

The award will be made in accordance with Section 255.29, F.S., and the procedures and criteria of the Departments Division of Real Estate Development and Management.

## Section XII Miscellaneous

### DEPARTMENT OF STATE

Small Matching Historic Preservation Grants  
Formal Solicitation for Applications  
September 1, 2011 – November 15, 2011  
for Fiscal Year 2012-2013

The purpose of this notice is to formally announce that the Florida Department of State is currently soliciting applications for Small Matching Grant-in-Aid assistance for historic preservation projects.

The solicitation period begins September 1, 2011, and extends through November 15, 2011. A preview of the online application is available at: [www.flheritage.com/grants](http://www.flheritage.com/grants) and submissions of the application will be accepted beginning September 1, 2011. Applications must be submitted online by 11:59 p.m. on November 15, 2011. Application attachments must be delivered to the Bureau of Historic Preservation, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250 no later than 5:00 p.m., November 15, 2011, or be clearly postmarked on or before November 15, 2011, or show evidence of submission to an express mail service on or before November 15, 2011. Arrangements for the submission of paper applications may be made by calling: The Bureau at (850)245-6333 or toll free at 1(800)847-7278.

#### FUNDS AVAILABLE

Funding availability will depend upon legislative appropriation during the 2012 Legislative Session. Recommended grant awards will not exceed \$50,000.00.

It is projected that approximately \$118,250 will be made available for Certified Local Government (CLG) program grants for conducting survey and planning and community education projects. These funds will be comprised of the required 10% of Florida's 2012 Federal Historic Preservation Fund apportionment, and will be available only to those local governments that are already certified or meet the requirements of item (d) below.

#### WHO IS ELIGIBLE TO APPLY

Eligible applicants include:

- (a) Departments or agencies of the State of Florida (including state universities);
- (b) Units of county, municipal or other local governments;
- (c) Any Florida not-for-profit corporation, institution, or organization; and

- (d) Certified Local Governments or any local government that has received National Park Service certification by November 15, 2011.

Non-secular organizations are eligible to apply for grant-in-aid assistance. However, eligible development activities involving non-secular properties are limited to work on the exterior of the property and only those interior activities that are essential to the preservation of the structural integrity of the property.

#### PROJECTS ELIGIBLE FOR FUNDING

Small Matching grant funds will be available to support both Acquisition & Development and Protection & Education activities.

Acquisition & Development projects include acquisition, preservation, protection, restoration, rehabilitation and stabilization of historical and archaeological properties; also the investigation of archaeological sites, the taking of photographs, the preparation of measured drawings and such other records as are necessary to record historical and archaeological sites and properties threatened with damage or destruction; and planning for eligible Acquisition & Development activities, such as the preparation of plans and specifications.

Protection & Education activities include survey and evaluation of historical and archaeological properties; preparation of data for and the actual listing or registering of historical and archaeological properties in the Florida Master Site File or the National Register of Historic Places; preparation of long-range historic preservation and management plans for historical and archaeological properties; development of automated information systems to facilitate the recording of property data or to facilitate the management of information on other subjects pertaining to historic preservation; community education and community relations projects promoting the preservation of historical and archaeological properties in general; research to study the effectiveness and results of historic preservation programs, methods and techniques; research of historical documents for the purpose of documenting and evaluating the significance of historical and archaeological properties; and use of staff or a private consultant hired through appropriate procurement standards to organize a Certified Local Government program or its components.

Other preservation activities may also be eligible for grant assistance. If you have a question about the eligibility of a project or work element, please call the Bureau.

#### GENERAL PRIORITIES

##### Historic Preservation

The goal of the Bureau is to locate, identify and protect the significant historic properties of the state as rapidly as possible to provide a basis for effective preservation planning throughout the state. In accordance with the application evaluation criteria outlined in Chapter 1A-39, Florida

Administrative Code (“Division of Historical Resources Grants Programs”), projects within each category shall be compatible with the following priorities:

**A. Survey Priorities**

1. Surveys to identify, evaluate and document historic properties and archaeological sites associated with Florida’s minority heritage.
2. Surveys of broad areas where no previous surveys have been undertaken.
3. Surveys located in areas subject to intensive development pressure.
4. Surveys designed to complete comprehensive coverage of areas in which partial surveys have been made.
5. Surveys that address historic themes not covered or under-represented in previous surveys.

**B. Registration (National Register) Priorities**

1. Registration of historical resources identified by previous survey activity.
2. Registration of properties of national significance, and not previously listed in the National Register.
3. Registration of properties of statewide or local significance, and not previously listed in the National Register.

**C. Planning Priorities**

1. Development of historic preservation elements (or historic preservation components of coastal management, future land use or housing elements) of Local Government Comprehensive Plans.
2. Development of plans for informing the public as to the economic and other benefits of preserving historical resources.
3. Development of protection tools, such as local ordinances.
4. Implementation of automated information systems to facilitate the recording of site data or information on other historic preservation subjects.

**D. Community Education Priorities**

1. Historic preservation education programs for school children.
2. Projects having to do with minority historic preservation.
3. General publications about preservation.
4. Self-guided tours of historic areas.

**E. Acquisition and Development Priorities**

1. Assistance for stabilization or other appropriate preservation treatments for properties which are in imminent danger of being lost due to physical deterioration or planned development.
2. Assistance in the development of plans for the restoration or rehabilitation of properties, particularly those that will be placed in public use.

3. Assistance in the restoration and rehabilitation of properties for which appropriate preservation planning is complete or well underway, particularly those which will be placed in public use.
4. Assistance for restoration or rehabilitation projects which will yield technical innovations which will have application in other projects.

Applications for all types of eligible projects are earnestly solicited and encouraged and will be judged on their merits according to the criteria in Rule 1A-39.008, Florida Administrative Code.

**SPECIAL STATEWIDE PROJECTS within the Small Matching Grant Program**

**Viva Florida 500** Special consideration will be given to proposals for a traveling exhibit that reflects the goals and purposes of the Viva Florida 500 Initiative. A maximum of \$50,000 will be available for the project, contingent on appropriations from the 2012 Florida Legislature. Matching funds are not required for this project.

The exhibit should be of sturdy construction that can be easily shipped to three or four venues throughout Florida for approximately six weeks each from January to June 2013. Special consideration will be given to projects that include venues in small or underserved communities. It will be the responsibility of the grantee to arrange for the venues and the scheduling thereof. For information on topics central to Viva Florida 500, please visit: [www.vivaflorida.org](http://www.vivaflorida.org) and [www.fla500.com](http://www.fla500.com).

**Florida Main Street Program**

Newly selected Florida Main Street communities will be eligible for non-matching “start-up” grants of \$10,000.

**SPECIAL CONSIDERATION**

Priority ranking during the Acquisition and Development review will be given to projects whose objective is in accordance with the first priority for Acquisition and Development projects: The stabilization or other appropriate preservation treatments for properties which are in imminent danger of being lost due to physical deterioration or planned development.

**MATCH REQUIREMENTS AND PROJECT SUPPORT**

The above special projects and applications submitted by local governments and not-for-profit organizations located in communities that are eligible to request a waiver or reduction of matching requirements as per Section 288.06561, Florida Statutes, are the only potential non-matching grants anticipated. All other funding will be awarded in the form of 50/50 matching grants. That is, funds will be given to support up to 50% of the cost of an eligible project, with the other 50% to be provided by the grant recipient (grantee) in the form of cash match or allowable in-kind and donated services match with a specified cash value. The required match must include a minimum cash contribution of 25%.

In computing grant match, please note that, while direct administrative costs for conducting grant activities will be considered allowable expenditures, indirect administrative charges or overhead will be considered on a case-by-case basis and may not exceed 10% of the grant award request. In valuing in-kind and donated services, please be sure to use a value that reflects a typical fair market value you would pay if you were purchasing such services. Also, please be aware that you may not use expenditures of any kind made prior to the grant period as part of your match.

It is important that the applicant document support for the project for which funding is requested. Several letters of support, endorsements, resolutions, and other documentation evidencing local, regional or statewide support for the project contribute significantly to the application review.

**APPLICATION REVIEW AND PROJECT SELECTION**

Applications must be submitted online by 11:59 p.m. on November 15, 2011. Application attachments must be delivered to the: Bureau of Historic Preservation, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250 no later than 5:00 p.m., November 15, 2011, or be clearly postmarked on or before November 15, 2011, or show evidence of submission to an express mail service on or before November 15, 2011.

All eligible applications will be evaluated on a competitive basis by Grant Review Panels appointed by the Secretary of State in public meetings scheduled for February 13 and 14, 2012, in Tallahassee.

The Grant Review Panels will prioritize all applications and recommend a level of funding (full or partial) for each project. In accordance with the Government Performance and Accountability Act of 1994, the Division of Historical Resources is mandated to increase the number of historic and archaeological properties protected or preserved for public use. Please note that many projects may not be recommended for the full amount requested; rather, the Grant Review Panel members may recommend an amount intended as a significant contribution to the project. Final project selection will be made by the Department of State and will depend heavily upon the Grant Review Panels' recommendations.

Projects selected for grant awards will be announced by July 1, 2012. Grant award agreements will be forwarded to grantees in July of 2012, and project work may not be initiated until a formal grant award agreement between the grantee and the Department is executed. No work begun before July 1, 2012, will be eligible for payment.

**ADDITIONAL INFORMATION**

If you have any questions regarding proposed projects or the application process, please call the staff of the: Bureau of Historic Preservation at 1(800)847-7278 (PAST) or (850) 245-6333. Questions regarding Acquisition & Development projects should be directed to Phillip Wisley, Eva Osborne or Jennifer Patnode. Questions regarding archaeological projects,

historic structures surveys, or planning should be directed to: Sharyn Heiland. Community education projects should be directed to: Crista Hosmer. General questions regarding the grants program may be directed to: Sharyn Heiland, Crista Hosmer or Jennifer Patnode.

Please visit our Web site at: [www.flheritage.com/grants](http://www.flheritage.com/grants) for more information on the grants program and to begin the application process.

**DEPARTMENT OF COMMUNITY AFFAIRS**

DCA Order No. DCA11-OR-160

STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

In re: A LAND DEVELOPMENT REGULATION  
ADOPTED  
BY THE CITY OF LAYTON  
ORDINANCE NO. 2011-06-01

**FINAL ORDER**

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6), Florida Statutes, and § 380.0552(9), Florida Statutes (2010), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

**FINDINGS OF FACT**

1. The Florida Keys Area is a statutorily designated area of critical state concern, and the City of Layton is a local government within the Florida Keys Area.
2. On July 21, 2011, the Department received for review the City of Layton Ordinance No. 2011-06-01 ("Ord. No. 2011-06-01") adopted by the City on July 7, 2011.
3. Ord. No. 2011-06-01 amends Section 126-131 of the City of Layton Land Development Regulations Code regarding Parking Standards to allow the creation of compact parking spaces, and the sharing of access and parking spaces for a Commercial Mixed Use Resort.

**CONCLUSIONS OF LAW**

4. The Department is required to approve or reject land development regulations or portions thereof that are enacted, amended, or rescinded by any local government in the Florida Keys Area of Critical State Concern. §§ 380.05(6), Florida Statutes, and § 380.0552(9), Florida Statutes (2010).
5. City of Layton is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2010), and Rule 28-29.002 (superseding Chapter 27F-8), Florida Administrative Code.

6. "Land development regulations" include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Florida Statutes (2010). The regulations adopted by Ord. No.: 2011-06-01 are land development regulations.
7. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles") as set forth in § 380.0552(7), Florida Statutes (2010). See *Rathkamp v. Department of Community Affairs*, 21 F.A.L.R. 1902 (Dec. 4, 1998), *aff'd*, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.
8. Ord. No. 2011-06-01 promotes and furthers the following Principles:
  - (d) To ensure the maximum well-being of the Florida Keys and its citizens through sound economic development.
  - (e) To limit the adverse impacts of development on the quality of water throughout the Florida Keys.
  - (m) To provide adequate alternatives for the protection of public safety and welfare in the event of a natural or manmade disaster and for a post disaster reconstruction plan.
9. Ord. No. 2011-06-01 is not inconsistent with the remaining Principles. Ord. 2011-06-01 is consistent with the Principles for Guiding Development as a whole.
10. Ord. No. 2011-06-01 is consistent with the City's Comprehensive Plan.

WHEREFORE, IT IS ORDERED that Ord. No. 2011-06-01 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

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

DONE AND ORDERED in Tallahassee, Florida.

#### NOTICE OF ADMINISTRATIVE RIGHTS

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

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN

INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

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

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

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

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

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

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J. Thomas Beck, AICP  
Director, Division of Community Planning  
Department of Community Affairs  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100

**CERTIFICATE OF FILING AND SERVICE**

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned Agency Clerk of the Department of Community Affairs, and that true and correct copies have been furnished to the persons listed below by the method indicated this 9th day of August, 2011.

\_\_\_\_\_  
Paula Ford, Agency Clerk

By U.S. Mail:  
Honorable William Dilly, Vice Mayor  
City of Layton  
Post Office Box 778  
Long Key, FL 33001

Jean Murphy, City Clerk  
City of Layton  
Post Office Box 778  
Long Key, FL 33001

Theron C. Simmons, Esq.  
Vernis & Bowling of the Florida Keys, P.A.  
Islamorada Professional Center  
81190 Overseas Highway, 3rd Floor  
Islamorada, FL 33036

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

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

Pursuant to Section 320.642, Florida Statutes, notice is given that Polaris Sales, Inc., intends to allow the establishment of Caddy Carts, Inc., as a dealership for the sale of low-speed vehicles manufactured by Polaris Industries, Inc. (line-make GEM) at 12691 South Tamiami Trail, North Port (Sarasota County), Florida 34287, on or after September 19, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Caddy Carts, Inc., are dealer operator(s): Richard Cucchi, 6756 Ruff Street, North Port, Florida 34291; principal investor(s): Richard Cucchi, 6756 Ruff Street, North Port, Florida 34291.

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: Michael W. Malone, Polaris Sales, Inc., 2100 Highway 55, Medina, Minnesota 55340.

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 QLink, L.P., intends to allow the establishment of Power and Play Warehouse, Inc., as a dealership for the sale of motorcycles manufactured by Chongqing Huansong Industries

Group Co. Ltd. (HUAN) at 550 North Flagler Avenue, Pompano Beach (Broward County), Florida 33060, on or after September 19, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Power and Play Warehouse, Inc., are dealer operator(s): Thomas McMahan, 550 North Flagler Avenue, Pompano Beach, Florida 33060; principal investor(s): Thomas McMahan, 550 North Flagler Avenue, Pompano Beach, Florida 33060.

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: Simon Kim, QLink, L.P., 4055 Corporate Drive, Suite 200, Grapevine, Texas 76051.

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 Polaris Sales, Inc., intends to allow the establishment of Electric Cart Company, LLC, as a dealership for the sale of low-speed vehicles manufactured by Polaris Industries, Inc. (line-make GEM) at 5480 US Highway 98 West, Santa Rosa Beach (Walton County), Florida 32459, on or after September 19, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Electric Cart Company, LLC, are dealer operator(s): Thomas B. Waldrop, 2432 Bay Grove Road, Freeport, Florida 32439, Jonathan Waldrop, 332 Club House Drive, Freeport, Florida 32439, principal investor(s): Thomas B. Waldrop, 2432 Bay Grove Road, Freeport, Florida 32439, Jonathan Waldrop, 332 Club House Drive, Freeport, Florida 32439.

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: Michael W. Malone, Polaris Sales, Inc., 2100 Highway 55, Medina, Minnesota 55340.

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 Genuine Scooters, LLC, intends to allow the establishment of H. Long Investments Corp., d/b/a Tropical Scooters of Vero as a dealership for the sale of motorcycles manufactured by LML Limited (line-make LMLL) at 1081 US Highway 1, Vero Beach (Indian River County), Florida 32960, on or after September 19, 2011.

The name and address of the dealer operator(s) and principal investor(s) of H. Long Investments Corp., d/b/a Tropical Scooters of Vero are dealer operator(s): Heidi Long, 1013 Rose Arbor Drive, Sebastian, Florida 32958, principal investor(s): Heidi Long, 1013 Rose Arbor Drive, Sebastian, Florida 32958.

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: Jim Kolbe, Genuine Scooters, LLC, 5400 North Damen Avenue, Chicago, Illinois 60625.

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 Genuine Scooters, LLC, intends to allow the establishment of H. Long Investments Corporation, d/b/a Tropical Scooters of Vero as a dealership for the sale of motorcycles manufactured by Motive Power Industry Co. Ltd. (MOTI) at 1081 US Highway 1, Vero Beach (Indian River County), Florida 32960, on or after September 19, 2011.

The name and address of the dealer operator(s) and principal investor(s) of H. Long Investments Corporation, d/b/a Tropical Scooters of Vero are dealer operator(s): Heidi Long, 1013 Rose Arbor Drive, Sebastian, Florida 32958, principal investor(s): Heidi Long, 1013 Rose Arbor Drive, Sebastian, Florida 32958.

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: Jim Kolbe, Genuine Scooters LLC, 5400 North Damen Avenue, Chicago, Illinois 60625.

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 Polaris Sales, Inc., intends to allow the establishment of North Florida Cycles, LLC, d/b/a First Coast Yamaha Kawasaki as a dealership for the sale of low-speed vehicles manufactured by Polaris Industries, Inc. (line-make GEM) at 2590 US 1 South, St. Augustine (St. Johns County), Florida 32086, on or after September 19, 2011.

The name and address of the dealer operator(s) and principal investor(s) of North Florida Cycles, LLC, d/b/a First Coast Yamaha Kawasaki are dealer operator(s): Mark Allen, 3097 Antigua Drive, Jacksonville Beach, Florida 32250, principal investor(s): Mark Allen, 3097 Antigua Drive, Jacksonville Beach, Florida 32250.

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: Michael W. Malone, Polaris Sales, Inc., 2100 Highway 55, Medina, Minnesota 55340.

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 Polaris Sales, Inc., intends to allow the establishment of Professional Golf Car Corporation of Florida, d/b/a Pro Golf Car as a dealership for the sale of low-speed

vehicles manufactured by Polaris Industries, Inc. (line-make GEM) at 2773 Peters Road, Fort Pierce (St. Lucie County), Florida 34945, on or after September 19, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Professional Golf Car Corporation of Florida, d/b/a Pro Golf Car are dealer operator(s): Clifford L. Danley, 5385 Lake Worth Road, Greenacres, Florida 33463, principal investor(s): William Hoatson, 300 Executive Drive, Suite 350, West Orange, New Jersey 07052, Steven Montovano, 300 Executive Drive, Suite 350, West Orange, New Jersey 07052.

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: Michael W. Malone, Polaris Sales, Inc., 2100 Highway 55, Medina, Minnesota 55340.

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 QLink, L.P., intends to allow the establishment of Power and Play Warehouse, Inc., as a dealership for the sale of motorcycles manufactured by Ningbo Longjia Motorcycle Co. Ltd. (line-make NGBO) at 1828 North Dixie Highway, Lake Worth (Palm Beach County), Florida 33460, on or after September 19, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Power and Play Warehouse, Inc., are dealer operator(s): Thomas McMahan, 1828 North Dixie Highway, Lake Worth, Florida 33460; principal investor(s): Thomas McMahan, 1828 North Dixie Highway, Lake Worth, Florida 33460.

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: Simon Kim, QLink, L.P., 4055 Corporate Drive, Suite 200, Grapevine, Texas 76051.

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 Polaris Sales, Inc., intends to allow the establishment of Victory Lane, LLC, as a dealership for the sale of low-speed vehicles manufactured by Polaris Industries, Inc. (line-make GEM) at 10491 Corkscrew Commons Drive, Estero (Lee County), Florida 33928, on or after September 19, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Victory Lane, LLC, are dealer operator(s): David J. Parker, 21727 Helmsdale Run, Estero, Florida 33928; principal investor(s): David J. Parker, 21727 Helmsdale Run, Estero, Florida 33928.

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.



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)
8460	Denial, request for modification, The Manor at Blue Water Bay, (PRH) same as applicant.
10117	Supports Denial, establish a 24 bed comprehensive medical rehabilitation program, District 9, JFK Medical Center Limited Partnership d/b/a JFK Medical Center, (PRH) HealthSouth Rehabilitation Hospital of Martin County, LLC.
10118	Supports Approval, establish a 34 bed comprehensive medical rehabilitation hospital, District 9, HealthSouth Rehabilitation Hospital of Martin County, LLC, (PRH) same as applicant.

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**Brooksville Regional Hospital Emergency Service Exemption**  
 The Agency for Health Care Administration has received an application for an emergency service exemption from Brooksville Regional Hospital located at 17240 Cortez Blvd., Brooksville, FL 34601 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 Thoracic Surgery. Comments received within 15 days of publication will be considered by the Agency prior to making a determination of exemption status.

Additional information may be obtained by writing: Agency for Health Care Administration, Attention: Julie Young, 2727 Mahan Drive, MS #31, Tallahassee, Florida 32308, by phone: (850)412-4549, by e-mail: Julie.Young@ahca.myflorida.com.

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**Spring Hill Regional Hospital Emergency Service Exemption**  
 The Agency for Health Care Administration has received an application for an emergency service exemption from Spring Hill Regional Hospital located at 10461 Quality Drive, Spring Hill, FL 34609 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 Thoracic Surgery. Comments received within 15 days of publication will be considered by the Agency prior to making a determination of exemption status.

Additional information may be obtained by writing: Agency for Health Care Administration, Attention: Julie Young, 2727 Mahan Drive, MS #31, Tallahassee, Florida 32308, by phone: (850)412-4549, by e-mail: Julie.Young@ahca.myflorida.com.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Notice of Intent to Grant a Variance under Chapter 403, F.S.

The Department of Environmental Protection (Department) gives notice of its intent to issue a variance (File No.: 0225815-003-EV-VE, OGC No.: 11-0926) to E. R. Jahna Industries, Inc., 202 East Stuart Avenue, Lake Wales, Florida 33853, under Section 403.201(1)(a), Florida Statutes (F.S.), from the provisions of subsection 62-302.530(30), Florida Administrative Code (F.A.C.), which provides minimum standards for dissolved oxygen levels in the surface waters of the state. This variance will authorize the dissolved oxygen levels in the deeper portions of a manmade lake to fall below the minimum levels set by Rule 62-302.530, F.A.C. The existing manmade lake is proposed to be expanded at an existing sand mine in Polk County. The proposed expansion will require an environmental resource permit which has been assigned a different file number, File No.: 0225815-002, and is not the subject of this intent to issue a variance.

The project is located in Sections 34, 35 and 36; Township 27 South; Range 27 East, as well as Sections 1 and 2; Township 28 South; Range 27 East, approximately 2 miles east of Haines City, Polk County. The manmade lake will be constructed across property lines such that the lake will have more than one property owner. The manmade lake will be subject to the water quality standards provided in Rule 62-302.530, F.A.C.

On June 24, 2011, E. R. Jahna Industries Inc., applied to the Department for a variance from the minimum standards for dissolved oxygen authorized by subsection 63-302.530(30), F.A.C., which requires a minimum level of 5.0 mg/L dissolved oxygen in the surface waters of the state.

Most of the surface waters in the proposed manmade lake will meet the minimum standards for dissolved oxygen proscribed by Rule 62-302.530, F.A.C. However, the deepest layer of water in the lake, the hypolimnion layer, may not meet the minimum standards for dissolved oxygen as proscribed by Rule 62-302.530, F.A.C., and there is no practicable means known or available to achieve the required dissolved oxygen levels within the hypolimnion layer of water in the manmade lake. As a result, a variance of the minimum standards of dissolved oxygen provided in Rule 62-302.530, F.A.C., is necessary for the hypolimnion layer of water in the manmade lake. This was anticipated by the Florida Legislature in Section 373.414(6)(a), F.S., which states that “Where such mining activities otherwise meet the permitting criteria contained in this section, such activities may be eligible for a variance from the established water quality standard for dissolved oxygen within the lower layers of the reclaimed pit.”

A variance of the minimum standards of dissolved oxygen provided in Rule 62-302.530, F.A.C., is not expected to result in any on-site or off-site impacts. Therefore, the Department intends to issue a variance pursuant to Section 403.201(1)(a),

F.S., for the dissolved oxygen levels in the hypolimnion layer of the proposed manmade lake to fall below the minimum levels authorized by Rule 62-302.530, F.A.C.

The Department's file on this matter is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Protection, Bureau of Mining and Minerals Regulation, 2051 East Paul Dirac Drive, Tallahassee, Florida 32310, Telephone: (850)488-8217.

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

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

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

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

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

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

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

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

Under Sections 120.569(2)(c) and (d), F.S., a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

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

**NOTICE OF AVAILABILITY  
FLORIDA CATEGORICAL EXCLUSION NOTIFICATION  
WRP, Inc.**

The Florida Department of Environmental Protection has determined that the WRP, Inc. project to construct phases of the transmission main from the General Brown Well Field to the treatment facility on Moreno Peninsula will not adversely affect the environment. The total cost of the project is estimated to be \$21,000,000. The project may qualify for a Drinking Water State Revolving Fund loan composed of federal funds and state funds.

A full copy of the Florida Categorical Exclusion Notification can be obtained by writing to: Al Bishop, Department of Environmental Protection, Bureau of Water Facilities Funding, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400 or calling (850)245-8363.

**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.

**DEPARTMENT OF HEALTH**

**Notice of Emergency Action**

On August 4, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of John P. Christensen, M.D., License #ME 92135, #CH 2363. 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 (2010). 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.

**Notice of Emergency Action**

On August 5, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Christina B. Paylan, M.D., License #ME 82829. 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 (2010). 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.

**Notice of Emergency Action**

On August 5, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Ronnie-Clare Taff Blevins, L.P.N., License #LPN 5153221. 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 (2010). 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.

**Notice of Emergency Action**

On August 5, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Nicole Quinn Clyatt, L.P.N., License #LPN 5177792. 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 (2010). 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.

**Notice of Emergency Action**

On August 3, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Michele Marie Gibbs, L.P.N., License #PN 1131091. 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 (2010).

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.

Notice of Emergency Action

On August 5, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Jamie Dawn Gallegly Hartley, L.P.N., License #PN 1086541. 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 (2010). 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.

Notice of Emergency Action

On August 5, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Gabriella Luisa Hernandez Inocente, R.N., License #RN 9182921. 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 (2010). 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.

Notice of Emergency Action

On August 3, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Troy Allen Mason, R.N., License #RN 9245824. 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 (2010). 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.

Notice of Emergency Action

On August 5, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Eileen Marie Riordan, L.P.N., License #PN 659991. 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 (2010).

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.

Notice of Emergency Action

On August 5, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Elizabeth Anne Hunt Thomas, R.N., License #RN 2527712. 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 (2010). 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.

Notice of Emergency Action

On August 5, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Arthur C. Haspel, D.P.M., License #PO 649. 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 (2010). 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.

Notice of Emergency Action

On August 3, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of John Williams Hutcheson, Jr., Psy.D., License #PY 3551. 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 (2010). 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.

**ENVIRONMENTAL PROTECTION AGENCY**

\*\*\* PUBLIC NOTICE \*\*\*

U.S. Environmental Protection Agency  
Outer Continental Shelf Air Permit OCS-EPA-R4006  
for Shell Offshore Inc.

Public Comment Period:

August 19, 2011 – September 19, 2011

The United States Environmental Protection Agency (EPA) is seeking public comment on a draft Clean Air Act (CAA) Outer Continental Shelf (OCS) air permit for Shell Offshore Inc.

(Shell), 200 North Dairy Ashford, Houston, Texas 77079. The draft permit will regulate air pollutant emissions from one of three deepwater drilling vessels and their associated support fleets that Shell proposes to operate within its current Lloyd Ridge and DeSoto Canyon leases (lease sales 205, 208 and 224) on the OCS in the Gulf of Mexico. Use of the Transocean Deepwater Nautilus drillship is referred to as Operating Scenario 1 in the table below, and use of either of the identical Frontier Bully drillships is referred to as Operating Scenario 2. The drilling area is located approximately 160 miles southeast of the mouth of the Mississippi River, 200 miles southwest of Panama City, Florida and 270 miles west of Tampa Bay, Florida. Shell proposes to conduct exploratory drilling for approximately 150 days per year over five to ten years in multiple locations within these lease blocks. At this time, Shell has no plans to establish any permanent production platforms in the exploration areas. If opportunities are discovered, such facilities would be permitted separately.

EPA Region 4 is the agency responsible for implementing and enforcing CAA requirements for OCS sources in the Gulf of Mexico east of 87°30" (87.5). Pursuant to section 328 of the CAA, 42 U.S.C. § 7627, and the air quality regulations applicable to OCS sources set forth in Title 40, Code of Federal Regulations (CFR), part 55, an OCS source is required to obtain an air quality permit before beginning construction and an operating permit within 12 months of becoming an OCS source. Shell has opted to apply for an operating permit concurrently with the preconstruction air quality permit. EPA has completed review of Shell's air permit application and supplemental material and is soliciting comments on our proposal to issue Permit No. OCS-EPA-R4006 to Shell for their exploratory drilling project subject to the terms and conditions described in the permit.

EPA has prepared a draft permit for public comment, as well as a preliminary determination/statement of basis document that explains the derivation of the permit conditions. These documents are available on EPA Region 4's website at: <http://www.epa.gov/region4/air/permits/OCSPermits/OSCpermits.html>. To request a copy of these documents or to be added to our Shell permit mailing list, please contact: Ms. Rosa Yarbrough, Permit Support Specialist at: (404)562-9643 or email: [R4OCSpermits@epa.gov](mailto:R4OCSpermits@epa.gov). For questions on the draft permit, please contact: Ms. Lori Shepherd at (404)562-8435 or [shepherd.lorinda@epa.gov](mailto:shepherd.lorinda@epa.gov).

Send comments on the draft permit and requests for a public hearing to:

Lori Shepherd  
 EPA Region 4, APTMD  
 61 Forsyth Street, S.W.  
 Atlanta, GA 30303  
 Fax: (404)562-9066  
 Email: [R4OCSpermits@epa.gov](mailto:R4OCSpermits@epa.gov)

Public Comments must be received by email or postmarked by September 19, 2011.

Public Hearing requests must be received by EPA by email or mail by September 19, 2011.

Project Emissions: The maximum potential annual emissions in tons per year (TPY) from the Transocean *Deepwater Nautilus and the Frontier Bully 1 and Bully 2* drilling rigs and their support vessels are summarized in the following table. Shell's exploration drilling program is a major source under the applicable Prevention of Significant Deterioration (PSD) permitting requirements, because emissions of oxides of nitrogen (NO<sub>x</sub>) exceed the major source applicability threshold of 250 TPY. Hence, Shell is required to apply Best Available Control Technology (BACT) for NO<sub>x</sub> (as both a criteria pollutant and precursor to ozone and PM<sub>2.5</sub>).

Pollutant	Operating Scenario 1 ( <i>Deepwater Nautilus</i> ) Potential to Emit, Tons per Year	Operating Scenario 2 ( <i>Bully 1</i> or <i>Bully 2</i> ) Potential to Emit, Tons per Year	Significant Emission Rate, Tons per year	PSD Review Required
CO	90.4	84.11	100	No
NO <sub>x</sub> <sup>1</sup>	443.56	379.09	40	Yes
VOC <sup>1</sup>	17.78	25.09	40	No
PM	9.93	10.63	25	No
PM <sub>10</sub>	8.16	8.73	15	No
PM <sub>2.5</sub>	7.92	8.47	10	No
SO <sub>2</sub>	6.44	11.04	40	No
CO <sub>2e</sub>	18,518	32,506	75,000	No

<sup>1</sup>VOC and NO<sub>x</sub> are the measured precursors for the criteria pollutant ozone and NO<sub>x</sub> is also a precursor for PM<sub>2.5</sub>.

Public Comments: Any interested person may submit written comments on the draft permit during the public comment period. If you believe any condition of the permit is inappropriate, you must raise all reasonably ascertainable

issues and submit all reasonably available arguments supporting your position by the end of the comment period. Any documents supporting your comments must be included in full and may not be incorporated by reference unless they are already part of the record for this permit or consist of state or federal statutes or regulations, EPA documents of general applicability, or other generally available reference materials.

Comments should focus on the draft air quality permit, the permit terms, and the air quality aspects of the project. The objective of the OCS air quality program is to control air pollution from OCS sources to attain and maintain ambient air quality standards and to prevent significant adverse environmental impact from air pollution by a new or modified OCS source. If you have more general concerns regarding things such as leasing, non-air quality impacts, drilling safety, discharge, etc., these should be addressed during the leasing and permitting proceedings of the Bureau of Ocean Energy Management, Regulation and Enforcement, which is the lead permitting agency for this project.

All timely comments will be considered in making the final decision, included in the record, and responded to by EPA. EPA may group similar comments together in our response, and will not respond to individual commenters directly.

All comments on the draft permit must be received by email or postmarked by September 19, 2011. An extension of the 30-day comment period may be granted if the request for an extension adequately demonstrates why additional time is required to prepare comments. Comments must be sent or delivered in writing to the address above. All comments will be included in the public docket without change and may be made available to the public, including any personal information provided, unless the comment includes Confidential Business Information or other information whose disclosure is restricted by statute. Information that you consider Confidential Business Information or otherwise protected should be clearly identified as such and should not be submitted through email. If you send email directly to EPA, your email address will be captured automatically and included as part of the public comment. Please note that an email or postal address must be provided with your comments if you wish to receive direct notification of EPA's final decision regarding the permit and responses to comments submitted during the public comment period.

**Public Hearing:** EPA has discretion to hold a public hearing if we determine there is a significant amount of public interest in the draft permit. Requests for a public hearing must be received by EPA by email or mail by September 19, 2011, and must state the nature of the issues proposed to be raised in the hearing. If a public hearing is held, you may submit oral or written comments on the proposed permit at the hearing. You do not need to attend the public hearing to submit written comments. If there is significant public interest, a public hearing will be held on September 22, 2011, 3:00 p.m. – 7:00 p.m., at the following location:

Bay County Public Library  
Northwest Regional Library System  
898 W. 11th Street  
Panama City, FL 32412-0625  
(850)522-2119

If a public hearing is held, the public comment period shall automatically be extended to the close of the public hearing. If no request for a public hearing is received by September 19, 2011, or EPA determines that there is not significant interest, the hearing will be cancelled. An announcement of cancellation will be posted on EPA's website at: <http://www.epa.gov/region4/air/permits/OCSPermits/OCSpermits.html>, or you may call EPA at the contact number above to determine if the public hearing has been cancelled.

**Permit Documents:** EPA's draft permit, EPA's preliminary determination and statement of basis, Shell's application and supporting documentation, and comments received from the public, other government agencies, and the applicant during the public comment period become part of the administrative record for the permit. All data submitted by the applicant is available as part of the administrative record. The administrative record is available to the public and is available at the following locations (please call in advance for available viewing times):

Bay County Public Library  
Northwest Regional Library System  
898 W. 11th Street  
Panama City, FL 32412-0625  
(850)522-2119

EPA Region 4 Office  
61 Forsyth Street, S.W.  
Atlanta, GA 30303  
Phone: (404)562-9043

The administrative record is also available on EPA's website at: <http://www.epa.gov/region4/air/permits/OCSPermits/OCSpermits.html>.

**Final Determination:** A final decision to issue a permit, or to deny the application for the permit, shall be made after all comments have been considered. Notice of the final decision shall be sent to each person who has submitted written comments or requested notice of the final permit decision, provided EPA has adequate contact information.

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