Administrator, Siting Coordination Office, Department of Environmental Protection, 3900 Commonwealth Blvd., MS #48, Tallahassee, Florida 32399-3000, (850)245-2002. Pursuant to Section 403.516(1)(c)2., Florida Statutes, parties to the certification proceeding have 45 days from issuance of notice to such party's last address of record in which to object to the requested modification. Failure of any of the parties to file a response will constitute a waiver of objection to the requested modification. Any person who is not already a party to the certification proceeding and whose substantial interest is affected by the requested modification has 30 days from the date of publication of this public notice to object in writing. The written objection must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, MS #35, Tallahassee, Florida 32399-3000. If no objections are received, then a Final Order approving the modification shall be issued by the Department. If objections are raised and agreement cannot be reached, then pursuant to Rule 62-17.211, Florida Administrative Code, the applicant may file a petition for modification seeking approval of those portions of the request for modification to which written objections were timely filed. Mediation is not available in this proceeding.

The Florida Department of Environmental Protection (Department) hereby provides notice of an intent to modify the Power Plant Conditions of Certification issued pursuant to the Florida Electrical Power Plant Siting Act, Chapter 403.501 et seq., Florida Statutes, concerning: Levy Nuclear Project, Power Plant Siting Application No. PA08-51, OGC Case No. 09-4277. On December 16, 2009 the Department received a request to modify the Conditions of Certification for the Levy Nuclear Project from Progress Energy Florida (PEF) pursuant to Section 403.516(1)(c), Florida Statutes, to alter the submittal

deadline for refinements to the January 13, 2009 Wetland Mitigation Plan. The Department proposes to modify the Conditions of Certification to alter the submittal deadline and to permit further extensions by agreement of PEF and the Department. A copy of the proposed modification may be obtained by contacting: Michael P. Halpin, P.E., Administrator, Siting Coordination Office, Department of Environmental Protection, 3900 Commonwealth Boulevard, MS #48, Tallahassee, Florida 32399-3000, (850)245-2002. Pursuant to Section 403.516(1)(c)2., Florida Statutes, parties to the certification hearing have 45 days from issuance of notice to such party's last address of record in which to object to the requested modification. Failure of any of the parties to file a response will constitute a waiver of objection to the requested modification. Any person who is not already a party to the certification hearing and whose substantial interest is affected by the requested modification has 30 days from the date of publication of this public notice to object in writing. The written objection must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, MS #35, Tallahassee, Florida 32399-3000. If no objections are received, then a Final Order approving the modification shall be issued by the Department. If objections are raised and agreement cannot be subsequently reached, then pursuant to Section 403.516(1)(c)3., Florida Statutes, and Rule 62-17.211, Florida Administrative Code, PEF or the Department may file a request for a hearing with the Department and the Division of Administrative Hearings on those portions of the request for modification to which written objections were timely filed. The request for hearing will be handled pursuant to Chapter 120, Florida Statutes, and in accordance with Section 403.516(1)(c)4., Florida Statutes, and subparagraph 62-17.211(1)(b)7., Florida Administrative Code. Mediation is not available in this proceeding.

The Department of Environmental Protection gives notice of its intent to grant a variance under Section 403.201, F.S., from the provisions of paragraph 62-4.244(5)(c), F.A.C., to the United States Corps of Engineers, 701 San Marco Blvd., Jacksonville, FL 32207, (File No.: 0221569-009-BV) to allow the turbidity mixing zone to exceed 150 meters for work within Pinellas County Aquatic Preserve, Outstanding Florida Waters (OFW); and sub-subparagraph 62-4.242(2)(a)2.b., F.A.C., to allow water quality degradation within an OFW to extend beyond a period of thirty (30) days to ninety (60) days, in order to complete the project. The Army Corp of Engineers intends to undertake a beach nourishment project in Pinellas County along the shoreline from Department of Environmental Protection Reference Monument R-144 to R-148. The Department's file on this matter is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the

Department of Environmental Protection, Bureau of Beaches and Coastal Systems, 5050 West Tennessee Street, Building B, Tallahassee, Florida 32304-9201, (850)488-7708.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received by the clerk): Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Mediation under Section 120.573, F.S. is not available.

Because the administrative hearing process is designed to redetermine final agency action on the application, the filing of a petition for an administrative hearing may result in a modification of the agency action or even a denial of the application. If a sufficient petition for an administrative hearing or request for an extension of time to file a petition is timely filed, this agency action automatically becomes only proposed agency action on the application, subject to the result of the administrative review process. Accordingly, the applicant is advised not to commence construction or other activities in accordance with this variance until the deadlines noted below for filing a petition for an administrative hearing, or request for an extension of time has expired.

Under subsections 28-106.111(3) and 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with: Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon. If a request is filed late, the Department may still grant it upon a motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect.

In the event that a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Any intervention will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

In accordance with subsections 28-106.111(2) and 62-110.106(3)(a), (4), F.A.C., petitions for an administrative hearing by the applicant must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice

under Section 120.60(3), F.S., must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first.

Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S.

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action; and (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action; (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C. Under Sections 120.569(2)(c) and (d), F.S., a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

This action is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above. Upon the timely filing of a petition this order will not be effective until further order of the Department.

This variance constitutes an order of the Department. The applicant has the right to seek judicial review of the order under Section 120.68, Florida Statutes, by the filing of a notice of appeal under Rule 9.110, Florida Rules of Appellate Procedure, with: Clerk of the Department, Office of General

Counsel, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the final order is filed with the Clerk of the Department.

DEPARTMENT OF HEALTH

On January, 6, 2010, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Margaret Garris Highsmith, R.N. License #RN 9294994. 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. 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.

On January, 6, 2010, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Carla Moore LeCompte, A.R.N.P. License #RN 9269520. 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. 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.

On January, 6, 2010, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Danilo Melendez, C.N.A License #CNA 125431. 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. 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.

On January, 11, 2010, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Jamie Ann Murray, R.N. License #RN 9276681. 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. 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.

On January, 12, 2010, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Dale A. Nadeau, C.N.A. License #CNA 167640. 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. 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 FINANCIAL SERVICES

DEPARTMENT OF FINANCIAL SERVICES
DIVISION OF TREASURY
BUREAU OF COLLATERAL MANAGEMENT
PUBLIC DEPOSITS SECTION

FOR PUBLIC DEPOSITORS TO RECEIVE THE PROTECTION FROM LOSS PROVIDED IN CHAPTER 280, FLORIDA STATUTES, THEY SHALL COMPLY WITH THE FOLLOWING ON EACH PUBLIC DEPOSIT ACCOUNT IN ADDITION TO ANY OTHER REQUIREMENTS SPECIFIED IN CHAPTER 280: (1) EXECUTE THE PUBLIC DEPOSIT IDENTIFICATION AND ACKNOWLEDGMENT FORM DFS-J1-1295 WITH THE QUALIFIED PUBLIC DEPOSITORY (QPD), MAINTAIN IT AS A VALUABLE RECORD, AND CONFIRM THE ACCOUNT ANNUALLY; (2) EXECUTE A REPLACEMENT FORM DFS-J1-1295 WHEN THERE IS A MERGER, ACQUISITION, NAME CHANGE, OR OTHER EVENT WHICH CHANGES THE ACCOUNT NAME, ACCOUNT NUMBER, OR NAME OF THE QPD.

THE FOLLOWING QPDS ARE AUTHORIZED TO HOLD PUBLIC DEPOSITS. THE CITIES AND STATES LISTED ARE THE HOME OFFICE LOCATIONS. QPDS MARKED WITH AN ASTERISK HAVE LIMITED THE AMOUNT OF PUBLIC DEPOSITS THEY WILL ADMINISTER. QPDS HAVING A DATE BESIDE THEIR NAME ARE IN THE PROCESS OF WITHDRAWING FROM THE PROGRAM AND SHALL NOT RECEIVE OR RETAIN PUBLIC DEPOSITS AFTER THE DATE SHOWN. THEY MAY, HOWEVER, HAVE CERTAIN OBLIGATIONS TO THE PROGRAM AFTER THAT DATE WITH WHICH THEY MUST COMPLY BEFORE CONCLUDING THE WITHDRAWAL PROCESS.

ALABAMA

ATMORE
UNITED BANK

BIRMINGHAM
COMPASS BANK
REGIONS BANK
SUPERIOR BANK

MOBILE
BANKTRUST

ARKANSAS

CONWAY
CENTENNIAL BANK

DELAWARE

WILMINGTON
TD BANK, N.A.

FLORIDA

ARCADIA
FIRST STATE BANK OF ARCADIA

BARTOW
COMMUNITY NATIONAL BANK AT BARTOW

12/31/2009

BELLE GLADE
BANK OF BELLE GLADE

BOCA RATON
1ST UNITED BANK
FIRST SOUTHERN BANK
LEGACY BANK OF FLORIDA
PARADISE BANK
SUN AMERICAN BANK

09/27/2009

BONIFAY
BANK OF BONIFAY

01/20/2011

BRADENTON
FIRST AMERICA BANK

BRANDON
PLATINUM BANK

CARRABELLE
GULF STATE COMMUNITY BANK *

CHIEFLAND
DRUMMOND COMMUNITY BANK

CHIPLEY
ONE SOUTH BANK

CLEWISTON
FIRST BANK
OLDE CYPRESS COMMUNITY BANK *

COCOA BEACH
SUNRISE BANK *

CORAL GABLES
BANKUNITED
GIBRALTAR PRIVATE BANK & TRUST COMPANY
THE BANK OF MIAMI, N.A.

10/03/2010

CRAWFORDVILLE
WAKULLA BANK

CRESTVIEW
FIRST NATIONAL BANK OF CRESTVIEW

DADE CITY
FIRST NATIONAL BANK OF PASCO
FLORIDA TRADITIONS BANK

DANIA BEACH
COMMUNITY BANK OF BROWARD

DAVIE
FLORIDIAN COMMUNITY BANK, INC. *
REGENT BANK

DAYTONA BEACH
FLORIDIAN BANK
GATEWAY BANK OF FLORIDA

DESTIN
DESTIN FIRST BANK
GULFSOUTH PRIVATE BANK

ENGLEWOOD ENGLEWOOD BANK PENINSULA BANK *		HOMESTEAD 1ST NATIONAL BANK OF SOUTH FLORIDA * COMMUNITY BANK OF FLORIDA	
EUSTIS FIRST GREEN BANK		IMMOKALEE FLORIDA COMMUNITY BANK	11/21/2011
FERNANDINA BEACH CBC NATIONAL BANK FIRST COAST COMMUNITY BANK		INDIANTOWN FIRST BANK AND TRUST COMPANY OF INDIANTOWN	
FORT LAUDERDALE BANKATLANTIC LANDMARK BANK, N.A. STONEGATE BANK VALLEY BANK		INVERNESS BRANNEN BANK	
FORT MYERS EDISON NATIONAL BANK FINEMARK NATIONAL BANK & TRUST FLORIDA GULF BANK IRONSTONE BANK RELIANCE BANK, F.S.B. SOUTHWEST CAPITAL BANK, N.A.		JACKSONVILLE AMERICAN ENTERPRISE BANK OF FLORIDA EVERBANK FIRSTATLANTIC BANK	
FORT PIERCE OCULINA BANK RIVERSIDE NATIONAL BANK OF FLORIDA *		JACKSONVILLE BEACH OCEANSIDE BANK *	
FORT WALTON BEACH BEACH COMMUNITY BANK FIRST CITY BANK OF FLORIDA * FNBT.COM BANK	09/19/2011	KEY WEST FIRST STATE BANK OF THE FLORIDA KEYS	
FROSTPROOF CITIZENS BANK & TRUST	11/08/2012	KISSIMMEE CENTERSTATE BANK CENTRAL FLORIDA, N.A.	
GAINESVILLE FLORIDA CITIZENS BANK MERCHANTS & SOUTHERN BANK		LAKE CITY COLUMBIA BANK FIRST FEDERAL BANK OF FLORIDA PEOPLES STATE BANK	
GRACEVILLE BANK OF JACKSON COUNTY * PEOPLES BANK OF GRACEVILLE		LAKELAND BANK OF CENTRAL FLORIDA COMMUNITY SOUTHERN BANK	
HALLANDALE DESJARDINS BANK, N.A.		LANTANA STERLING BANK	09/30/2009
		LARGO USAMERIBANK	
		LONGWOOD OLD FLORIDA NATIONAL BANK	
		MADISON MADISON COUNTY COMMUNITY BANK	

MARIANNA		NICEVILLE	
FIRST CAPITAL BANK		PEOPLES NATIONAL BANK	
MAYO		NORTH PALM BEACH	
LAFAYETTE STATE BANK		ENTERPRISE BANK OF FLORIDA	
MELBOURNE		OAKLAND PARK	
PRIME BANK		AMERICAN NATIONAL BANK	
MERRITT ISLAND		OCALA	
COMMUNITY BANK OF THE SOUTH		ALARION BANK	
MIAMI		COMMUNITY BANK & TRUST OF FLORIDA	
BAC FLORIDA BANK		GATEWAY BANK OF CENTRAL FLORIDA	
CITY NATIONAL BANK OF FLORIDA		INDEPENDENT NATIONAL BANK *	
COCONUT GROVE BANK		OLDSMAR	
CONTINENTAL NATIONAL BANK OF MIAMI		JEFFERSON BANK OF FLORIDA	
EASTERN NATIONAL BANK		ORANGE PARK	
ESPIRITO SANTO BANK *		HERITAGE BANK OF NORTH FLORIDA *	
EXECUTIVE NATIONAL BANK		ORLANDO	
GREAT FLORIDA BANK	10/07/2009	CNLBANK	
INTERAMERICAN BANK, F.S.B.		FLORIDA BANK OF COMMERCE	
JGB BANK, N.A.		OLD SOUTHERN BANK *	
MELLON UNITED NATIONAL BANK		ORANGE BANK OF FLORIDA	
METRO BANK OF DADE COUNTY	01/01/2010	SEASIDE NATIONAL BANK & TRUST	
NORTHERN TRUST, N.A.		URBAN TRUST BANK	
OCEAN BANK	01/16/2013	OVIEDO	
SUNSTATE BANK		CITIZENS BANK OF FLORIDA	
TOTALBANK		PALATKA	
TRANSATLANTIC BANK		FIRST FEDERAL BANK OF NORTH FLORIDA	
U.S. CENTURY BANK			10/31/2009
MILTON		PUTNAM STATE BANK	10/16/2009
FIRST NATIONAL BANK OF FLORIDA *		PALM COAST	
MONTICELLO		INTRACOASTAL BANK	
FARMERS & MERCHANTS BANK		PANAMA CITY	
MOUNT DORA		BAY BANK & TRUST COMPANY	
FIRST NATIONAL BANK OF MOUNT DORA		FIRST NATIONAL BANK NORTHWEST FLORIDA	
NAPLES		SUMMIT BANK, N.A.	
FIRST NATIONAL BANK OF THE GULF COAST		VISION BANK	
SHAMROCK BANK OF FLORIDA		PANAMA CITY BEACH	
TIB BANK		COASTAL COMMUNITY BANK	03/03/2012
NEW SMYRNA BEACH			
FRIENDS BANK			

PENSACOLA BANK OF THE SOUTH COASTAL BANK AND TRUST OF FLORIDA GULF COAST COMMUNITY BANK *		TALLAHASSEE CAPITAL CITY BANK PREMIER BANK PRIME MERIDIAN BANK TALLAHASSEE STATE BANK	
PERRY CITIZENS STATE BANK		TAMPA AMERICAN MOMENTUM BANK CENTRAL BANK FIRST CITRUS BANK FLORIDA BANK NORTHSTAR BANK THE PALM BANK *	11/16/2010
PINELLAS PARK FIRST COMMUNITY BANK OF AMERICA	12/24/2013		
POMPANO BEACH FLORIDA SHORES BANK – SOUTHEAST		THE VILLAGES CITIZENS FIRST BANK	
PORT CHARLOTTE CHARLOTTE STATE BANK		TRINITY PATRIOT BANK *	
PORT RICHEY REPUBLIC BANK		UMATILLA UNITED SOUTHERN BANK	
PORT ST. JOE BAYSIDE SAVINGS BANK *		VENICE FLORIDA SHORES BANK SOUTHWEST	
PORT ST. LUCIE FIRST PEOPLES BANK *		WAUCHULA FIRST NATIONAL BANK OF WAUCHULA WAUCHULA STATE BANK	
ST. AUGUSTINE BANK OF ST. AUGUSTINE PROSPERITY BANK	10/04/2011	WEST PALM BEACH FIRST BANK OF THE PALM BEACHES FLAGLER BANK GRAND BANK & TRUST OF FLORIDA	
ST. PETERSBURG SYNOVUS BANK		WILLISTON PERKINS STATE BANK	
SARASOTA LANDMARK BANK OF FLORIDA	11/25/2009	WINTER HAVEN CENTERSTATE BANK OF FLORIDA, N.A.	
SEBRING HEARTLAND NATIONAL BANK HIGHLANDS INDEPENDENT BANK		WINTER PARK BANKFIRST FIRST NATIONAL BANK OF CENTRAL FLORIDA * RIVERSIDE BANK OF CENTRAL FLORIDA *	
SOUTH MIAMI FIRST NATIONAL BANK OF SOUTH MIAMI		ZEPHYRHILLS CENTERSTATE BANK, N.A.	
STARKE COMMUNITY STATE BANK			
STUART GULFSTREAM BUSINESS BANK SEACOAST NATIONAL BANK *			

GEORGIA

ALBANY

HERITAGEBANK OF THE SOUTH

ATLANTA

SUNTRUST BANK

COLQUITT

PEOPLESSOUTH BANK

DARIEN

SOUTHEASTERN BANK

MOULTRIE

AMERIS BANK

IOWA

FORT DODGE

FIRST AMERICAN BANK

LOUISIANA

LAFAYETTE

IBERIABANK

NEW ORLEANS

WHITNEY NATIONAL BANK

MASSACHUSETTS

BOSTON

ONEUNITED BANK

MINNESOTA

ST. CLOUD

STEARNS BANK, N.A.

MISSISSIPPI

GULFPORT

HANCOCK BANK

JACKSON

TRUSTMARK NATIONAL BANK

KOSCIUSKO

MERCHANTS AND FARMERS BANK

STARKVILLE

CADENCE BANK, N.A. *

TUPELO

BANCORPSOUTH BANK

MISSOURI

CREVE COEUR

FIRST BANK

NEVADA

LAS VEGAS

CITIBANK, N.A.

NEW YORK

NEW YORK CITY

BANCO POPULAR NORTH AMERICA

07/17/2012

INTERVEST NATIONAL BANK

NORTH CAROLINA

CHARLOTTE

BANK OF AMERICA, N.A.

WACHOVIA BANK, N.A.

RALEIGH

RBC BANK (USA)

WINSTON-SALEM

BRANCH BANKING & TRUST COMPANY

OHIO

CINCINNATI

FIFTH THIRD BANK

WILMINGTON

LIBERTY SAVINGS BANK, F.S.B.

07/14/2010

PENNSYLVANIA

PITTSBURGH

PNC BANK, N.A.

SOUTH CAROLINA

GREENVILLE
CAROLINA FIRST BANK

TEXAS

HOUSTON
ENCORE BANK, N.A.

WISCONSIN

MILWAUKEE
M&I MARSHALL & ILSLEY BANK

THE FOLLOWING IS A LIST OF INSTITUTIONS THAT
HAD A CHANGE SINCE THE LAST PUBLICATION OF
THIS REPORT.

FIRST AMERICA BANK
OSPREY
FIRST AMERICA BANK'S HOME OFFICE IS NOW
LOCATED IN BRADENTON, FLORIDA.

FLAGSHIP NATIONAL BANK
BRADENTON
FLAGSHIP NATIONAL BANK (BRADENTON) FAILED
ON OCTOBER 23, 2009. FIRST FEDERAL BANK OF
FLORIDA (LAKE CITY) ENTERED INTO AN
AGREEMENT WITH THE FDIC AND ACQUIRED ALL OF
FLAGSHIP NATIONAL BANK'S DEPOSITS AND MOST
OF THEIR ASSETS. FIRST FEDERAL BANK OF
FLORIDA IS A QPD.

HANCOCK BANK OF FLORIDA
TALLAHASSEE
HANCOCK BANK OF FLORIDA (TALLAHASSEE) WAS
MERGED WITH AND INTO HANCOCK BANK
(GULFPORT, MISSISSIPPI) EFFECTIVE JANUARY 1,
2010. HANCOCK BANK, A NON QPD, AUTOMATICALLY
BECAME A QPD WITH THE ACQUISITION OF PEOPLES
FIRST COMMUNITY BANK'S DEPOSITS AND ASSETS
ON DECEMBER 18, 2009 AND HAS NINETY DAYS TO
COMPLETE THE NECESSARY PAPERWORK TO
REMAIN IN THE FLORIDA PUBLIC DEPOSITS
PROGRAM.

NATIONAL CITY BANK
CLEVELAND, OHIO
NATIONAL CITY BANK (CLEVELAND, OHIO) WAS
MERGED WITH AND INTO PNC BANK, N.A.
(PITTSBURGH, PENNSYLVANIA) EFFECTIVE AFTER
THE CLOSE OF BUSINESS NOVEMBER 6, 2009. PNC
BANK, N.A. AUTOMATICALLY BECAME A QPD WITH
THIS MERGER. PNC BANK, N.A. HAS FILED THE
NECESSARY PAPERWORK TO REMAIN IN THE
FLORIDA PUBLIC DEPOSITS PROGRAM.

ORION BANK
NAPLES
ORION BANK (NAPLES) FAILED ON NOVEMBER 13,
2009. IBERIABANK (LAFAYETTE, LOUISIANA)
ENTERED INTO AN AGREEMENT WITH THE FDIC AND
ACQUIRED ALL OF THE DEPOSITS AND MOST OF THE
ASSETS OF ORION BANK. IBERIABANK, A NON QPD,
AUTOMATICALLY BECAME A QPD WITH THE
ACQUISITION OF ORION BANK'S DEPOSITS AND
MOST OF THEIR ASSETS AND HAS NINETY DAYS TO
COMPLETE THE NECESSARY PAPERWORK TO
REMAIN IN THE FLORIDA PUBLIC DEPOSITS
PROGRAM.

PANTHER COMMUNITY BANK, N.A.
LEHIGH ACRES
PANTHER COMMUNITY BANK, N.A. (LEHIGH ACRES)
CHANGED ITS NAME TO FIRST NATIONAL BANK OF
THE GULF COAST AND MOVED ITS HOME OFFICE
LOCATION TO NAPLES, FLORIDA EFFECTIVE
OCTOBER 24, 2009.

PARTNERS BANK
NAPLES
PARTNERS BANK (NAPLES) FAILED ON OCTOBER 23,
2009. STONEGATE BANK (FORT LAUDERDALE)
ENTERED INTO AN AGREEMENT WITH THE FDIC AND
ACQUIRED THE ASSETS AND DEPOSITS OF PARTNERS
BANK. STONEGATE BANK, A NON QPD,
AUTOMATICALLY BECAME A QPD WITH THE
ACQUISITION OF PARTNERS BANK'S ASSETS AND
HAD NINETY DAYS TO COMPLETE THE NECESSARY
PAPERWORK TO REMAIN IN THE FLORIDA PUBLIC
DEPOSITS PROGRAM. THEY HAVE SINCE COMPLETED
ALL NECESSARY PAPERWORK.

PEOPLES FIRST COMMUNITY BANK

PANAMA CITY

PEOPLES FIRST COMMUNITY BANK (PANAMA CITY) FAILED ON DECEMBER 18, 2009. HANCOCK BANK (GULFPORT, MISSISSIPPI) ENTERED INTO AN AGREEMENT WITH THE FDIC AND ACQUIRED ALL OF PEOPLES FIRST COMMUNITY BANK'S DEPOSITS AND MOST OF THEIR ASSETS. HANCOCK BANK, A NON QPD, AUTOMATICALLY BECAME A QPD WITH THE ACQUISITION OF PEOPLES FIRST COMMUNITY BANK'S DEPOSITS AND ASSETS AND HAS NINETY DAYS TO COMPLETE THE NECESSARY PAPERWORK TO REMAIN IN THE FLORIDA PUBLIC DEPOSITS PROGRAM.

TURNBERRY BANK

AVENTURA

TURNBERRY BANK HAS WITHDRAWN FROM THE FLORIDA PUBLIC DEPOSITS PROGRAM.

FINANCIAL SERVICES COMMISSION

NOTICE OF FILINGS

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received the following application. Comments may be submitted to: Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing. However, pursuant to provisions specified in Chapter 69U-105, Florida Administrative Code, any person may request a public hearing by filing a petition with: Clerk, Legal Services Office, Office of Financial Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0379. The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., February 12, 2010):

APPLICATION TO MERGE

Constituent Institutions: Florida Bank of Commerce, Orlando, Florida, and Prime Bank, Melbourne, Florida
Resulting Institution: Florida Bank of Commerce
Received: January 12, 2010
