

Staff presentation at Policy Committee, Tuesday, July 27, 2010, 9:00 a.m.

Consultant selection, Tuesday, August 3, 2010, 9:00 a.m. (MPO meeting, BOCC Boardroom, 601 E. Kennedy Blvd., 2nd Floor)

REQUESTING UNIT: Hillsborough County Metropolitan Planning Organization

LETTER OF RESPONSE ADDRESS:

Three (3) Copies To:

Ramond Chiamonte, Executive Director
 Hillsborough County Metropolitan Planning Organization
 601 E. Kennedy Blvd., 18th Floor
 Tampa, Florida 33602-5117

LETTERS OF RESPONSE DEADLINE: 5:00 p.m. (EST), Friday, May 14, 2010

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."

FLORIDA WORKERS' COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC.

Notice of Quote Solicitation for Investment Accounting and Management Software

The FWCJUA is issuing a Quote Solicitation (QS) for the purpose of potentially purchasing an investment accounting and management software that provides a complete database for all investment instruments, specifically relevant to insurance companies utilizing both statutory accounting and GAAP accounting principles, to assist the FWCJUA in managing its investment portfolio.

The FWCJUA is searching for an investment accounting and management software solution to be utilized for investment accounting, financial reporting, portfolio management, and compliance monitoring. The software must be flexible, allow for both an individual segment view as well as a comprehensive view of all investments. Individual segment view would consist of either the type of investment (fixed income, certificate of deposits, money market funds, cash, etc.) or by subsidiary (FWCJUA currently has five but would like room for expansion if needed). The software would automate the calculations of both interest accruals and amortization on a single investment basis as well as include full reporting capabilities (both standard and adhoc reports that can be exported into excel or pdf format). Ideally, the software would interface with a statutory reporting software package, preferably TCP – Booke Seminars, and Microsoft Dynamics Great Plains General Ledger software. The software must be

able to run in a Microsoft Windows Citrix/Terminal Server (2008R2) environment. The database should be able to utilize the FWCJUA's existing dedicated Microsoft SQL server.

The FWCJUA is not a state agency. Accordingly, the QS process is not governed by the contracting procedures applicable to state agencies set forth in Florida Statutes and Rules. Any entity which responds to the QS must expressly acknowledge in its response its understanding that the contracting procedure requirements which apply to state agencies do not apply to the FWCJUA. Interested parties may obtain the QS on or after April 16, 2010 by written request to: Laura Torrence, Executive Director, FWCJUA, P. O. Box 48957, Sarasota, FL 34230 or by facsimile: (941)487-2525. Responses to the QS will be due at 12:00 p.m. (Eastern Time), May 6, 2010.

**Section XII
 Miscellaneous**

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN THAT the Division of Community Planning, Department of Community Affairs, received the following petitions for binding letters of Development of Regional Impact, Vested Rights and Modification Determinations, pursuant to Section 380.06(4)(a), Florida Statutes.

FILE NO.:	BLID-08-2009-002
DATE RECEIVED:	March 12, 2010
DEVELOPMENT NAME:	Hopewell Mine Extension
DEVELOPER/AGENT:	Mosaic Fertilizer
DEVELOPMENT TYPE:	28-24.019, F.A.C.
LOCAL GOVERNMENT:	Hillsborough County

Poinciana Newtownshp M09-004

NOTICE IS HEREBY GIVEN THAT the Division of Community Planning, Department of Community Affairs, received the following petitions for binding letters of Development of Regional Impact, Vested Rights and Modification Determinations, pursuant to Section 380.06(4)(a), Florida Statutes.

FILE NO.:	BLIM-06-2009-004
DATE RECEIVED:	April 4, 2010
DEVELOPMENT NAME:	Poinciana New Townshp
DEVELOPER/AGENT:	Crane Cove Corporation/CM Arrington & Associates, Inc.
DEVELOPMENT TYPE:	28-24.023, 28-24.031 F.A.C.
LOCAL GOVERNMENT:	Osceola County

DCA Order No.: DCA10-OR-060

In Re: A LAND DEVELOPMENT REGULATION
ADOPTED BY ISLAMORADA, VILLAGE OF
ISLANDS ORDINANCE NO. 10-01

FINAL ORDER

The Department of Community Affairs (the “Department”) hereby issues its Final Order, pursuant to Section 380.05(6), Florida Statutes, and Section 380.0552(9), Florida Statutes (2009), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and Islamorada, Village of Islands is a local government within the Florida Keys Area.
2. On February 17, 2010, the Department received for review Islamorada, Village of Islands Ordinance No. 10-01 (“Ord. No. 10-01”) adopted by the Village on January 14, 2010.
3. Ord. No. 10-01 amends Chapter 30 Land Development Regulations, Article II, Rules of Construction and Definitions, Section 30-32 Specific Definitions; Article IV Administrative Procedures, Division 2 Development Review Process; Article V Schedule of District Use and Development Standards, Division 2 Zoning Districts, Division 3 Nonconformities, Division 6 Landscaping Standards, and Division 7 Off Street Parking, Loading and Driveway Standards; Article VI Specific Use Restrictions, Division 9 Outdoor Seating Areas and Division 10 Signs of the Village Code of Ordinances.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations or portions thereof that are enacted, amended, or rescinded by any local government in the Florida Keys Area of Critical State Concern. Sections 380.05(6) and 380.0552(9), Florida Statutes (2009).
5. Islamorada, Village of Islands is a local government within the Florida Keys Area of Critical State Concern. Section 380.0552, Florida Statutes (2009), and Rule 28-29.002 (superseding Chapter 27F-8), Florida Administrative Code.
6. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. Section 380.031(8), Florida Statutes (2009). The regulations adopted by Ord. 10-01 are land development regulations.
7. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the “Principles”) as set forth in Section 380.0552(7),

Florida Statutes (2009). See Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff’d, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.

8. Ord. 10-01 promotes and furthers the following Principles:
 - (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
 - (f) To enhance natural scenic resources, promote the aesthetic benefits of the natural environment, and ensure that development is compatible with the unique historic character of the Florida Keys.
9. Ord. 10-01 is not inconsistent with the remaining Principles. Ord. 10-01 is consistent with the Principles for Guiding Development as a whole.
10. Ord. 10-01 is consistent with the Village Comprehensive Plan and furthers Objective 1-4.2.: Manage and Coordinate Future Land Use Decisions.

WHEREFORE, IT IS ORDERED that Ord. 10-01 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY’S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT’S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT

WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT’S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, “PETITION FOR ADMINISTRATIVE PROCEEDINGS” WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT’S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY

RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

/s/ _____
CHARLES GAUTHIER, AICP
Director, Division of Community Planning
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned Agency Clerk of the Department of Community Affairs, and that true and correct copies have been furnished to the persons listed below by the method indicated this 6th day of April, 2010.

/s/ _____
Paula Ford, Agency Clerk

By U.S. Mail:
Honorable Don Achenberg, Mayor
Islamorada, Village of Islands
Post Office Box 568
Islamorada, FL 33036

Beverly Raddatz, Village Clerk
Islamorada, Village of Islands
Post Office Box 568
Islamorada, FL 33036

Nina Boniske, Esq.
James White, Esq.
Weiss Serota Helfman Pastoriza
Guedes Cole & Boniske, P.A.
2525 Ponce De Leon Blvd., Suite 700
Coral Gables, Florida 33134-6045

By Hand Delivery or Interagency Mail:
Rebecca Jetton, ACSC Administrator
Richard E. Shine, Assistant General Counsel

DEPARTMENT OF REVENUE

Section 202.22(2), F.S., requires the Department of Revenue to create and maintain an electronic siting database that assigns service addresses to local taxing jurisdictions for purposes of the communications services tax. The update to the Address/Jurisdiction Database, as posted on April 4, 2010, becomes effective on July 1, 2010. The database can be accessed at <http://geotax.state.fl.us>. The next update to the database will be effective January 1, 2011, and is required to be posted 90 days in advance of the effective date. Local governments are required to submit changes and additions for inclusion in the January 1, 2011, update no later than September 3, 2010.

Additional information concerning procedures for requesting changes and additions to the database is available from: Department of Revenue, Local Government Unit at (850)921-9181 or by e-mail: local-govt-unit@dor.state.fl.us. Persons with hearing or speech impairments may call the TDD line at 1(800)367-8331 or (850)922-1115.

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 Power Group International, LLC, intends to allow the establishment of Central Florida Golf Cars, Inc., d/b/a Orlando Golf Cars as a dealership for the sale of low-speed vehicle manufactured by Tomberlin Automotive Group (TOMB) at 155 North Goldenrod Road, Orlando (Orange County), Florida 32807, on or after April 30, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Central Florida Golf Cars, Inc., d/b/a Orlando Golf Cars are dealer operator(s): William Fierro, 155 North Goldenrod, Orlando, Florida 32807; principal investor(s): William Fierro, 155 North Goldenrod, Orlando, Florida 32807.

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: Elinore Hollingsworth, Power Group International, LLC, 3123 Washington Road, Augusta, Georgia 30907.

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 Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Fairplay Electric Cars, LLC, intends to allow the establishment of Electric Cart Company, LLC, as a dealership for the sale of low-speed vehicle manufactured by Fairplay Electric Cars, LLC (FPEC) at 5480 US Highway 98 West, Santa Rosa Beach (Walton County), Florida 32459, on or after May 1, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Electric Cart Company, LLC are dealer operator(s): Thomas B. Waldrop, 5480 US Highway 98 West, Santa Rosa Beach, Florida 32459; Jonathan C. Waldrop, 5480 US Highway 98 West, Santa Rosa Beach, Florida 32459; principal investor(s): Thomas B. Waldrop, 5480 US Highway 98 West, Santa Rosa Beach, Florida 32459; Jonathan C. Waldrop, 5480 US Highway 98 West, Santa Rosa Beach, Florida 32459.

The notice indicates intent to establish the new point location in a county of less 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: James Wilson, Fairplay Electric Cars, LLC, 743 Horizon Court, Suite 333, Grand Junction, Colorado 81506.

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 Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Fairplay Electric Cars, LLC, intends to allow the establishment of Golf Cart Connection, Inc., as a dealership for the sale of low-speed vehicles manufactured by Fairplay Electric Cars, LLC (FPEC) at 1220 Camp Avenue, Mount Dora (Lake County), Florida 32757, on or after April 2, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Golf Cart Connection, Inc., are dealer operator(s): Jason Levy, 1220 Camp Avenue, Mount Dora, Florida 32757, principal investor(s): Jason Levy, 1220 Camp Avenue, Mount Dora, Florida 32757.

The notice indicates intent to establish the new point location in a county of less 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: James Wilson, Fairplay Electric Cars, LLC, 743 Horizon Court, Suite 333, Grand Junction, Colorado 81506.

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 Lida Trading USA, Inc., intends to allow the establishment of Veruccino Motors, Inc., as a dealership for

the sale of motorcycles manufactured by Taizhou Chual Motorcycles (CHUA) at 2801 North State Road 7, Hollywood (Broward County), Florida 33021, on or after April 5, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Veruccino Motors, Inc., are dealer operator(s): Isidro Ley-Acosta, 12 Main Street, Hollywood, Florida 33023; principal investor(s): Isidro Ley-Acosta, 12 Main Street, Hollywood, Florida 33023.

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: Chungo Hu, Lida Trading USA, Inc., 8830 Northwest 102nd Street, Miami, Florida, 33178.

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."

WATER MANAGEMENT DISTRICTS

NOTICE OF INTENDED AGENCY ACTION

Pursuant to the requirements of Section 120.60 and 373.413(4), Florida Statutes, the South Florida Water Management District gives notice of its intended agency action to issue the following Permit with conditions:

Permit No.: 50-00610-S-24 (Application No: 090427-7) The David Minkin Florida Realty Trust, Richard Thall, Robert Thall, Peter L Briger, Paul H Briger, and The Lester Family Investments LP, c/o Howard Lester, 44 Cocoanut Row, Palm Beach, FL 33480 and Palm Beach County – Environmental Resource Management, 2300 N. Jog Road, 4th Floor, West Palm Beach, FL 33411-2743, for conceptual authorization of a

surface water management system to serve 681.69 acres of mixed use development and 193.92 acres of off-site wetland mitigation at the Palm Beach County Pine Glades Natural Area and additional off-site mitigation at the Loxahatchee Mitigation Bank, known as Scripps Florida Phase II/Briger. The project is located in Palm Beach County, Sections 26, 35, Township 41 South, Range 42 East.

The applicant has provided reasonable assurances to demonstrate that it has met the conditions for issuance of a permit under Rules 40E-4.301 and 40E-4.302, F.A.C. The Staff Report setting forth the staff recommendation, including conditions, can be obtained by contacting the Environmental Resource Regulation Department, during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-6911, e-mail: permits@sfwmd.gov or, by accessing the Staff Report directly from the District's website (www.sfwmd.gov) using the Application/Permit Search on the ePermitting page.

As required by Sections 120.569(1), and 120.60(3), Florida Statutes, following is notice of the opportunities which may be available for administrative hearing or judicial review when the substantial interests of a party are determined by an agency. Please note that this Notice of Rights is not intended to provide legal advice. Not all legal proceedings detailed below may be an applicable or appropriate remedy. You may wish to consult an attorney regarding your legal rights.

Right to Request Administrative Hearing - A person whose substantial interests are or may be affected by the South Florida Water Management District's (SFWMD or District) action has the right to request an administrative hearing on that action pursuant to Sections 120.569 and 120.57, Florida Statutes. Persons seeking a hearing on a District decision which does or may determine their substantial interests shall file a petition for hearing with the District Clerk within 21 days of receipt of written notice of the decision, unless one of the following shorter time periods apply: 1) within 14 days of the notice of consolidated intent to grant or deny concurrently reviewed applications for environmental resource permits and use of sovereign submerged lands pursuant to Section 373.427, Florida Statutes; or 2) within 14 days of service of an Administrative Order pursuant to Section 373.119(1), Florida Statutes "Receipt of written notice of agency decision" means receipt of either written notice through mail, or electronic mail, or posting that the District has or intends to take final agency action, or publication of notice that the District has or intends to take final agency action. Any person who receives written

notice of a SFWMD decision and fails to file a written request for hearing within the timeframe described above waives the right to request a hearing on that decision.

Filing Instructions – The Petition must be filed with the Office of the District Clerk of the SFWMD. Filings with the District Clerk may be made by mail, hand-delivery or facsimile. Filings by e-mail will not be accepted. Any person wishing to receive a clerked copy with the date and time stamped must provide an additional copy. A petition for administrative hearing is deemed filed upon receipt during normal business hours by the District Clerk at SFWMD headquarters in West Palm Beach, Florida. Any document received by the office of the SFWMD Clerk after 5:00 p.m. shall be filed as of 8:00 a.m. on the next regular business day. Additional filing instructions are as follows:

- Filings by mail must be addressed to the Office of the SFWMD Clerk, P. O. Box 24680, West Palm Beach, Florida 33416.
- Filings by hand-delivery must be delivered to the Office of the SFWMD Clerk. Delivery of a petition to the SFWMD's security desk does not constitute filing. To ensure proper filing, it will be necessary to request the SFWMD's security officer to contact the Clerk's office. An employee of the SFWMD's Clerk's office will receive and file the petition.
- Filings by facsimile must be transmitted to: SFWMD Clerk's Office at (561)682-6010. Pursuant to subsections 28-106.104(7), (8) and (9), Florida Administrative Code, a party who files a document by facsimile represents that the original physically signed document will be retained by that party for the duration of that proceeding and of any subsequent appeal or subsequent proceeding in that cause. Any party who elects to file any document by facsimile shall be responsible for any delay, disruption, or interruption of the electronic signals and accepts the full risk that the document may not be properly filed with the clerk as a result. The filing date for a document filed by facsimile shall be the date the SFWMD Clerk receives the complete document.

Initiation of an Administrative Hearing – Pursuant to Rules 28-106.201 and 28-106.301, Florida Administrative Code, initiation of an administrative hearing shall be made by written petition to the SFWMD in legible form and on 8 and 1/2 by 11 inch white paper. All petitions shall contain:

1. Identification of the action being contested, including the permit number, application number, District file number or any other SFWMD identification number, if known.

2. The name, address and telephone number of the petitioner and petitioner's representative, if any.
3. An explanation of how the petitioner's substantial interests will be affected by the agency determination.
4. A statement of when and how the petitioner received notice of the SFWMD's decision.
5. A statement of all disputed issues of material fact. If there are none, the petition must so indicate.
6. A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the SFWMD's proposed action.
7. A statement of the specific rules or statutes the petitioner contends require reversal or modification of the SFWMD's proposed action.
8. If disputed issues of material fact exist, the statement must also include an explanation of how the alleged facts relate to the specific rules or statutes.
9. A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the SFWMD to take with respect to the SFWMD's proposed action.

A person may file a request for an extension of time for filing a petition. The SFWMD may, for good cause, grant the request. Requests for extension of time must be filed with the SFWMD prior to the deadline for filing a petition for hearing. Such requests for extension shall contain a certificate that the moving party has consulted with all other parties concerning the extension and that the SFWMD and any other parties agree to or oppose the extension. 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 the District takes action with substantially different impacts on water resources from the notice of intended agency decision, the persons who may be substantially affected shall have an additional point of entry pursuant to Rule 28-106.111, Florida Administrative Code, unless otherwise provided by law.

Mediation – The procedures for pursuing mediation are set forth in Section 120.573, Florida Statutes, and Rules 28-106.111 and 28-106.401-.405, Florida Administrative Code. The SFWMD is not proposing mediation for this agency action under Section 120.573, Florida Statutes, at this time.

Right to Seek Judicial Review – Pursuant to Sections 120.60(3) and 120.68, Florida Statutes, a party who is adversely affected by final SFWMD action may seek judicial review of the SFWMD's final decision by filing a notice of appeal pursuant to Florida Rule of Appellate Procedure 9.110 in the Fourth District Court of

Appeal or in the appellate district where a party resides and filing a second copy of the notice with the SFWMD Clerk within 30 days of rendering of the final SFWMD action.

AGENCY FOR HEALTH CARE ADMINISTRATION

Oak Hill Hospital Emergency Service Exemption

The Agency for Health Care Administration has received an application for an emergency service exemption from Oak Hill Hospital located at 11375 Cortez Blvd., Brooksville, FL 34613, pursuant to Section 395.1041(3), Florida Statutes and Rule 59A-3.255, Florida Administrative Code. The hospital is requesting an emergency service exemption for Otolaryngology and Oral/Maxillo-Facial Surgery. Comments received within 15 days of publication will be considered by the Agency prior to making a determination of exemption status.

Additional information may be obtained by writing: Agency for Health Care Administration, Attention: Julie Young, 2727 Mahan Drive, MS #31, Tallahassee, Florida 32308, by phone: (850)412-4360 or by e-mail: youngj@ahca.myflorida.com.

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."

NOTICE OF INTENT TO GRANT VARIANCE

The Department of Environmental Protection gives notice of its intent to grant a variance under Section 403.201, Florida Statutes (F.S.), from the provisions of sub-subparagraph 62-343.040(2)(c)2.a., Florida Administrative Code (F.A.C.), to Larry Lipman, (FFD-MEPD) located off Corkscrew Road, Estero, Florida 33928, File No.: 0291030-002-EV and OGC No.: 09-3814. The project area is comprised of approximately 5,209 ± acres, of which 3,290 ± acres are currently used for agricultural purposes, 117 ± acres are used for agricultural related roads and drainage and 1,566 ± acres are wetlands and other surface waters of the state. As part of the onsite operations, approximately 142 miles of agricultural ditches were created. The petitioner is requesting a variance from sub-subparagraph 62-343.040(2)(c)2.a., F.A.C., requiring field located boundary points for wetlands and other surface waters delineated using the approximate delineation methodology in subparagraph 62-343.040(2)(c)2., F.A.C. Due to the mostly linear shape and treeless nature of these ditches, the placement of field located boundary points to verify the accuracy of the

aerial approximated delineation is not necessary. The variance shall allow the petitioner to delineate wetlands and other surface waters within agricultural ditches identified by the Department without meeting the above referenced criteria for formal determinations set forth in sub-subparagraph 62-343.040(2)(c)2.a., F.A.C. These Department identified agricultural ditches shall have sufficient aerial signatures to allow delineation from aerial photography without the aid of field located boundary points every 1,000 feet. All other wetland and other surface water boundaries shall be delineated using either subparagraph 62-343.040(2)(c)1. or 62-343.040(2)(c)2., F.A.C., without deviation from the respective criteria. If the Department determines that any portion of the subject area is not accurately represented by the rectified aerial photographs, including ditches that are irregular in shape or obscure on rectified aerials, the petitioner shall survey and stake the affected area as provided in paragraph 62-340(2)(c), F.A.C.

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, Office of Submerged Lands and Environmental Resources, 2600 Blair Stone Road, Room 524, Tallahassee, Florida 32399.

Under this intent to grant, 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 grant 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, 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, 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. 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 subsection 28-106.111(2) and paragraph 62-110.106(3)(a), 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, 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 grant 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, 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 applicant, or any party within the meaning of Section 373.114(1)(a) or 373.4275, F.S., may also seek appellate review of the order before the Land and Water Adjudicatory Commission under

Section 373.114(1) or 373.4275, F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when the order is filed with the Clerk of the Department.

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 (COC) issued pursuant to the Florida Electrical Power Plant Siting Act, 403.501 et seq., Florida Statutes (F.S.), for the New Hope Power Partnership Okeelanta Siting Application No.: PA04-46, OGC Case No.: 08-1593. On May 28, 2008, the Department received a petition from New Hope Power Company to modify the Conditions of Certification (COC) for Okeelanta, pursuant to Section 403.516(1)(c), F.S., for the addition of an ash monofill and the temporary storage of cachaza in the existing percolation ponds. The Department proposes to modify the COC for construction and operation of the new ash monofill and to incorporate Department initiated updates. The Department also proposes to modify the COCs to reflect the change in ownership of the Okeelanta site from New Hope Power Partnership to New Hope Power Company. 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., F.S., 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, 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 can not 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.

FLORIDA STATE CLEARINGHOUSE

The state is coordinating reviews of federal activities and federally funded projects as required by Section 403.061(40), F.S. A list of projects, comments deadlines and the address for providing comments are available at http://www.dep.state.fl.us/secretary/oip/state_clearinghouse/. For information, call (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

**CPI Grant Applications Included in the
FCMP 2010-11 NOAA Application**

The Department of Environmental Protection, Florida Coastal Management Program (FCMP), announces the results of the Coastal Partnership Initiative (CPI) Evaluation Committee that met on December 15, 2009. All eligible CPI applications were reviewed by the evaluation committees using the information included in each application and according to the evaluation criteria listed in Rule 62S-4.007, Florida Administrative Code. The following table lists the applications that will be included in the FCMP's annual cooperative application to the National Oceanic and Atmospheric Administration pursuant to subsection 62S-4.008(4), F.A.C. The final decision whether or not to fund these projects is made by NOAA, in or around July 2010.

Project/Applicant

Sea Level Rise Model, Apalachee Bay/Nature Conservancy
Pinellas Co. Post-Disaster Redevelopment Plan/Pinellas Co.
Coastal Stewardship, BIEC/Caribbean Conservation Corp.

Volusia Co. Stewardship/Marine Discovery Center
Coastal Focus Stewardship & Education/Coastal Wildlife Club
Bella Vista Park/City of Sunny Isles Beach
Bagdad Mill Park Design/Santa Rosa County
Wonders of Wakulla Ecotourism Campaign/Wakulla County
Bagdad Waterfront Economic Study/Bagdad WF Partnership

Any person whose substantial interests are affected may request a hearing pursuant to Section 120.569, Florida Statutes, within 21 days of publication of this notice. Failure to request a hearing within the applicable time period shall constitute a waiver of the right to a hearing. Questions regarding the CPI evaluation process should be directed to Susan Goggin at (850)245-2161 or by sending an email: Susan.Goggin@dep.state.fl.us.

DEPARTMENT OF HEALTH

On April 1, 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 Bobbie Sue Karniewicz, L.P.N., License #PN 5154704. 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.