

Copies may be obtained at [www.elc-naturecoast.org](http://www.elc-naturecoast.org). An applicant's conference will be held on February 13, 2006. Notice of Intent to Submit a Proposal is due to the Coalition by February 17, 2006. The deadline for all applications to be submitted is March 21, 2006 by 4:00 p.m. The contract award notice will be posted on May 4, 2006. For more information contact: Sonya Bosanko, (352)302-4633.

**BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND**

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

**CITY OF GROVELAND**

Request for proposal for professional engineering services for preliminary engineering and environmental (PD&E) study for the conceptual design of proposed improvements to Crittenden Street, an urban collector roadway, between SR 50/SR 33 and SR 19.

The City of Groveland (City) requests proposals from an Engineering Consultant to investigate alternative traffic solutions and to provide documented information necessary for the City and the County to reach a decision on the type, design, location, and alignment of improvements to Crittenden Street as an alternate or bypass for a portion of SR 50 through the downtown area of the City. The Project will be conducted under an interlocal agreement between The City of Groveland and Lake County, with management of the Project by the City. The studies shall meet all requirements of the Florida Department of Transportation and the Federal National Environmental Policy Act Requirements.

The PD&E study shall include, but not be limited to: data collection; traffic studies; natural feature data; utility impacts; hazardous waste site data (Level 1); design alternatives considered; permitting requirements; report preparation with summary and conclusions and a public presentation with maps and graphics prepared by the Consultant.

RFP specifications are available on the City's website: [www.groveland-fl.gov](http://www.groveland-fl.gov), or by contacting Teresa Greenham, Community Development Director at the address below, (352)429-2141, Ext. 225, e-mail: [teresa.greenham@groveland-fl.gov](mailto:teresa.greenham@groveland-fl.gov)

fl.gov. Deadline for receipt of submittals is 4:00 p.m., February 24, 2006. Any submittals received after this time will not be considered and will be returned. Submittals shall be delivered to Teresa Greenham, Community Development Director, City of Groveland, 156 S. Lake Ave., Groveland, FL 34736.

**EARLY LEARNING COALITION OF NORTHWEST FLORIDA**

Public Notice

The Early Learning Coalition of Northwest Florida, Inc. (ELCONF) is soliciting responses for services requested through a Request for Proposals (RFP) that will be released on January 31, 2006. All interested parties may request a copy of the RFP by contacting:

Lynne Eldridge, Executive Director  
Early Learning Coalition of Northwest Florida, Inc.

200 Forest Park Circle  
Panama City, FL 32405

Phone/Fax: (850)873-7191

E-mail: [lynnee@elcofnwflorida.org](mailto:lynnee@elcofnwflorida.org)

The RFP seeks service providers for the seven county Coalition area for a contract starting July 1, 2006. All interested parties must submit a written Notice of Intent to Submit a Proposal no later than 12:00 noon on February 10, 2006. Failure to submit the Notice of Intent to Submit a Proposal will disqualify any party from further consideration.

**Section XII  
Miscellaneous**

**DEPARTMENT OF STATE**

STATE OF FLORIDA  
DEPARTMENT OF STATE  
DIVISION OF HISTORICAL RESOURCES

IN RE: Final Order No. HR 06-01

Mr. Storm Richards  
Storm Richards & Associates, Inc.  
1804 Maple Avenue  
Sanford, FL 32771-3358  
Petitioner.

**FINAL ORDER  
DENYING APPLICATION FOR  
ARCHAEOLOGICAL RESEARCH PERMIT**

The Division of Historical Resources, Florida Department of State (the Division), having jurisdiction over this matter, pursuant to the provisions of Chapter 267, Florida Statutes, and the rules promulgated there under, hereby enters its Final Order denying Storm Richards & Associates, Inc., Storm Richards, Application for Archaeological Research Permit.

## Findings of Fact

1. The Division has reviewed the application for an archaeological research permit pursuant to Chapter 1A-32, Florida Administrative Code (F.A.C.) and Chapter 267, Florida Statutes. The application seeks to conduct archaeological field investigations on State-owned lands in Seminole County, specifically an area within Wekiwa Springs State Park. The application was incomplete when received, lacking a detailed project description pursuant to paragraph 1A-32.004(1)(d) and subsection 1A-32.005(1), F.A.C., which requires a “clear and concise research design.” The Division requested the project description/research design on November 22, 2005, and Mr. Richards supplied it via fax on December 1, 2005. The application appears complete; therefore, no additional information has been sought from Mr. Richards or Storm Richards & Associates, Inc.

2. On November 14, 2005, prior to receipt of the archaeological research permit application, the Division was notified by Richard Reinert of the Bureau of Design and Recreation Services, Florida Park Service, that Storm Richards & Associates, Inc. had conducted an archaeological field investigation on State-owned lands at Wekiwa Springs State Park. Mr. Reinert was aware that an archaeological research permit was required from the Division of Historical Resources and he supplied us with a copy of the request for proposals that they sent to Mr. Richards, dated June 28, 2005, which specifies that, “since the work will take place on state-owned lands, a Chapter 1A-32, F.A.C., Archaeological Research Permit must be obtained from the Division of Historical Resources, Bureau of Archaeological Research. The contact for this permit is Dr. Ryan Wheeler, State Archaeologist, who can be reached at (850)245-6444.”

3. A review of the Division’s archaeological permit paper files and electronic database on November 14, 2005, indicated that Mr. Richards and Storm Richards & Associates, Inc., had not applied for or received an archaeological research permit prior to conducting archaeological field investigations on State-owned lands.

4. When Mr. Richards contacted the Division by phone on November 14, 2005, to inquire about the process of applying for and obtaining an archaeological research permit, Dr. Ryan Wheeler, State Archaeologist asked why he had not applied for one, especially since it was specified in the request for proposals prepared by the Florida Park Service. Mr. Richards explained that he thought this had been taken care of as part of registering as a vendor with myfloridamarketplace.com. In response to Mr. Richard’s request he was supplied a copy of form HRE4404-92, Section 267.12, Florida Statutes, and Chapter 1A-32, F.A.C., which discuss the issuance of archaeological research permits.

5. The permit application indicates that no archaeological or historical sites are recorded within the survey area in Wekiwa Springs State Park. Review of current data in the Florida Master Site File indicates that archaeological site 8SE27 is located in the center of the survey area.

6. Our “Notice of the Florida Division of Historical Resources’ Denial of Archaeological Research Permit” was sent to Mr. Richards on December 14, 2005 via certified mail. It was signed for at his mailing address on December 17, 2005.

## Conclusions of Law

7. As provided in Chapter 267, Florida Statutes, the “Florida Historical Resources Act,” the Division is the agency having jurisdiction to administer and enforce the provisions of the Act.

8. Section 267.13(1)(b), Florida Statutes states: Any person who by means of excavation either conducts archaeological field investigations on, or removes or attempts to remove, or defaces, destroys, or otherwise alters any archaeological site or specimen located upon, any land owned or controlled by the state or within the boundaries of a designated state archaeological landmark or landmark zone, except in the course of activities pursued under the authority of a permit or under procedures relating to accredited institutions granted by the division, commits a felony of the third degree, punishable as provided in Sections 775.082, 775.083 or 775.084, F.S., and any vehicle or equipment of any person used in connection with the violation is subject to forfeiture to the state if it is determined by any court of law that the vehicle or equipment was involved in the violation. Such person shall forfeit to the state all specimens, objects, and materials collected or excavated, together with all photographs and records relating to such material. The court may also order the defendant to make restitution to the state for the archaeological or commercial value and cost of restoration and repair as defined in subsection (4).

9. Chapter 1A-32, F.A.C., establishes procedures for the Division to review applications and determine whether to grant permission for archaeological research on state-owned land.

10. Subsection 1A-32.003(2), F.A.C., requires that, in part, “applicants shall possess or will secure the professional archaeological expertise necessary for the performance of professional quality archaeological field research....” Such professional archaeological expertise is found to be lacking in this case since Storm Richards & Associates, Inc., conducted archaeological field investigations on State-owned lands in violation of Sections 267.12 and 267.13, Florida Statutes, without the benefit of an archaeological research permit from the Division of Historical Resources of the Department of State, and because this firm conducted an insufficient review of sites recorded in the Florida Master Site File.

11. Based on the Findings of Fact and Conclusions of Law set forth above, the Division has determined that Storm Richards & Associates, Inc., Storm Richards Application for an Archaeological Research Permit must be denied.

Final Order

Based on the foregoing, the Division issues this Final Order denying Storm Richards & Associates, Inc., Storm Richards Application for an Archaeological Research Permit. DONE and ORDERED this 20th day of January 2006 in Tallahassee, Leon County, Florida.

Frederick P. Gaske

Director, Division of Historical Resources

NOTICE OF RIGHT TO JUDICIAL REVIEW

This order constitutes final agency action. Judicial review of this proceeding may be instituted by filing a notice of appeal, with the filing fee prescribed by law in the District Court of Appeal, pursuant to Section 120.68, Florida Statutes, and a copy with the clerk of the Department of State. Such notice must be filed within thirty (30) calendar days of the date this order is filed in the official records of the Department of State as indicated in the Certificate of Clerk. Review proceedings shall be conducted in accordance with the Florida Rules of Appellate Procedure.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order was hand-delivered to the Agency Clerk, Department of State, R.A. Gray Bldg., 500 S. Bronough Street, Tallahassee, Florida 32399-0250 and that a true and correct copy of the foregoing final order was mailed on this \_\_\_\_ day of January 2006 by certified U.S. mail to Mr. Storm Richards, Storm Richards & Associates, Inc., 1804 Maple Avenue, Sanford, FL 32771-3358.

Stephen S. Mathues  
Assistant General Counsel  
Florida Department of State,  
500 S. Bronough St.  
Tallahassee, Florida 32399-0250  
Florida Bar No. 0201049  
(850)245-6208

DEPARTMENT OF EDUCATION

NOTIFICATION OF INTENT  
TO OPERATE THE SUMMER FOOD  
SERVICE PROGRAM FOR CHILDREN

In accordance with Title 7 Code of Federal Regulations, Part 225, it is the intent of the Florida Department of Education, Food and Nutrition Management Section, to continue to administer the Summer Food Service Program for the fiscal year 2006.

The primary purpose of the program is to provide food service to children from needy areas during periods when area schools are closed for vacation.

Eligible children are those 18 years of age and under, and persons over 18 years of age who are determined by the State educational agency or a local public educational agency of the State to be mentally or physically handicapped and who participate in a public or nonprofit private school program established for the mentally or physically handicapped.

The program will be made available throughout Florida by State approved sponsors. Sponsors for the program may be a public or nonprofit private school, nonprofit private organization, residential or non-residential camp, government organization, or a National Youth Sports Program.

For more information please contact: Food and Nutrition Management, Summer Food Service Program for Children, 1(800)504-6609.

DEPARTMENT OF TRANSPORTATION

The Florida Department of Transportation intends to issue an "Airport Site Approval Order," in accordance with Chapter 330, Florida Statutes, "Regulation of Aircraft, Pilots, and Airports" and Chapter 14-60, Florida Administrative Code, "Airport Licensing, Registration, and Airspace Protection" for the following site:

Country Landings, a private airport, in Gilchrist County, at Latitude 29° 45' 90" and Longitude 82° 54' 015", to be owned and operated by Mr. Dennis Sweeney, 40467 Fairview St., Antioch, IL 60002.

A copy of the Airport Site Approval Order, the Airport's application, the applicable rules, and other pertinent information may be obtained by contacting Mr. William J. Ashbaker, P.E., State Aviation Manager, Florida Department of Transportation, Aviation Office, 605 Suwannee Street, Mail Station 46, Tallahassee, Florida 32399-0450, (850)414-4500, e-mail: aviation.fdot@dot.state.fl.us, Website: http://www.dot.state.fl.us/aviation.

ADMINISTRATIVE HEARING RIGHTS: Any person whose substantial interests will be determined or affected by this Airport Site Approval Order has the right, pursuant to Section 120.57, Florida Statutes, to petition for an administrative hearing. The petition for an administrative hearing must conform to the requirements of Rule Chapter 28-106, Florida Administrative Code, and must be filed, in writing, within twenty-one days of the publication of this notice, with the Clerk of Agency Proceedings, Office of General Counsel, Florida Department of Transportation, 605 Suwannee Street, Mail Station 58, Room 550, Tallahassee, Florida 32399-0450. Failure to file a petition within the allowed time constitutes a waiver of any right such person has to request a hearing under Chapter 120, Florida Statutes.

## DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

### 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 STR Motorsports, Inc., intends to allow the establishment of All About Scooters as a dealership for the sale of KYMCO motorcycles, at 2312 Apalachee Parkway, #10, Tallahassee (Leon County), Florida 32301, on or after January 1, 2006.

The name and address of the dealer operator(s) and principal investor(s) of All About Scooters are dealer operator: Susan D. Smith and Leroy Smith, 2312 Apalachee Parkway, #10, Tallahassee, Florida 32301; principal investor(s): Susan D. Smith and Leroy Smith, 2312 Apalachee Parkway, #10, Tallahassee, Florida 32301.

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, 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: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Bruce Ramsey, VP of Sales/Marketing, STR Motorsports, Inc., 1770 Campton Road, Inman, South Carolina 29349.

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.

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### 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 KTM North America, Inc., intends to allow the establishment of Motorcycle Enthusiasts, Inc., as a dealership for the sale of KTM brand motorcycles, at 5138 Commercial Way, Spring Hill (Hernando County), Florida 34606, on or after January 13, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Motorcycle Enthusiasts, Inc., are dealer operator(s): David Bernard, President, 5138 Commercial Way, Spring Hill, Florida 3460; principal investor(s): David Bernard, President, 5138 Commercial Way, Spring Hill, Florida 34606.

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, 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: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Jon-Erik Burluson, President, KTM North America, Inc., East, 1119 Milan Avenue, Amherst, Ohio 44001.

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.

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### 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, APC Holdings Group LLC, d/b/a American Performance Cycle, intends to allow the establishment of Bottom Line Operations, Inc., d/b/a Bucks County Custom Cycles Sarasota, as a dealership for the sale of APC motorcycles, at 6051 North Washington Boulevard, Sarasota (Sarasota County), Florida 34243, on or after February 3, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Bottom Line Operations, Inc., d/b/a Bucks County Custom Cycles Sarasota are dealer operator(s): Jason Heroux, 6051 North Washington Boulevard, Sarasota, Florida 34243, and Bruce Shankin, 6051 North Washington Boulevard, Sarasota, Florida 34243; principal investor(s): Jason Heroux, 6051 North Washington Boulevard, Sarasota, Florida 34243, and Bruce Shankin, 6051 North Washington Boulevard, Sarasota, Florida 34243.

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: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Michael E. Sample, President/CEO, APC Holdings Group LLC, d/b/a American Performance Cycle, 6895 Speedway Boulevard, Z101, Las Vegas, Nevada 89115.

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.

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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, Proper Chopper, Inc., intends to allow the establishment of Bottom Line Operations, Inc., d/b/a Bucks County Custom Cycles Sarasota, as a dealership for the sale of Proper Chopper motorcycles, at 6051 North Washington Boulevard, Sarasota (Sarasota County), Florida 34243, on or after January 17, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Bottom Line Operations, Inc., d/b/a Bucks County Custom Cycles Sarasota are dealer operator(s): Bruce Shankin, 3094 Comfort Road, New Hope, Florida 18938; principal investor(s): Jason Heroux, 5307 Avenida Del Mare, Sarasota, Florida 34242.

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: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Jeremy Casson, President, Proper Chopper, Inc., 1334 Brommer Street, B-5, Santa Cruz, California 95062.

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.

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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 Auto Easy Finance, Inc., d/b/a Daelim Motor USA, intends to allow the establishment of Motorcycle Enthusiasts, Inc., as a dealership for the sale of Daelim motorcycles, at 5138 Commercial Way, Spring Hill (Hernando County), Florida 34606, on or after January 16, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Motorcycle Enthusiasts, Inc., are dealer operator: David Bernard, 5138 Commercial Way, Spring Hill, Florida 34606; principal investor(s): David Bernard, 5138 Commercial Way, Spring Hill, Florida 34606.

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, 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: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Raul Romero, Jr., Sales Manager, Auto Easy Finance, Inc., d/b/a Daelim Motor USA, 12901 Southwest 122 Avenue, Suite 105, Miami, Florida 33186.

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.

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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 Freightliner LLC, intends to allow the establishment of Freightliner, Sterling and Western Star of Tallahassee, as a dealership for the sale of Freightliner, Sterling, and Western Star brand trucks, at 4755 Capital Circle Northwest, Tallahassee (Leon County), Florida 32303, on or after January 11, 2006.

The name and address of the dealer operator(s) and principal investor(s) of Freightliner, Sterling, and Western Star of Tallahassee are dealer operator: Jerry A. Kocan, 3140 Hayneville Road, Montgomery, Alabama 36108; principal investor(s): Jerry A. Kocan, 3140 Hayneville Road, Montgomery, Alabama 36108.

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, 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: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Chuck Thomas, Dealer Operations Manager, Freightliner LLC, 3025 Evergreen Drive, Suite 150, Duluth, Georgia 30096.

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.

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**BOARD OF TRUSTEES OF THE INTERNAL  
IMPROVEMENT TRUST FUND**

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

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**ADMINISTRATION COMMISSION**

**NOTICE OF FINAL DISPOSITION ON PETITION FOR  
EXCEPTION TO UNIFORM PERSONNEL RULES**

Pursuant to Sections 110.201(b) and 110.217(b), Florida Statutes (2005), the Administration Commission gives notice of final disposition on the Petition filed by the Florida Department of Children and Family Services for exception to uniform personnel rules set forth in Chapters 60L-33 and 60L-36, Florida Administrative Code. (The Department of Children and Family Services' Petition was filed with the Administration Commission on November 17, 2005.) The Secretary of the Administration Commission entered a Final Order of Dismissal on January 19, 2006, in response to the Department of Children and Family Services' Notice of Withdrawal of Petition for Exception to Uniform Personnel Rules filed on December 27, 2005.

A copy of the Department of Children and Family Services' Petition and the Administration Commission's Final Order of Dismissal can be obtained by contacting: Barbara Leighty, Administration Commission, Office of the Governor, Office of Policy and Budget, Room 1801, The Capitol, Tallahassee, Florida 32399-0001, (850)487-1884.

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**LAND AND WATER ADJUDICATORY COMMISSION**

**NOTICE OF RECEIPT OF PETITION**

**TOMOKA COMMUNITY DEVELOPMENT DISTRICT**

On November 30, 2005, the Florida Land and Water Adjudicatory Commission (the "Commission") received a Petition to adopt an amendment to rule Chapter 42LL-1, F.A.C., to amend the boundary of the Tomoka Community Development District (the "District") pursuant to Chapter 190, F.S. Petitioner asserts a copy of the Petition was filed with Flagler County in compliance with Section 190.046, F.S. The Commission will follow the requirements of Chapter 190, F.S., and Chapter 42-1, F.A.C., in ruling on this Petition.

**SUMMARY OF CONTENTS OF PETITION:** The Petition was filed by the Tomoka Community Development District with its registered office located at 123 South Calhoun Street, Tallahassee, Florida 32301. The Petition proposes to modify the land area presently serviced by the District by amending its boundary to add approximately 1,122 acres. (The District was originally established by Chapter 42LL-1, F.A.C., effective October 10, 2003. Petitioner discovered flaws in the legal description of the external boundaries of the District contained in Rule 42LL-1.002, F.A.C., resulting in the exclusion of significant portions of the lands thought to be included in the original Petition establishing the District. The subject boundary amendment will correct the flaws.) The District currently covers approximately 846 acres of land located in Flagler County in an area west of Interstate 95, northeast of U.S. Highway 1, south of Old Dixie Highway, and bounded on the

east by the Florida Power and Light utility easement. After amendment, the District will encompass approximately 1,968 acres. The District currently contains two out-parcels located within the external boundaries of the District which remain excluded. Petitioner has written consent to amend the boundary of the District from the owners of one hundred percent of the lands comprising the expansion parcel. Pursuant to Section 190.046(1)(e), F.S., the filing of the Petition for expansion by the District Board of Supervisors constitutes consent of the landowners. Development contemplated for the Tomoka CDD, after expansion, consists of 1,586 single family homes, 330 multi-family homes, 18 holes of championship golf, and recreation areas. Services and facilities to be provided by the District for lands within the expansion parcel are included in the District's adopted Improvement Plan and consist of stormwater infrastructure, entrances and landscaping, wetland compliance/mitigation, offsite improvements, utilities, and engineering and permitting. The District has already funded, acquired, and/or constructed infrastructure improvements to the expansion parcel. Construction of the improvements is expected to be complete in 2006.

**SUMMARY OF THE STATEMENT OF ESTIMATED REGULATORY COSTS:** In association with the Petition, the Petitioner has caused a Statement of Estimated Regulatory Costs ("SERC") to be prepared in compliance with Section 120.541, F.S. The complete text of the SERC is contained at Exhibit "9" to the Petition. By way of summary, the SERC estimates the principal individuals and entities likely to be required to comply with the amended rule are the State of Florida and Flagler County. The SERC estimates that rule amendment implementation and enforcement costs to the above-described entities will be modest, are concurrently budgeted or not burdensome, and/or are offset by the payment of requisite filing and annual fees; and, estimates there will be no effect on state and local revenues from the proposed amendment of the rule. The SERC indicates the District may levy non-ad valorem special assessments on properties within its boundaries to finance infrastructure that the District funds and to defray the costs of operating and maintaining the infrastructure and associated community facilities. Prospective future landowners would be required to pay off such indebtedness over time in the form of non-ad valorem special assessments or other rates, fees or charges. The District may also impose an annual levy for the operations and maintenance of the District. The SERC further provides the decision to locate within the District is completely voluntary. The SERC concludes that the expansion of the District's boundary will have no impact or a positive impact on small businesses. As to impact on small counties, Flagler County is not a "small" county as defined by Section 120.52, F.S. The SERC analysis

is based on a straightforward application of economic theory. Input was received from the developer's engineer and other professionals associated with the developer.

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

DATE AND TIME: Wednesday, February 22, 2006, 1:00 p.m.

PLACE: Daytona Beach Community College, Flagler County Branch, Building 2, Classroom 119A, 3000 Palm Coast Parkway, Palm Coast, Florida

Any person requiring a special accommodation to participate in the hearing because of a disability should contact Jonathan T. Johnson, (850)222-7500, at least two (2) business days in advance in order to provide sufficient opportunity to make appropriate arrangements.

COPIES OF THE PETITION MAY BE OBTAINED BY CONTACTING: Jonathan T. Johnson, Hopping Green & Sams, P.A., Post Office Box 6526, Tallahassee, Florida 32314, (850)222-7500; or Barbara Leighty, Florida Land and Water Adjudicatory Commission, Office of Policy and Budget, Executive Office of the Governor, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, (850)487-1884.

NOTICE OF RECEIPT OF PETITION  
KENDALL CREEK COMMUNITY  
DEVELOPMENT DISTRICT

On December 19, 2005, the Florida Land and Water Adjudicatory Commission ("FLWAC" or "Commission") received a petition to establish the Kendall Creek Community Development District (the "District"). The Commission will follow the requirements of Chapter 42-1, Florida Administrative Code (F.A.C.), as amended, and Chapter 190, Florida Statutes (F.S.), as amended, in ruling on this petition.

**SUMMARY OF CONTENTS OF PETITION:** The petition filed by The St. Joe Company requests the Commission establish a community development district located entirely within the unincorporated limits of St. Johns County, Florida. The land area proposed to be served by the District comprises approximately 4,086.6 acres. A general location map is contained as Exhibit 1 to the petition to establish the District. There are no out-parcels within the external boundaries of the proposed District which are to be excluded from the District. The Petitioner either owns or has obtained written consent to establish the District from the landowners of one hundred percent (100%) of non-governmental real property located within the proposed District. The lands within the Kendall Creek CDD will accommodate approximately 3,700 single-family homes; 775 multi-family units; 80,000 square feet of retail/commercial/service space; 11,000 square feet of offices; 100,000 square feet of light industrial space; 18 holes of golf; 131 acres of parks; and 1 public school. The lands to be

included in the District are located in the RiverTown Development of Regional Impact. The District, if established, plans to fund, own, operate and maintain the stormwater management system and the District's recreation facilities and amenities. The District will fund and construct the public roadways and public parks, and will dedicate them to the County. Water and wastewater utilities will be provided by JEA and owned by the JEA.

**SUMMARY OF ESTIMATED REGULATORY COSTS:** The statement of estimated regulatory costs (SERC) supports the petition to establish the District. The complete text of the SERC is contained as Exhibit 9 to the petition. The scope of the SERC is limited to evaluating the regulatory costs consequences of approving the proposal to establish the District. The requirements for a SERC are found in Section 120.541(2), F.S. A SERC must contain (a) a good faith estimate of the number of individuals and entities likely to be required to comply with the rule, together with a description of the types of individuals likely to be affected by the rule; (b) a good faith estimate of the costs to the agency, and to any other state and local government entities, of implementing and enforcing the proposed rule, and any anticipated effect on state or local revenues; (c) a good faith estimate of the transactional costs likely to be incurred by individuals and entities, including local governmental entities, required to comply with the requirements of the rule; (d) an analysis of the impact on small businesses, small counties, and small cities; (e) any additional information that the agency determines may be useful; and (f) any good faith written proposal submitted under section (a) and either a statement adopting the alternative or a statement rejecting the alternative in favor of the proposed rule. Addressing section (a), the principal entities that are likely to be required to comply with the rule include the District, the State of Florida, and St. Johns County. In addition, current and future property owners will be affected by the establishment of the proposed District. Under section (b), FLWAC and the State of Florida will incur modest administrative costs. St. Johns County will incur modest costs resulting from the initial review and on-going costs resulting from the on-going administration of the District. There is a \$15,000 filing fee paid to St. Johns County to offset any costs it may incur. Adoption of the proposed rule to approve the formation of the District will not have an adverse impact on State and local revenues. Addressing section (c), the District may levy non-ad valorem special assessments on properties within its boundaries to finance infrastructure that the District funds and to defray the costs of operating and maintaining the infrastructure and associated community facilities. The District may issue notes, bonds, or other indebtedness to fund its improvement program. Prospective future land owners would be required to pay off

such indebtedness over time in the form of non-ad valorem special assessments or other rates, fees or charges. The District may also impose an annual levy for the operation and maintenance of the District. Under section (d), approval of the petition to establish the District will have no impact or a positive impact on all small businesses. The petition to establish the District will not have an impact on small counties as defined by Section 120.52, F.S., as St. Johns County is not defined as a small county. Under section (e), the analysis provided in the SERC was based on a straightforward application of economic theory. Input was received from the developer's engineer and other professionals associated with the developer.

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

**DATE AND TIME:** Monday, February 20, 2006, 10:30 a.m.

**PLACE:** City Hall, Alcazar Room, The Lightner Building, 75 King Street, St. Augustine, Florida

Any person requiring a special accommodation to participate in the hearing because of a disability should contact Jonathan T. Johnson, (850)222-7500, at least two (2) business days in advance in order to provide sufficient opportunity to make appropriate arrangements.

Copies of the petition may be obtained by contacting: Jonathan T. Johnson, Hopping Green & Sams, P.A., Post Office Box 6526, Tallahassee, Florida 32314, (850)222-7500 or Barbara Leighty, Florida Land and Water Adjudicatory Commission, Office of Policy and Budget, Executive Office of the Governor, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, (850)487-1884.

## **AGENCY FOR HEALTH CARE ADMINISTRATION**

### **NOTICE OF LITIGATION**

The Agency for Health Care Administration has received the following petitions for administrative hearings as of the close of business on January 20, 2006, concerning certificate of need decisions. No decision has been made as to the sufficiency of these petitions. A brief description of these projects is listed below. Resolution of these requests for hearings by way of a grant or denial of their certificate of need at issue will determine the substantial interest of persons. Those persons whose substantial interest may be determined by these proceedings including settlements, grants, and denials are advised to govern themselves accordingly and may wish to exercise rights including intervention. See Chapter 120, F.S., as well as Section 408.039, F.S. and Rule 59C-1.012, F.A.C. In deference to rights of substantially affected persons, AHCA will not settle or otherwise reach a final resolution of these matters for a period of 30 days from the date of the publication.



CON#	INITIAL DECISION, PROJECT, CTY, APPLICANT, PARTY REQUEST HEARING (PRH)		
9869	Denial, establish a 50 bed long term acute care hospital, Lake County, Leesburg Regional Medical Center, Inc., (PRH) same as applicant HEARING (PRH)	9879	Denial, establish a 90 bed child/adolescent psychiatric hospital, Orange County, Ten Broeck Orlando, Inc., (PRH) same as applicant
9869	Supports Denial, establish a 50 bed long term acute care hospital, Lake County, Leesburg Regional Medical Center, Inc., (PRH) Promise Healthcare of Florida III, Inc.	9880	Approval, establish a 90 bed child/adolescent psychiatric hospital, Orange County, USH of Maitland, Inc., (PRH) Ten Broeck Orlando, Inc.
9870	Denial, establish a new 40 bed long term care hospital, Lake County, Promise Healthcare of Florida III, Inc., (PRH) same as applicant	9881	Approval, establish an 84 bed acute care hospital, Brevard County, Holmes Regional Medical Center, Inc., (PRH) Wuesthoff Memorial Hospital, Inc. d/b/a Wuesthoff Medical Center-Rockledge and Wuesthoff Memorial Hospital, Inc. d/b/a Wuesthoff Medical Center-Melbourne
9871	Denial, establish a 44 bed long term acute care hospital, Lake County, Select Specialty Hospital – Lake, Inc., (PRH) same as applicant	9882	Denial, establish a new 10 bed Level II NICU, Charlotte County, Port Charlotte HMA, Inc. d/b/a Peace River Regional Medical Center, (PRH) same as applicant
9871	Supports Denial, establish a 44 bed long term acute care hospital, Lake County, Select Specialty Hospital – Lake, Inc., (PRH) Promise Healthcare of Florida III, Inc.	9883	Denial, establish a 10 bed Level II NICU, Lee County, Cape Memorial Hospital, Inc. d/b/a Cape Coral Hospital, (PRH) same as applicant
9872	Denial, establish a new 84 bed acute care hospital, Clay County, Baptist Medical Center of Clay, Inc., (PRH) same as applicant	9883	Supports Denial, establish a 10 bed Level II NICU, Lee County, Cape Memorial Hospital, Inc. d/b/a Cape Coral Hospital, (PRH) Port Charlotte HMA, Inc. d/b/a Peace River Regional Medical Center
9873	Approval, establish a 100 bed acute care hospital, Clay County, Orange Park Medical Center, Inc., (PRH) Baptist Medical Center of Clay, Inc.	9884	Denial, establish a 50 bed long term care hospital, St. Lucie County, Kindred Hospitals East, LLC, (PRH) same as applicant
9874	Denial, establish a 98 bed acute care hospital, Clay County, St. Vincent’s Medical Center, Inc., (PRH) same as applicant	9884	Denial, establish a 50 bed long term care hospital, St. Lucie County, Kindred Hospitals East, LLC, (PRH) Promise Healthcare of Florida IX, Inc.
9873	Approval, establish a 100 bed acute care hospital, Clay County, Orange Park Medical Center, Inc., (PRH) St. Vincent’s Medical Center, Inc.	9885	Denial, establish a new 40 bed long term care hospital, St. Lucie County, Promise Healthcare of Florida IX, Inc., (PRH) same as applicant
9876	Denial, establish a 60 bed freestanding long term care hospital, Orange County, Kindred Hospitals East, LLC, (PRH) same as applicant	9885	Supports Denial, establish a new 40 bed long term care hospital, St. Lucie County, Promise Healthcare of Florida IX, Inc., (PRH) Kindred Hospitals East, LLC
9877	Denial, establish a 40 bed adult psychiatric hospital, Orange County, Ten Broeck Orlando, Inc., (PRH) same as applicant	9886	Denial, establish a 44 bed long term acute care hospital, St. Lucie County, Select Specialty Hospital – St. Lucie, Inc., (PRH) same as applicant
9878	Approval, establish a 49 bed adult psychiatric hospital, Orange County, UHS of Maitland, Inc., (PRH) Orlando Regional Healthcare System, Inc.	9886	Supports Denial, establish a 44 bed long term acute care hospital, St. Lucie County, Select Specialty Hospital – St. Lucie, Inc., (PRH) Promise Healthcare of Florida IX, Inc.
9878	Approval, establish a 49 bed adult psychiatric hospital, Orange County, UHS of Maitland, Inc., (PRH) Ten Broeck Orlando, Inc.	9886	Supports Denial, establish a 44 bed long term acute care hospital, St. Lucie County, Select Specialty Hospital – St. Lucie, Inc., (PRH) Kindred Hospitals East, LLC

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- 9888 Denial, establish a new 40 bed long term care hospital, Broward County, Promise Healthcare of Florida X, Inc., (PRH) same as applicant
  - 9889 Denial, establish a 44 bed long term acute care hospital, Broward County, Select Specialty Hospital – Broward, Inc., (PRH) same as applicant
  - 9889 Supports Denial, establish a 44 bed long term acute care hospital, Broward County, Select Specialty Hospital – Broward, Inc., (PRH) Promise Healthcare of Florida X, Inc.
  - 9891 Denial, establish a new 60 bed long term care hospital, Miami-Dade County, Promise Healthcare of Florida XI, Inc., (PRH) same as applicant
  - 9891 Supports Denial, establish a new 60 bed long term care hospital, Miami-Dade County, Promise Healthcare of Florida XI, Inc., (PRH) Miami Jewish Home and Hospital For the Aged, Inc.
  - 9891 Supports Denial, establish a new 60 bed long term care hospital, Miami-Dade County, Promise Healthcare of Florida XI, Inc., (PRH) Kindred Hospitals East, LLC
  - 9892 Denial, establish a 60 bed long term acute care hospital, Dade County, Select Specialty Hospital – Dade, Inc., (PRH) same as applicant
  - 9892 Supports Denial, establish a 60 bed long term acute care hospital, Dade County, Select Specialty Hospital – Dade, Inc., (PRH) Miami Jewish Home and Hospital For the Aged, Inc.
  - 9892 Supports Denial, establish a 60 bed long term acute care hospital, Dade County, Select Specialty Hospital – Dade, Inc., (PRH) Kindred Hospitals East, LLC
  - 9892 Supports Denial, establish a 60 bed long term acute care hospital, Dade County, Select Specialty Hospital – Dade, Inc., (PRH) Promise Healthcare of Florida XI, Inc.
  - 9893 Denial, establish a 30 bed long term acute care hospital, Miami-Dade County, Miami Jewish Home and Hospital For the Aged, Inc., (PRH) same as applicant
  - 9893 Supports Denial, establish a 30 bed long term acute care hospital, Miami-Dade County, Miami Jewish Home and Hospital For the Aged, Inc., (PRH) Kindred Hospitals East, LLC
  - 9893 Supports Denial, establish a 30 bed long term acute care hospital, Miami-Dade County, Miami Jewish Home and Hospital For the Aged, Inc., (PRH) Promise Healthcare of Florida XI, Inc.
  - 9894 Denial, establish a 60 bed long term care hospital, Dade County, Kindred Hospitals East, LLC, (PRH) same as applicant
  - 9894 Supports Denial, establish a 60 bed long term care hospital, Dade County, Kindred Hospitals East, LLC, (PRH) Miami Jewish Home and Hospital For the Aged, Inc.
  - 9894 Supports Denial, establish a 60 bed long term care hospital, Dade County, Kindred Hospitals East, LLC, (PRH) Promise Healthcare of Florida XI, Inc.
  - 9895 Denial, establish a new 116 bed acute care satellite hospital, Miami-Dade County, Mount Sinai Medical Center of Florida, Inc., (PRH) same as applicant
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- DEPARTMENT OF ENVIRONMENTAL PROTECTION**
- Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection’s home page at <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”
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**DEPARTMENT OF HEALTH**

On January 18, 2006, M. Rony François, M.D., M.S.P.H., Ph.D., Secretary of the Department of Health, issued an Order of Emergency Restriction with regard to the license of Bernard Rachlin, M.D. license number ME 5331. This Emergency Restriction Order was predicated upon the Secretary'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 Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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On January 20, 2006, M. Rony François, M.D., M.S.P.H., Ph.D., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Lisa Furlough, R.N. license number RN 2810142. This Emergency Suspension Order was predicated upon the Secretary'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 Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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**TECHNOLOGICAL RESEARCH AND DEVELOPMENT AUTHORITY**

Open Solicitation for Employers to Support the Summer 2006 Florida Teacher Quest Program

TRDA/The Endeavour Academy is seeking employers to register for the 2006 Teacher Quest Scholarship Program.

The Teacher Quest Scholarship Program is a professional development opportunity that provides Florida teachers with a unique opportunity to acquire enhanced skills in mathematics, science and technology while working for a technology-based Florida company during the summer. Companies temporarily hire teachers in jobs utilizing mathematics, science or technology and the Teacher Quest Scholarship serves to partially reimburse the employer up to 40% of the teacher's hourly salary.

Registration forms are available at: [www.TheEndeavourAcademy.com/TeacherQuest](http://www.TheEndeavourAcademy.com/TeacherQuest).

For more information or to register for the Teacher Quest Scholarship Program contact: Diane Matthews, 1(866)263-9564.

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