

Housing plans to select one or more providers for these services. Proposals shall be accepted until 2:00 p.m. (Eastern Time), Tuesday, October 23, 2012, to the Attention: Sherry Green, Contracts Administrator, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329. For questions or additional information, please contact: Sherry Green, (850)488-4197 or [sherry.green@floridahousing.org](mailto:sherry.green@floridahousing.org). To obtain a copy of the Request for Proposals, which outlines selection criteria and offeror's responsibilities, please submit your request to the attention of Sherry Green, or you can download the Request for Proposals from the Florida Housing Finance Corporation web site: <http://www.floridahousing.org/Home/BusinessLegal/Solicitations/RequestForProposals.htm>.

Any modifications that occur to the Request for Proposals will be posted at the web site and may result in an extension of the deadline.

#### RFP 2012-04 Extremely Low Income Households

The Florida Housing Finance Corporation invites all qualified Applicants to submit proposals for consideration in accordance with the terms and conditions set forth in Request for Proposals 2012-04.

Florida Housing is soliciting sealed proposals from qualified Applicants that commit to set aside additional units for ELI Households by converting units at or above the 50 percent Area Median Income (AMI) committed to in their LURA or EUA down to the ELI AMI level in accordance with the terms and conditions of this RFP, applicable laws, rules, and regulations, and Florida Housing's generally applicable construction and financial standards.

Florida Housing expects to have up to \$20,000,000 of uncommitted SAIL monies for the SAIL program. The monies resulted from SAIL interest and principal payments on SAIL loans, and earnings from the investment of SAIL funds. Earlier this year, the Legislature passed a bill that the Governor signed into law authorizing SAIL funding to preserve existing Guarantee Program developments that meet the following criteria;

- (1) The Guarantee Program mortgage note was executed and recorded not later than September 30, 2003;
- (2) The development must commit to provide additional units for extremely-low-income persons; and
- (3) The shareholders, members, or partners of the project owner must have funded deficits in an amount that is not less than 20 percent of the State Apartment Incentive Loan not later than the closing of any financing under this RFP.

The legislation also provided a funding priority for Guarantee Program developments approved by the Board to provide additional units for extremely-low-income persons in calendar year 2011 and a maximum amount of \$2.5 million in new SAIL ELI funding per development.

Proposals shall be accepted until 2:00 p.m., Eastern Time, on Monday, October 8, 2012, to the Attention: Sherry Green, Contracts Administrator, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329. For questions or additional information, please contact: Sherry Green, (850)488-4197 or [sherry.green@floridahousing.org](mailto:sherry.green@floridahousing.org). To obtain a copy of the Request for Proposals, which outlines selection criteria and applicant's responsibilities, please submit your request to the attention of Sherry Green, or you can download the Request for Proposals from the Florida Housing Finance Corporation web site: [http://apps.floridahousing.org/StandAlone/FHFC\\_ECM/AppPage\\_LegalRFPs.aspx](http://apps.floridahousing.org/StandAlone/FHFC_ECM/AppPage_LegalRFPs.aspx).

Any modifications that occur to the Request for Proposals will be posted at the web site and may result in an extension of the deadline.

## Section XII Miscellaneous

### 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 Garia, Inc., intends to allow the establishment of Jeffrey-Allen, Inc., as a dealership for the sale of low-speed vehicles manufactured by Garia A/S (line-make GARI) at 4401 US Highway 301 North, Tampa (Hillsborough County), Florida 33610, on or after October 21, 2012.

The name and address of the dealer operator(s) and principal investor(s) of Jeffrey-Allen, Inc., are dealer operator(s): Benjamin R. Sverdlow, 4401 US Highway 301 North, Tampa, Florida 33610; principal investor(s): Benjamin R. Sverdlow, 4401 US Highway 301 North, Tampa, Florida 33610.

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 US Mail to: Henrik Hansen, Garia, Inc., 18838 Stone Oak Parkway, Suite 201, San Antonio, Texas 78258.

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 Sunny Powersports, Inc., intends to allow the establishment of TWK Industries, LLC, d/b/a Go Green Motors as a dealership for the sale of motorcycles manufactured by Cixi Kingring Motorcycle Co. Ltd. (line-make CIXI) at 5410 McIntosh Road, Sarasota (Sarasota County), Florida 34233, on or after October 21, 2012.

The name and address of the dealer operator(s) and principal investor(s) of TWK Industries, LLC, d/b/a Go Green Motors are dealer operator(s): Thom Kench, 5410 McIntosh Road, Sarasota, Florida 34233 and Wes Kench, 5410 McIntosh Road, Sarasota, Florida 34233; principal investor(s): Thom Kench, 5410 McIntosh Road, Sarasota, Florida 34233 and Wes Kench, 5410 McIntosh Road, Sarasota, Florida 34233.

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 US Mail to: Lei Lu, Sunny Powersports, Inc., 12851 Reservoir Street, Chino, California 91710.

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 Garia, Inc., intends to allow the establishment of Victory Lane, LLC, as a dealership for the sale of low-speed vehicles manufactured by Garia A/S (line-make GARI) at 10491 Corkscrew Commons Drive, Estero (Lee County), Florida 33928, on or after October 21, 2012.

The name and address of the dealer operator(s) and principal investor(s) of Victory Lane, LLC, are dealer operator(s): Steve Parker, 10491 Corkscrew Commons Drive, Estero, Florida 33928; principal investor(s): David Parker, 10491 Corkscrew Commons Drive, 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.

A copy of such petition or complaint must also be sent by U.S. Mail to: Henrik Hansen, Garia, Inc., 18838 Stone Oak Parkway Suite 201, San Antonio, Texas 78258.

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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**AGENCY FOR HEALTH CARE ADMINISTRATION**

**NOTICE OF BATCHED APPLICATION RECEIPT AND  
NOTICE OF TENTATIVE PUBLIC HEARINGS**

The Agency for Health Care Administration has received and accepted the following Certificate of Need applications for review in the batched Hospital Beds and Facilities review cycle with an application due date of September 5, 2012.

County: Bay District: 2  
 CON # 10156 Application Receipt Date: 9/5/2012  
 Facility/Project: Gulf Coast Medical Center  
 Applicant: Bay Hospital, Inc.  
 Project Description: Establish a comprehensive medical rehabilitation unit of up to 20 beds

County: Leon District: 2  
 CON # 10157 Application Receipt Date: 9/5/2012  
 Facility/Project: Capital Regional Medical Center  
 Applicant: Tallahassee Medical Center, Inc.  
 Project Description: Establish a comprehensive medical rehabilitation unit of up to 20 beds

County: Alachua District: 3  
 CON # 10158 Application Receipt Date: 9/5/2012  
 Facility/Project: North Florida Regional Medical Center  
 Applicant: North Florida Regional Medical Center, Inc.  
 Project Description: Establish a comprehensive medical rehabilitation unit of up to 24 beds

County: Marion District: 3  
 CON # 10159 Application Receipt Date: 9/5/2012  
 Facility/Project: Kindred Hospital Ocala  
 Applicant: Kindred Hospitals East, LLC  
 Project Description: Establish a 31-bed replacement long-term care hospital

County: Clay District: 4  
 CON # 10160 Application Receipt Date: 9/4/2012  
 Facility/Project: Orange Park Medical Center  
 Applicant: Orange Park Medical Center, Inc.  
 Project Description: Establish a comprehensive medical rehabilitation unit of up to 24 beds

County: Pasco District: 5  
 CON # 10161 Application Receipt Date: 9/5/2012  
 Facility/Project: Regional Medical Center Bayonet Point  
 Applicant: HCA Health Services of Florida, Inc.  
 Project Description: Establish a comprehensive medical rehabilitation unit of up to 24 beds

County: Polk District: 6  
 CON # 10162 Application Receipt Date: 9/5/2012  
 Facility/Project: HealthSouth Rehabilitation Hospital of Polk County, LLC  
 Applicant: HealthSouth Rehabilitation Hospital of Polk County, LLC

Project Description: Establish a comprehensive medical rehabilitation hospital of up to 50 beds

County: Polk District: 6  
 CON # 10163 Application Receipt Date: 9/5/2012  
 Facility/Project: Heart of Florida Regional Medical Center  
 Applicant: Haines City HMA, LLC  
 Project Description: Establish a comprehensive medical rehabilitation unit of up to 20 beds

County: Polk District: 6  
 CON # 10164 Application Receipt Date: 9/5/2012  
 Facility/Project: Lakeland Regional Medical Center  
 Applicant: Lakeland Regional Medical Center, Inc.  
 Project Description: Establish a comprehensive medical rehabilitation unit of up to 32 beds

County: Highlands District: 6  
 CON # 10165 Application Receipt Date: 9/5/2012  
 Facility/Project: Highlands Regional Medical Center  
 Applicant: Sebring Hospital Management Associates, LLC  
 Project Description: Establish a comprehensive medical rehabilitation unit of up to 20 beds

County: Brevard District: 7  
 CON # 10166 Application Receipt Date: 9/5/2012  
 Facility/Project: Wuesthoff Medical Center-Melbourne  
 Applicant: Melbourne HMA, LLC  
 Project Description: Establish a Level II NICU of up to 10 beds

County: Orange District: 7  
 CON # 10167 Application Receipt Date: 9/4/2012  
 Facility/Project: Nemours Children’s Hospital  
 Applicant: The Nemours Foundation  
 Project Description: Establish a comprehensive medical rehabilitation unit of up to 10 beds

County: Brevard District: 7  
 CON # 10168 Application Receipt Date: 9/5/2012  
 Facility/Project: Wuesthoff Medical Center – Rockledge  
 Applicant: Rockledge HMA, LLC  
 Project Description: Establish a comprehensive medical rehabilitation unit of up to 20 beds

County: Osceola District: 7  
 CON # 10169 Application Receipt Date: 9/5/2012  
 Facility/Project: Osceola Regional Medical Center  
 Applicant: Osceola Regional Medical Center, Inc.

Project Description: Establish a comprehensive medical rehabilitation unit of up to 32 beds

County: Osceola District: 7  
 CON # 10170 Application Receipt Date: 9/5/2012  
 Facility/Project: Oglethorpe of Orlando, Inc.  
 Applicant: Oglethorpe of Orlando, Inc.

Project Description: Establish an adult inpatient psychiatric hospital of up to 28 beds

County: Osceola District: 7  
 CON # 10171 Application Receipt Date: 9/5/2012  
 Facility/Project: Oglethorpe of Orlando, Inc.  
 Applicant: Oglethorpe of Orlando, Inc.

Project Description: Establish an adult substance abuse hospital of up to 14 beds

County: Broward District: 10  
 CON # 10172 Application Receipt Date: 9/5/2012  
 Facility/Project: Northwest Medical Center  
 Applicant: Northwest Medical Center, Inc.

Project Description: Establish a comprehensive medical rehabilitation unit of up to 25 beds

Also, IF REQUESTED, tentative public hearings have been scheduled as follows:

District 2  
 PROPOSALS: CONs #10156-10157  
 DATE/TIME: Wednesday, October 24, 2012, 1:30 p.m. – 4:30 p.m.  
 PLACE: Bay County Chamber of Commerce  
 Board Room  
 235 West 5th Street  
 Panama City, FL 32401

District 3  
 PROPOSAL: CON #10158  
 DATE/TIME: Monday, October 22, 2012, 8:30 a.m. – 10:00 a.m.

PROPOSAL: CON #10159  
 DATE/TIME: Monday, October 22, 2012, 10:30 a.m. – 12:00 Noon

PLACE for both: WellFlorida Council  
 1785 N.W. 80th Blvd.  
 Gainesville, FL 32606

District 4  
 PROPOSAL: CON #10160  
 DATE/TIME: Tuesday, October 23, 2012, 10:30 a.m. – 12:00 Noon  
 PLACE: Health Planning Council of Northeast Florida, Inc.  
 Conference Room  
 100 N. Laura Street, Suite 801  
 Jacksonville, FL 32202

District 5  
 PROPOSAL: CON #10161  
 DATE/TIME: Wednesday, October 24, 2012, 10:00 a.m. – 11:30 a.m.  
 PLACE: Suncoast Health Council, Inc.  
 9600 Koger Blvd.  
 Madison Building, Conference Room,  
 Second Floor  
 St. Petersburg, FL 33702

District 6  
 PROPOSALS: CONs #10162-10165  
 DATE/TIME: Wednesday, October 24, 2012, 1:00 p.m. – 5:00 p.m.  
 PLACE: Health Council of West Central Florida  
 9600 Koger Blvd.  
 Madison Building, Conference Room,  
 Second Floor  
 St. Petersburg, FL 33702

District 7  
 PROPOSALS: CONs #10167-10169  
 DATE/TIME: Friday, October 26, 2012, 8:30 a.m. – 12:00 Noon

PROPOSAL: CON #10166  
 DATE/TIME: Friday, October 26, 2012, 1:00 p.m. – 2:30 p.m.

PROPOSALS: CONs #10170 & 10171  
 DATE/TIME: Friday, October 26, 2012, 3:00 p.m. – 4:30 p.m.

PLACE for all: Health Council of East Central Florida, Inc.  
 Conference Room  
 2461 West SR 426, Suite 2041  
 Oviedo, FL 32765

District 10  
 PROPOSAL: CON #10172  
 DATE/TIME: Friday, October 26, 2012, 2:00 p.m. – 4:00 p.m.  
 PLACE: Broward Regional Health Planning Council, Inc.  
 200 Oakwood Lane, Suite 100  
 Conference Rooms B and D  
 Hollywood, FL 33020

Public hearing requests must be in writing and be received at the Agency for Health Care Administration, CON Office, 2727 Mahan Drive, Mail Stop #28, Tallahassee, Florida 32308, Attention: James B. McLemore, by 5:00 p.m., October 5, 2012. In lieu of requesting and attending a public hearing, written comments submitted to the agency relative to the merits of these applications will become part of the official project application file. Pursuant to subsection 59C-1.010(3), F.A.C., written comments must be received by October 10, 2012.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Notice of Receipt of Applications for Permit Coverage under the State’s Generic Permit for MS4’s

The Department of Environmental Protection announces receipt of the application listed below for permit coverage under the Generic Permit for Stormwater Discharge from Phase II Municipal Separate Storm Sewer Systems from Charlotte County, City of Palm Bay and Town of Indilantic. The applications are being processed and are available for public inspection during normal business hours, 8:00 a.m. – 5:00 p.m., Monday through Friday, except legal holidays, at the Department of environmental Protection in Tallahassee, Florida. Any comments related to noticed application or objections to the use the Generic Permit by any of the noticed applicants must be received by the Department within 14 days from the date of this notice. Comments may be mailed to the following address: Ms. Kathleen Downey, NPDES Stormwater Section, Department of Environmental Protection, 2600 Blairstone Road, MS #2500, Tallahassee, FL 32399-2400.

**NOTICE OF INTENT TO GRANT VARIANCE**

The Department of Environmental Protection gives notice of its intent to grant a variance under Section 403.201, F.S., from the provisions of paragraph 62-4.244(5)(c), F.A.C., to Pinellas County and DEP Division of Recreation and Parks, 0249602-008-BV to allow an expanded mixing zone of 300 meters offshore and 1000 meters downcurrent for the restoration site. The associated Honeymoon Island Beach Restoration Phase II project 0249602-006-JC, consists of the construction of three low profile T-head groins and a beach restoration project along the shoreline of Honeymoon Island

State Park, in order to extend the improvements from Phase I north across the north parking lot. The project will place approximately 100,000 cubic yards of fill material extending from DEP control monument R-8 to approximately R-10 on Honeymoon Island. The sand will be dredged from the ebb shoal of Hurricane Pass, which is located adjacent to an improved navigational channel. The Department received the petition for variance on July 19, 2011. The Department is granting the variance because the applicant has demonstrated there is no practicable means known or available for the adequate control of the pollution involved. 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, 4708 Capital Circle N.W., Tallahassee, Florida 32303, Telephone: (850)245-2242.

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 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received by the clerk) in the Office of General Counsel of the Department at 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 of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon. If a request is filed late, the Department may still grant it upon a

motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect.

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

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

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

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

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

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

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

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#### NOTICE OF INTENT TO GRANT A WATER QUALITY CRITERIA EXEMPTION

The Department of Environmental Protection gives notice of its intent to grant an exemption from the Class G-II ground water standard for sodium pursuant to Rule 62-520.500, Florida Administrative Code (F.A.C.), as part of industrial wastewater (IWW) Permit Number FLA017047 to the Tampa Electric Company Big Bend Power Station located in Hillsborough County at 13031 Wyandotte Rd., Apollo Beach, Florida 33572. The maximum contaminant level for sodium is 160 mg/L. An alternative ground water concentration for sodium was not requested in the petition and is not being proposed because the sodium levels in the receiving brackish and Class III marine surface waters are as much as 10 times greater than the sodium levels in the discharge to ground water. The exemption is for the permitted discharge of treated IWW to Class G-II ground water. The exemption is granted for the duration of the current Big Bend Power Station IWW Permit Number FLA017047, which expired on July 9, 2012, and has been administratively extended, and for the duration of the IWW renewal permit upon issuance. Any future exemptions must be petitioned for by the applicant in conjunction with any future renewal of IWW Permit Number FLA017047.

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

with the Agency Clerk in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, within 21 days of publication of this notice. The petitioner must mail a copy of the petition to the applicant Mr. Stanley M. Kron, Manager, Land and Water Programs, Post Office Box 111, Tampa, FL 33601, at the time of filing.

The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will only be at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Department's action is based must contain the following information, as required by Rule 28-106.201, F.A.C.

- (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 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 specific facts the petitioner contends warrant reversal or modification of the Department action;
- (f) A statement of the specific rules and statutes the petitioner contends requires reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wants the Department 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 contain the same information as set forth above, as required by Rule 28-106.201, F.A.C.

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

Mediation is not available for this proceeding.

The application is available for public inspection during normal business hours, 8:00 a.m. – 5:00 p.m., Monday through Friday, except legal holidays, at the Department's Tallahassee Office, 2600 Blair Stone Road, Room 572F, Tallahassee, Florida 32399-2400; telephone Mr. David James, P.G., (850)245-8648.

#### NOTICE OF INTENT TO GRANT VARIANCE

The Department of Environmental Protection gives notice of its intent to grant a variance under Section 403.201, F.S., from the provisions of paragraph 62-4.244(5)(c), F.A.C., which establishes the size of mixing zones. The Department is issuing the variance to the West Coast Inland Navigational District, 0298106-003-BV, to allow an expanded mixing zone of 250 meters offshore and 750 meters downcurrent for the beach placement site and a maximum allowable turbidity level of 29 NTUs above background at the edge of the mixing zone. The Department received the petition for variance on September 2, 2011. This temporary variance shall only be valid during the construction activities authorized in Permit No.: 0298106-002-JC, Venice Inlet Flood Shoal Sand Trap and Snake Island Stabilization Project. The location of the proposed activities is from 30 feet north of R-116 to 110 feet north of R-117. The Department is granting the variance because the applicant has demonstrated there is no practicable means known or available for the adequate control of the pollution involved. The Department's file on this matter is available for public inspection during normal business hours, 8:00 a.m. – 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Protection, Bureau of Beaches and Coastal Systems, 4708 NW Capital Circle, Tallahassee, Florida 32304, Telephone: (850)488-7708.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received by the clerk) in the

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

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



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

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

#### NOTICE OF INTENT TO GRANT VARIANCE

The Department of Environmental Protection gives notice of its intent to grant a variance under Section 403.201, F.S., from the provisions of paragraph 62-346.302(1)(c), subsection 62-302.700(1) and sub-subparagraph 62-4.242(2)(a)2.b., F.A.C., to the U.S. Army Corps of Engineers, Mobile District, Attn.: Curtis M. Flakes, Chief, Planning and Environmental Division, P. O. Box 2288, Mobile, Alabama 36628, (File No.: 19-0270106-002-EV), to allow the disposal of dredged material within Class II waters (designated for shellfish harvesting) adjacent to the existing Eastpoint breakwaters, and from the provisions of the Antidegradation sub-subparagraph 62-4.242(2)(a)2.b., F.A.C. to allow turbidity levels at the edge of the mixing zones within Outstanding Florida Waters (OFWs) to exceed background levels within St. George Sound, a Class II OFW restricted for shellfish harvesting. The petition for variance was received on August 6, 2012. The Department intends to grant the proposed variance because there are no practicable means known or available for the adequate control of the pollution and turbidity involved. 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, 160 W. Government Street, Pensacola, Florida 32502, Telephone: (850)595-8300.

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 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received by the clerk) in the

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

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

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

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

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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://appprod.dep.state.fl.us/clearinghouse/>. For information, call: (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

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#### DEPARTMENT OF HEALTH

On September 6, 2012, State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Thomas P. Floyd, DMD. License #DN 8006. 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.

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#### Notice of Emergency Action

On September 11, 2012, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Patricia A. Ashby, R.N., License RN #9279931. 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

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Sections 456.073(8) and 120.60(6), Florida Statutes (2011). 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.

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On September 6, 2012, State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Ivory L. Estes, CNA. License #CNA 98849. 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.

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On September 6, 2012, State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Cathi L. Kilian, LPN. License #PN 5168979. 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.

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On September 6, 2012, State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Whitney B. Routh-Schmucker, CNA. License #CNA 164310. 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.

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#### Notice of Emergency Action

On September 10, 2012, State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Katrina Lynn Baker, R.Ph., License #PS 39520. 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 (2011). 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.

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On September 6, 2012, State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Latoya S. Sneed, R.P.T. License # RPT 21655. 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.

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#### Notice of the Availability of

#### The 2012 Trauma Center Letter of Intent

NAME OF AGENCY: Department of Health (DOH)

PACKAGE TITLE: Florida Trauma Center Letter of Intent

**PURPOSE AND EFFECT:** The Department of Health is mandated by Section 395.4025(2)(a), Florida Statutes, to notify Florida licensed acute care hospitals of their right to submit a Letter of Intent, DH Form 1840, to apply to become a trauma center.

**ELIGIBILITY:** Florida licensed acute care hospitals are eligible to apply.

**AUTHORITY:** Section 395.4025(2)(a), Florida Statutes.

Rule 64J-2.012, Florida Administrative Code.

**TO OBTAIN A PACKAGE:** You may request a Letter of Intent package by telephone, fax, mail, or visit the Office of Trauma's website: <http://doh.state.fl.us/demo/Trauma/index.html> "Letter of Intent 2012"

Telephone: (850)245-4444, ext. 2756 or Suncom: 205-4440.

Fax: (850)488-2512.

Mail request to: Florida Department of Health, Division of Emergency Operations, Office of Trauma, 4052 Bald Cypress Way, and Bin #C-18 Tallahassee, FL 32399-1738.

**DEADLINE:** Letters of Intent must be postmarked between September 1, 2012, and midnight, October 1, 2012.

**CONTACTS:** Bernadette Behmke, (850)245-4444, ext. 2756, or Susan McDevitt, (850)245-4444, ext. 2760, or Suncom: 205-4440.

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## **FINANCIAL SERVICES COMMISSION**

### **NOTICE OF FILINGS**

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received a written withdrawal of the following application:

#### **APPLICATION WITHDRAWN**

Application to Acquire Control

Financial Institution to be Acquired: Chipola Community Bank, Marianna, Florida

Proposed Purchasers: Mr. Steven D. Smith, Quincy, Florida and PanAmerican Capital, Inc., Miami, Florida

Received: June 15, 2012

Withdrawn: September 10, 2012

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