

basic architectural/engineering services during construction. A more detailed Scope of Services will be included in the formal Request for Proposals (RFP).

**Significant Dates:**

- Letters of interest due: By 5:00 p.m., September 18, 2009
- RFP posted on web site: After 12:00 Noon, September 24, 2009
- Mandatory Pre-proposal conference: At 10:00 p.m., October 8, 2009
- Proposals Due: By 5:00 p.m., November 4, 2009

For additional information on submitting letters of interest, location of meeting and other project details, go to the Authority website at [www.tampaairport.com](http://www.tampaairport.com); Quick Links, Airport Business, Notice of Solicitations.

**NOTICE TO DESIGN-BUILD FIRMS**

The Hillsborough County Aviation Authority hereby requests, pursuant to the Consultants Competitive Negotiation Act, Section 287.055, Florida Statutes, letters of interest design-build firms desiring to render design-build services on the following Project:

**LONG TERM PARKING GARAGE RENTAL CAR EXPANSION AND RELATED WORK  
TAMPA INTERNATIONAL AIRPORT  
HCAA PROJECT NO. 8025 10**

This Design-Build Agreement provides for all services related to architectural and signage design; all engineering related to structural, mechanical, plumbing, fire protection, electrical, electronic and information technology systems, automotive fuel dispensing and management systems; construction and related surveys, permitting and testing. A more detailed scope of services will be included in the formal request for qualifications (RFQ).

**Significant Dates:**

- Letters of interest due: By 5:00 p.m. on September 3, 2009
- RFQ posted on web site: After 12:00 Noon, September 10, 2009
- Mandatory Pre-proposal conference: At 2:30 p.m., September 15, 2009
- Proposals due: By 5:00 p.m., October 7, 2009

For additional information on submitting letters of interest, location of meeting and other Project details, go to the Authority website at [www.tampaairport.com](http://www.tampaairport.com); Quick Links, Airport Business, Notice of Solicitation.

**H. LEE MOFFITT CANCER RESEARCH INSTITUTE, INC.**

Construction Bids Section 1004.43, F.S.

The H. Lee Moffitt Cancer Research Institute, Inc. and its subsidiaries operate pursuant to Section 1004.43, F.S. Moffitt and its' subsidiaries have facilities on the campus of the University of South Florida in Tampa, Florida. Architectural, engineering and design firms interested in working on projects for Moffitt may provide letters of interest to: H. Lee Moffitt

Cancer Research Institute, Inc., Attention: Facilities Department, 12902 Magnolia Drive, SRB-FAC, Tampa, Florida 33612-9497.

**Section XII  
Miscellaneous**

**DEPARTMENT OF EDUCATION**

The date of the rule development workshop relating to proposed amendments to Rule 6A-1.039, F.A.C., was incorrectly noticed in the Florida Administrative Weekly dated August 21, 2009. Should a rule development workshop be requested, the workshop will take place on September 8, 2009, 9:00 a.m. – 12:00 Noon, Department of Education, 325 West Gaines Street, Room 1721, Tallahassee, Florida 32399-0400. If you wish to request this workshop, please contact: Lynn Abbott, Agency Clerk, Department of Education at [lynn.abbott@fldoe.org](mailto:lynn.abbott@fldoe.org) or (850)245-9661.

**DEPARTMENT OF COMMUNITY AFFAIRS**

**NOTICE OF INTENT TO FIND PUBLIC SCHOOLS INTERLOCAL AGREEMENT CONSISTENT WITH SECTIONS 163.3177(2) AND (3), FLORIDA STATUTES  
DCA DOCKET NO. 32-11**

The Department gives notice of its intent to find the Public Schools Interlocal Agreement (“Agreement”) executed between the Jackson County School Board and the City of Marianna, pursuant to Section 163.31777, F.S., to be consistent with the minimum requirements of Sections 163.31777(2) and (3), F.S.

The Agreement is available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at: City of Marianna, Municipal Development Department, 2897 Jefferson Street, Marianna, Florida 32446.

Any affected person, as defined in Section 163.31777(3)(b), F.S., has a right to petition for an administrative hearing to challenge the proposed agency determination that the Agreement is consistent with the minimum requirements of Section 163.31777(2), F.S. The petition must be filed within twenty-one (21) days after publication of this notice in the Florida Administrative Weekly, and must include all of the information and contents described in Uniform Rule 28-106.201, F.A.C. The petition must be filed with the Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, and a copy mailed or delivered to Jackson County School Board and the City of Marianna. Failure to timely file a petition shall constitute a waiver of any right to request an administrative proceeding as a petitioner under Sections 120.569 and 120.57, F.S. If a petition is filed, the purpose of the administrative hearing will be to present evidence and

testimony and forward a recommended order to the Department. If no petition is filed, this Notice of Intent shall become final agency action.

If a petition is filed, other affected persons may petition for leave to intervene in the proceeding. A petition for intervention must be filed at least twenty (20) days before the final hearing and must include all of the information and contents described in Uniform Rule 28-106.205, F.A.C. A petition for leave to intervene shall be filed at: Division of Administrative Hearings, Department of Management Services, 1230 Apalachee Parkway, Tallahassee, Florida 32399-1550. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such a person has to request a hearing under Sections 120.569 and 120.57, F.S., or to participate in the administrative hearing.

If a formal or informal proceeding is commenced as described above, any party to that proceeding may suggest mediation under Section 120.573, F.S. Mediation is not available as of right, and will not occur unless all parties agree to participate in the mediation. Choosing mediation does not affect the right to an administrative hearing.

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-s-Mike McDaniel, Chief  
Office of Comprehensive Planning  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100

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**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 Johnny Pag Motorcycles, intends to allow the establishment of Wenmark, Inc. d/b/a All The Wheel Toys, as a dealership for the sale of Johnny Pag motorcycles (PAGS) at 1540 Northwest Federal Highway, Stuart (Martin County), Florida 34994, on or after August 18, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Wenmark, Inc. d/b/a All The Wheel Toys are dealer operator(s): Wendy Mourning, 1081 Southeast Spinnaker Avenue, Stuart, Florida 34994 and Mark Mourning, 1081 Southeast Spinnaker Avenue, Stuart, Florida 34994; principal investor(s): Wendy Mourning, 1081 Southeast Spinnaker Avenue, Stuart, Florida 34994 and Mark Mourning, 1081 Southeast Spinnaker Avenue, Stuart, Florida 34994.

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: JR Pag, CEO, Johnny Pag Motorcycles, 1851 McGaw Avenue, Irvine, California 92614.

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, notice is given that Cobra Scooters, LLC, intends to allow the establishment of Stiver's of Englewood, Inc. d/b/a Booty Scooters, as a dealership for the sale of motorcycles manufactured by Guangzhou Panyu Huanan Motors Group Co. Ltd. (GUNG) at 850 South River Road, Englewood (Sarasota County), Florida 34223, on or after August 12, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Stiver's of Englewood, Inc. d/b/a Booty Scooters are dealer operator(s): Bill Stiver, 850 South River Road, Englewood, Florida 34223; principal investor(s): Bill Stiver, 850 South River Road, Englewood, Florida 34223.

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: Robert P. Bates, Cobra Scooters, LLC, 3939 Royal Drive Northwest, Suite 139, Kennesaw, Georgia 30144.

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 The AutoMoto.com Corp., intends to allow the establishment of C4J Group, LLC d/b/a Cart Smarts of St. Augustine, as a dealership for the sale of motorcycles manufactured by Zhejiang Xingyue Vehicle Co. Ltd. (ZXYV) at 71 South Dixie Highway #1, St. Augustine (St. Johns County), Florida 32084, on or after August 1, 2009.

The name and address of the dealer operator(s) and principal investor(s) of C4J Group, LLC d/b/a Cart Smarts of St. Augustine are dealer operator(s): James Worley, 71 South Dixie Highway #1, St. Augustine, Florida 32084; principal investor(s): James Worley, 71 South Dixie Highway #1, St. Augustine, Florida 32084.

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: Guy Cohen, The AutoMoto.com Corp., 15125 Raymer Street, Van Nuys, California 91405.

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 Pacific Rim International West, Inc., intends to allow the establishment of Ferada Tile, Inc. d/b/a E & F Auto Group, as a dealership for the sale of motorcycles manufactured by Huzhou Daixi Zhenhua Technology Trade Co. Ltd. (DAIX) at 1308 East Altamonte Drive, Altamonte Springs (Seminole County), Florida 32701, on or after August 14, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Ferada Tile, Inc. d/b/a E & F Auto Group are dealer operator(s): Fernando Menendez, 1308 East Altamonte Drive, Altamonte Springs, Florida 32701; principal investor(s): Fernando Menendez, 1308 East Altamonte Drive, Altamonte Springs, Florida 32701.

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: Wendy Yu, Pacific Rim International West, Inc., 2260 South Archibald Avenue, Unit E, Ontario, California 91761.

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 Pacific Rim International West, Inc., intends to allow the establishment of Ferada Tile, Inc. d/b/a E & F Auto Group, as a dealership for the sale of motorcycles manufactured by Huzhou Daixi Zhenhua Technology Trade Co. Ltd. (DAIX) at 1724 Timocuan Way, Longwood (Seminole County), Florida 32750, on or after August 12, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Ferada Tile, Inc. d/b/a E & F Auto Group are dealer operator(s): Fernando Menendez, 1724 Timocuan Way, Longwood, Florida 32750; principal investor(s): Fernando Menendez, 1724 Timocuan Way, Longwood, Florida 32750.

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: Wendy Yu, Pacific Rim International West, Inc., 2260 South Archibald Avenue, Unit E, Ontario, California 91761.

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, notice is given that Motor Sports Connexion, LLC, intends to allow the establishment of Moreland Marine International, Inc. d/b/a Island Scooter Store, as a dealership for the sale of motorcycles manufactured by CPI Motor Co. (CPIU) at 5347 Gulf Drive, Unit 6, Holmes Beach (Manatee County), Florida 34217, on or after July 14, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Moreland Marine International, Inc. d/b/a Island Scooter Store are dealer operator(s): Brian Quartermain, 5347 Gulf Drive, Unit 6, Holmes Beach, Florida 34217; principal investor(s): Brian Quartermain, 5347 Gulf Drive, Unit 6, Holmes Beach, Florida 34217.

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: Lisa Knowles, Motor Sports Connexion, LLC, 11645 Grand Bay Boulevard, Clermont, Washington 34711.

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, notice is given that Classic Motorcycles and Sidecars, Inc., intends to allow the establishment of Moreland Marine International, Inc. d/b/a Island Scooter Store, as a dealership for the sale of motorcycles manufactured by Benzhou Vehicle Industry Group Co. Ltd. (SHWI) at 5347 Gulf Drive North, Suite 6, Holmes Beach (Manatee County), Florida 34217, on or after July 1, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Moreland Marine International, Inc. d/b/a Island Scooter Store are dealer operator(s): Brian Quartermain, 5347 Gulf Drive, Holmes Beach, Florida 34217; principal investor(s): Brian Quartermain, 5347 Gulf Drive, Holmes Beach, Florida 34217.

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: Bobbette Lynott, Classic Motorcycles and Sidecars, Inc., Post Office Box 969, Preston, Washington 98050.

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 Classic Motorcycles and Sidecars, Inc., intends to allow the establishment of Moreland Marine International, Inc. d/b/a Island Scooter Store, as a dealership for the sale of motorcycles manufactured by Taizhou Zhongneng Motorcycle Co. Ltd. (ZHNG) at 5347 Gulf Drive North, Suite 6, Holmes Beach (Manatee County), Florida 34217, on or after July 1, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Moreland Marine International, Inc. d/b/a Island Scooter Store are dealer operator(s): Brian Quartermain, 5347 Gulf Drive, Holmes Beach, Florida 34217; principal investor(s): Brian Quartermain, 5347 Gulf Drive, Holmes Beach, Florida 34217.

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.

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A copy of such petition or complaint must also be sent by U.S. Mail to: Bobbette Lynott, Classic Motorcycles and Sidecars, Inc., Post Office Box 969, Preston, Washington 98050.

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 Motor Sports Connexion, LLC, intends to allow the establishment of Motor Car Concepts II, Inc., as a dealership for the sale of motorcycles manufactured by CPI Motor Co. (CPIU) at 900 North Orange Blossom Trail, Apopka (Orange County), Florida 32703, on or after July 14, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Motor Car Concepts II, Inc. are dealer operator(s): Hakan Ozdemir, 12006 Rebeccas Run Drive, Apopka, Florida 32703; principal investor(s): Hakan Ozdemir, 12006 Rebeccas Run Drive, Apopka, Florida 32703.

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: Lisa Knowles, Motor Sports Connexion, LLC, 11645 Grand Bay Boulevard, Clermont, Washington 34711.

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 Subaru of America, Inc., South Central Region, intends to allow the establishment of Rallye Motors, Inc. d/b/a Rallye Subaru, as a dealership for the sale of Subaru vehicles (SUBA) at 1749 Southwest College Road, Ocala (Marion County), Florida 34471, on or after September 28, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Rallye Motors, Inc. d/b/a Rallye Subaru are dealer operator(s): Art Sullivan, 1749 Southwest College Road, Ocala, Florida 34471; principal investor(s): Art Sullivan, 1749 Southwest College Road, Ocala, Florida 34471.

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: John Thamert, Subaru of America, Inc., South Central Region, 220 The Bluffs, Austell, Georgia 30168.

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, notice is given that Keeway America, LLC, intends to allow the establishment of Larkin Motorworks, LLC d/b/a St. Pete Scooter, as a dealership for the sale of motorcycles manufactured by Zhejiang Qianjiang Motorcycle Co. Ltd. (ZHQM) at 3029 Dr. Martin Luther King, Jr. Street North, St. Petersburg (Pinellas County), Florida 33704, on or after August 18, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Larkin Motorworks, LLC d/b/a St. Pete Scooter are dealer operator(s): Ron Larkin, 3029 9th Street, St. Petersburg, Florida 33704; principal investor(s): Ron Larkin, 3029 9th Street, St. Petersburg, Florida 33704.

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: Zhong Zhuang, President, Keeway America, LLC, 2912 Skyway Circle North, Irving, Texas 75038.

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, notice is given that Classic Motorcycles and Sidecars, Inc., intends to allow the establishment of Larkin Motorworks, LLC d/b/a St. Pete Scooter, as a dealership for the sale of motorcycles manufactured by Benzhou Vehicle Industry Group Co. Ltd. (SHWI) at 3029 Dr. Martin Luther King, Jr. Street North, St. Petersburg (Pinellas County), Florida 33704, on or after July 1, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Larkin Motorworks, LLC d/b/a St. Pete Scooter are dealer operator(s): Ron Larkin, 3029 9th Street, St. Petersburg, Florida 33704; principal investor(s): Ron Larkin, 3029 9th Street, St. Petersburg, Florida 33704.

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: Bobbette Lynott, Classic Motorcycles and Sidecars, Inc., Post Office Box 969, Preston, Washington 98050.

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 Apollo Choppers II, LLC, intends to allow the establishment of Steve's Cycles, Inc., as a dealership for the sale of Apollo motorcycles (APLO) at 1045 West King Street, Cocoa (Brevard County), Florida 32922, on or after August 18, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Steve's Cycles, Inc. are dealer operator(s): Steve Foley, 1045 West King Street, Cocoa, Florida 32922; principal investor(s): Steve Foley, 1045 West King Street, Cocoa, Florida 32922.

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: William Lyle Hysinger, Jr., Apollo Choppers II, LLC, 891 Ballardsville Road, Suite 100, Eminence, Kentucky 40019.

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 Classic Motorcycles and Sidecars, Inc., intends to allow the establishment of Swanders, Inc. d/b/a Swanders Auto

Mart, as a dealership for the sale of motorcycles manufactured by Qianjiang Motorcycles Group Corp. (QINJ) at 5546 North Lecanto Highway, Beverly Hills (Citrus County), Florida 34465, on or after July 1, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Swanders, Inc. d/b/a Swanders Auto Mart are dealer operator(s): Carl Swanders, 5546 North Lecanto Highway, Beverly Hills, Florida 34465; principal investor(s): Carl Swanders, 5546 North Lecanto Highway, Beverly Hills, Florida 34465.

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: Bobbette Lynott, Classic Motorcycles and Sidecars, Inc., Post Office Box 969, Preston, Washington 98050.

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 Johnny Pag Motorcycles, intends to allow the establishment of Palm City Corporation d/b/a Tropic Powersports, as a dealership for the sale of Johnny Pag motorcycles (PAGS) at 11100 South Cleveland Avenue, Fort Myers (Lee County), Florida 33907, on or after August 13, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Palm City Corporation d/b/a Tropic Powersports are dealer operator(s): James Wilson, 2104 West First Street, Fort Myers, Florida 33901 and Lucille Wilson, 2104 West First Street, Fort Myers, Florida 33901; principal investor(s): James Wilson, 2104 West First Street, Fort Myers, Florida 33901 and Lucille Wilson, 2104 West First Street, Fort Myers, Florida 33901.

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: JR Pag, CEO, Johnny Pag Motorcycles, 1851 McGaw Avenue, Irvine, California 92614.

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, notice is given that Cobra Scooters, LLC, intends to allow the establishment of Vespa of Central Florida, LLC d/b/a Vespa of Orlando, as a dealership for the sale of motorcycles manufactured by Guangzhou Panyu Huanan Motors Group Co. Ltd. (GUNG) at 930 Orange Avenue, Winter Park (Orange County), Florida 32789, on or after August 12, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Vespa of Central Florida, LLC d/b/a Vespa of Orlando are dealer operator(s): Bruce Albertson, 930 Orange Avenue, Winter Park, Florida 32789; principal investor(s): Bruce Albertson, 930 Orange Avenue, Winter Park, Florida 32789.

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: Robert P. Bates, Cobra Scooters, LLC, 3939 Royal Drive Northwest, Suite 139, Kennesaw, Georgia 30144.

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, notice is given that Trifun Incorporated, intends to allow the establishment of WBG Enterprises, LLC, as a dealership for the sale of Trifun, Inc. motorcycles (TRIF) at 27800 Old 41 Road, Bonita Springs (Lee County), Florida 34135, on or after August 1, 2009.

The name and address of the dealer operator(s) and principal investor(s) of WBG Enterprises, LLC are dealer operator(s): Robert Bachman, 27119 Oakwood Lake Drive, Bonita Springs, Florida 34134 and Jeremy Bachman, 27328 Pinecrest Lane, Bonita Springs, Florida 34135; principal investor(s): Robert Bachman, 27119 Oakwood Lake Drive, Bonita Springs, Florida 34134 and Jeremy Bachman, 27328 Pinecrest Lane, Bonita Springs, Florida 34135.

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: Tighe Estes, President, Trifun Incorporated, 3330 North Federal Highway, Lighthouse Point, Florida 33064.

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."

**EXECUTIVE OFFICE OF THE GOVERNOR**

In May 2009, the Governor signed House Bill 485 which authorizes the Florida New Market Development Program through Section 288.9912, Florida Statutes.

The program encourages capital investment in low-income communities by allowing taxpayers to earn credits by investing in qualified Community Development Entities (CDEs) that make investments in active low-income community businesses. A person or entity that makes a qualified investment earns a vested tax credit equal to 39 percent of the purchase price of the qualified investment.

Qualified CDEs may apply to OTTED to have investments approved as qualified investments for Florida New Market Tax Credits.

Program guidelines and application forms are available at [www.flgov.com/otted\\_home](http://www.flgov.com/otted_home).

**SUBMITTING THE APPLICATION**

There are two application periods or windows: September 1, 2009 through October 2, 2009, and November 2, 2009 through December 4, 2009. Applications must be submitted to OTTED within an application period to be accepted.

Submit one (1) electronic copy, one (1) original and two (2) copies of the Application in loose-leaf three rings binders contained in a sealed package. On the outside of the package, clearly mark "APPLICATION FOR FLORIDA NEW MARKETS DEVELOPMENT PROGRAM."

Applicants must submit a nonrefundable \$1,000 application fee payable to Executive Office of the Governor.

Submit the package to:

Governor's Office of Tourism, Trade, and Economic Development  
 Suite 1902, The Capitol  
 Tallahassee, Florida 32399-0001  
 Karl.Blischke@eog.myflorida.com

OTTED will review applications in the order received and approve or deny an application within 30 days after receipt. Review will be based on the eligibility requirements and applicant's plans to meet the program guidelines including the proposed use of proceeds and plans to develop relationships with community based organizations that serve low-income communities.

**WATER MANAGEMENT DISTRICTS**

**NOTICE OF INTENDED AGENCY ACTION**

The South Florida Water Management District gives notice of its intent to issue the following Permit with conditions:

Permit No. 50-09160-P (Application No. 080414-13) Palm Beach County (Dubois Park Redevelopment) 2700 6th Avenue South, Lake Worth, FL 33461, for an Environmental Resource Permit authorizing construction and operation of a 17-slip docking facility for public day use only, dredging, seawall and riprap and an artificial reef at Dubois Park in Palm Beach County, Section 32, Township 40 South, Range 43 East. The application includes authorization to use Sovereign Submerged Lands in the form of a lease modification and letter of consent authorization.

The Staff Report setting forth the staff recommendation regarding the permit, including proposed limiting conditions to provide reasonable assurances that the project meets SFWMD statutes and rules, can be obtained by contacting the Regulatory Records Management Section, during normal business hours, 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, Environmental Resource Regulation Department, by phone (561)682-6911, by e-mail: [permits@sfwmd.gov](mailto:permits@sfwmd.gov) or by accessing the Staff Report directly from the District's website ([www.sfwmd.gov](http://www.sfwmd.gov)) using the Application/Permit Search on the ePermitting page.

As required by Sections 120.569(1), and 120.60(3), F.S., 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, F.S. 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, F.S.; or 2) within 14 days of service of an Administrative Order pursuant to Section 373.119(1), F.S. "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 the SFWMD Clerk's Office at (561)682-6010. Pursuant to Sections 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.

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#### **AGENCY FOR HEALTH CARE ADMINISTRATION**

##### **Jackson Hospital emergency service exemption**

The Agency for Health Care Administration has received an application for an emergency service exemption from Jackson Hospital located at 4250 Hospital Dr., Marianna, FL 32446 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 General 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: Jessica Munn, 2727 Mahan Drive, MS #31, Tallahassee, Florida 32308, by phone at (850)487-2717 or by e-mail: [munnj@ahca.myflorida.com](mailto:munnj@ahca.myflorida.com).

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#### **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."

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The Department of Environmental Protection gives notice of its intent to grant a variance under Section 403.201, F.S., from the provisions of sub-subparagraph 62-4.242(2)(a)2.b., subsections 62-302.700(1), 62-312.080(3) and paragraph 40C-4.301(1)(e), F.A.C., to the U.S. Army Corps of Engineers, Attn: Eric Summa, Chief, Environmental Branch, Jacksonville District P. O. Box 4970, Jacksonville, FL 32232, (File No. 0129260-004-BV) to establish a maximum allowable turbidity level above background for work adjacent to the Merritt Island National Wildlife Refuge and the Banana River Aquatic Preserve, both of which are designated as Outstanding Florida Waters (OFWs). The grantee shall not cause or contribute to an exceedance of a temporary turbidity standard of 12 Nephelometric Turbidity Units (NTUs) above background beyond the approved mixing zone and within the boundaries of the adjacent OFWs. This temporary variance shall only be valid during the construction activities authorized in pending Permit No. 0129260-002-JC, which involves maintenance dredging of up to approximately 1,500,000 cubic yards of sediment annually from the federally-authorized portions of the Port Canaveral navigational complex, including the entrance channel to the east of the port and the barge canal to the west of the port. 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: Department of Environmental Protection, Bureau of Beaches and Coastal Systems, 5050 W. Tennessee Street, Building B, Tallahassee, Florida 32304, (850)488-7708.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, 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, Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

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

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

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

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

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

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

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

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

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

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

This variance constitutes an order of the Department. The applicant has the right to seek judicial review of the order under Section 120.68, Florida Statutes, by the filing of a notice

of appeal under Rule 9.110, Florida Rules of Appellate Procedure, with the: Clerk, Department of Environmental Protection, Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida, 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the final order is filed with the Clerk of the Department.

The Department of Environmental Protection (Department) gives notice of its intent to grant a variance under Section 403.201, F.S., from the provisions of Rule 62-296.513, F.A.C., to the Lockheed Martin Aeronautics Company, an aerospace parts and components manufacturing facility located at 9300 28th Street North, Pinellas Park, Florida (File No. 08-2082) to allow relief from compliance with the volatile organic compound (VOC) reasonably available control technology (RACT) requirements of Rule 62-296.513, Florida Administrative Code (F.A.C.). The final order requires the petitioner to comply with the VOC content limits contained in the United States Environmental Protection Agency (U.S. EPA) Aerospace Industry Control Technology Guideline (Aerospace CTG) document titled "Control of Volatile Organic Compound Emissions from Coating Operations at Aerospace Manufacturing and Rework Operations" (EPA-453/R-97-004). 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: Department of Environmental Protection, Division of Air Resource Management, Office of Policy Analysis and Program Management, 111 S. Magnolia Drive, Suite 23, Tallahassee, Florida 32301, (850)921-9556.

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

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

Because the administrative hearing process is designed to redetermine final agency action on the application, the filing of a petition for an administrative hearing may result in a modification of the agency action or even a denial of the application. If a sufficient petition for an administrative hearing or request for an extension of time to file a petition is

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

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

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

In accordance with 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; (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

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

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

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#### 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/](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.

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#### Coastal Partnership Initiative Request for Applications, FY 10-11

The Florida Coastal Management Program (FCMP) announces the availability of federal grant funds for innovative coastal projects under its COASTAL PARTNERSHIP INITIATIVE (CPI) for fiscal year 2010-2011. Eligible applicants include local governments within the 35 coastal counties that are required to include a coastal element in their local comprehensive plans, national estuarine research reserves (NERRs), and national estuary programs (NEPs). Colleges, universities, regional planning councils and nonprofit groups may also apply for CPI funds, as long as an eligible local government, NERR, or NEP is a partner in the project. Applications must be submitted on the new CPI APPLICATION FORM, available from the FCMP website at: [http://www.dep.state.fl.us/cmp/grants/files/cpi\\_app\\_chklist.doc](http://www.dep.state.fl.us/cmp/grants/files/cpi_app_chklist.doc).

Applications must be received no later than 4:00 p.m. (EDT), October 28, 2009, and should be mailed to:

Florida Coastal Management Program  
Department of Environmental Protection  
3900 Commonwealth Blvd., MS 47  
Tallahassee, FL 32399-3000.

Electronic and faxed applications will not be accepted. Selected projects will be included in the FCMP application to the National Oceanic & Atmospheric Administration (NOAA) for fiscal year 2010-11, which begins July 1, 2010, and ends June 30, 2011.

The purpose of the COASTAL PARTNERSHIP INITIATIVE is to inspire community action and promote the protection and effective management of Florida's coastal resources in four specific categories: RESILIENT COMMUNITIES, COASTAL RESOURCE STEWARDSHIP, ACCESS TO COASTAL RESOURCES and WORKING WATERFRONTS. These categories are described in Chapter 62S-4, F.A.C., along with other information about the CPI grant program, including the new application form, submittal requirements, and the criteria by which applications will be scored and ranked. The CPI Application Form and Chapter 62S-4, F.A.C., are available from the FCMP grants website at: <http://www.dep.state.fl.us/cmp/grants/index.htm>.

Please note the following important details regarding the CPI grant process for FY 2010-11:

1. Applicants must submit one application with original signatures and 12 copies of the application to the FCMP.
2. Financial assistance is available as reimbursement grants ranging from \$20,000 to a maximum of \$60,000.

3. Recipients are required to provide 100 percent matching contributions (cash or in-kind) in the form of goods and services that directly benefit the specific grant project.
4. There are additional requirements for applications involving construction, exotic species removal, habitat restoration, and land acquisition, including:
  - a. The application must include a complete and signed 306A Checklist, which is appended to the CPI Application Form and may be downloaded as a separate file at: <http://www.dep.state.fl.us/cmp/grants/files/306a-chklist.doc>.
  - b. Applicants proposing construction, exotic species removal or habitat restoration must conduct a preliminary consultation with appropriate local, state, and federal regulatory agencies. A summary of the consultation must be included in the CPI application, or the application will be considered incomplete and will not be processed.
  - c. Non-profit organizations (NPOs) are not eligible to receive FCMP funds for construction, exotic species removal or habitat restoration. An application submitted by a NPO that includes any of those activities as part of the applicant's match requirement will not be considered or processed.
  - d. Shoreline hardening projects are not eligible for FCMP funds.
  - e. Projects must be small-scale in scope.
  - f. Infrastructure projects should have a clear coastal management component.
  - g. Construction or land acquisition activities occurring in designated Coastal Barrier Resource Act units are subject to additional review and approval by NOAA and/or the U.S. Fish and Wildlife Service.

For questions or to request a copy of Chapter 62S-4, F.A.C., or the CPI Application Form, please contact: Ms. Dornecia Allen, Florida Coastal Management Program, 3900 Commonwealth Blvd., MS 47, Tallahassee, FL 32399-3000, (850)245-2161 or email: [Dornecia.Allen@dep.state.fl.us](mailto:Dornecia.Allen@dep.state.fl.us).

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#### DEPARTMENT OF JUVENILE JUSTICE

The Florida Department of Juvenile Justice has posted one revised policy for review and comment on [www.MyFlorida.com](http://www.MyFlorida.com) at: [http://www.djj.state.fl.us/policies\\_procedures/policyreview.html](http://www.djj.state.fl.us/policies_procedures/policyreview.html).

Vending Machines on Department of Juvenile Justice Owned Property (FDJJ – 1325) This revised policy sets forth procedures and guidelines for the contracting of vending services within Department of Juvenile Justice owned facilities. The primary change in the policy and procedures relates to the deletion of leased property referring rather to just state-owned property.

The policy is posted for a single 20 working day review and comment period, with the closure date for submission of comments on the policy of September 25, 2009. Responses to comments received will be posted during the review period to the extent possible, but no later than 10 working days after the end of the review period on the above Website.

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#### DEPARTMENT OF HEALTH

On August 14, 2009, 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 Gerardo A. Klug, M.D. License #ME 92719. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On August 13, 2009, 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 Christopher Lanning, L.P.N. License #PN 1185261. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On August 13, 2009, 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 Chiquita L. Lynch, C.N.A. License #CNA 98077. This Emergency

Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On August 14, 2009, 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 Nequanda Raquel Quarterman, C.N.A. License #CNA 35616. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On August 13, 2009, 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 Leigh A. Stewart, R.N. License #RN 3160962. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**SOLICITATION OF APPLICATIONS FOR 2009 EMERGENCY SHELTER GRANTS**

The Department of Children and Families through the Office on Homelessness, hereby solicits applications for the 2009 Federal Emergency Shelter Grant (ESG).

The objectives of the Emergency Shelter Grants program are to increase the number and quality of emergency shelters and transitional housing facilities for homeless individuals and families, to aid this population in transition to permanent homes, and to operate these facilities and provide essential social services. There is a statutory requirement that ESG funds must benefit homeless persons and that costs be provided at a reasonable price and be directly related to an ESG eligible expenditure category.

The ESG program is designed as the first step in a continuum of assistance to prevent homelessness and to enable the homeless population to move steadily toward independent living. The Continuum of Care model is based on the understanding that homelessness is not caused by simple a lack of shelter, but involves a variety of underlying needs. HUD believes the best approach for alleviating homelessness is through a community-based process that provides a comprehensive response to the diverse needs of homeless persons. The fundamental components of a Continuum of Care system are:

- Outreach and assessment to identify a homeless person's needs;
- Immediate (emergency) shelter as a safe, decent alternative to the streets;
- Transitional housing with appropriate supportive services to help people reach independent living; and
- Permanent housing or permanent supportive housing for the disabled homeless.

**Eligible Applicants**

The State of Florida, Department of Children and Families, Office on Homelessness, receives funds directly from HUD. Its allocation, except for a portion of the administrative costs, must be made available to the following recipients:

Local governments in the State (any city, county, town, township, parish, village, or other general purpose political subdivision of a state), which may include cities and counties that are ESG grantees; or

Private non-profit organizations (defined as tax-exempt secular or religious organizations described in section 501(c) of the Internal Revenue Code), if the local government where the project is located certifies its approval of the project.



Note: State grantees are prohibited from funding projects operated by the agencies of State government.

**APPLICATION PACKET AVAILABILITY**

Application packets may be found at the following website address: <http://www.dcf.state.fl.us/homelessness/>

Application packets may also be requested from:

Office on Homelessness  
1317 Winewood Boulevard  
Building 3, Room 201  
Tallahassee, FL 32399-0700  
(850)922-4691

**SUBMISSION DEADLINE:** 3:30 p.m., September 22, 2009

**FINANCIAL SERVICES COMMISSION**

**NOTICE OF FILINGS**

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received the following applications. Comments may be submitted to the Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing. However, pursuant to provisions specified in Chapter 69U-105,

Florida Administrative Code, any person may request a public hearing by filing a petition with the Clerk, Legal Services Office, Office of Financial Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0379. The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., September 18, 2009):

**APPLICATION FOR CONVERSION OF A FEDERAL SAVINGS ASSOCIATION TO A STATE BANK**

Applicant and Location: Superior Bank, FSB, 17 20th Street, North, Birmingham, Jefferson County, Alabama 35203

With Title: Superior Bank

Correspondent: Bill Caughran, 17 20th Street N., Birmingham, Alabama 35203

Received: August 13, 2009

**APPLICATION TO MERGE**

Constituent Institutions: Achieva Credit Union, Clearwater, Florida and Sarasota Coastal Credit Union, Sarasota, Florida

Resulting Institution: Achieva Credit Union

Received: August 17, 2009