

**Section VIII  
Notices of Petitions and Dispositions  
Regarding the Validity of Rules**

**Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:**

**NONE**

**Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:**

**NONE**

**Section IX  
Notices of Petitions and Dispositions  
Regarding Non-rule Policy Challenges**

**NONE**

**Section X  
Announcements and Objection Reports of  
the Joint Administrative Procedures  
Committee**

**NONE**

**Section XI  
Notices Regarding Bids, Proposals and  
Purchasing**

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**INVITATION TO BID**

As a Contractor, you are invited to submit a bid to the FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, DIVISION OF PLANT INDUSTRY, hereinafter referred to as Owner, for the construction and installation of a Citrus Budwood Greenhouse in Chiefland, Florida which shall include all labor, equipment, materials necessary to complete the project as per specifications. The Project Budget is estimated to be between: \$1.4 and \$2 million.

For the construction and installation of: One (1) Greenhouse complex which shall include all labor, equipment, shipping, and materials necessary to construct and install the greenhouse complex. The bidder must be able to provide proof of

experience in the construction and installation of a greenhouse similar to the unit specified in the Invitation to Bid within the past five years.

**PROJECT NAME AND LOCATION:** Citrus Budwood Greenhouse located at Andrews Nursery, 9850 N. W. 42nd Court, Chiefland, Florida 32626.

**SOLICITATION DOCUMENT:** The entire solicitation document, which includes specifications, may be viewed and downloaded from the Vendor Bid System at <http://myflorida.com>, click on Business, Doing Business with the State of Florida, Everything for Vendors and Customers, Vendor Bid System, Search Advertisements, Bid Number ITB/PI-06/07-26, or by calling the Purchasing Office, (850)487-3727.

**MANDATORY PRE-BID CONFERENCE/SITE VISIT:** Each bidder must, before submitting a bid, attend the mandatory pre-bid conference/site visit. The pre-bid conference/site visit will be held on September 28, 2006, at 1:00 p.m., at the Division of Forestry, Andrews Nursery, 9850 N. W. 42nd Court, Chiefland, Florida 32626. During the pre-bid conference a site visit will be held for prospective bidders. It is the bidders' responsibility to consider any and all site conditions or requirements for the project. Specifications will be available at the mandatory pre-bid conference/site visit.

**PUBLIC ENTITY CRIME INFORMATION STATEMENT:** A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, F.S., for Category Two for a period of 36 months from the date of being placed on the convicted vendor list.

**DISCRIMINATION; DENIAL OR REVOCATION FOR THE RIGHT TO TRANSACT BUSINESS WITH PUBLIC ENTITIES:** An entity or affiliate who had been placed on the discriminatory vendor list may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity.

**PERFORMANCE BOND AND LABOR AND MATERIAL PAYMENT BOND:** If the construction contract award amount is \$100,000.00 or less, a Performance Bond and a Labor and Material Payment Bond are not required.

Sealed bids will be received, publicly opened and read aloud on:

DATE AND TIME: October 17, 2006, 2:00 p.m.

PLACE: Department of Agriculture and Consumer Services, 407 S. Calhoun Street, Room SB8, Mayo Building, Tallahassee, Florida 32399, (850)487-3727.

CONTRACT AWARD: The official Notice of Award Recommendation will be by electronic posting at [http://fcn.state.fl.us/owa\\_vbs/owa/vbs\\_www.main\\_menu](http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu).

Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. If no protest is filed the contract will be awarded to the qualified, responsive low bidder in accordance with Chapter 60D-5, F.A.C. by the Owner.

**DEPARTMENT OF EDUCATION**

Request for Proposal (RFP)

The Florida State University Facilities Purchasing shall receive Proposals until the date and time shown for the following project. Proposals may be mailed or delivered to:

Florida State University  
 Facilities Maintenance, Purchasing  
 ATTN: B.J. Lewis, Purchasing Agent  
 114F Mendenhall Building A  
 Tallahassee, Florida 32306

Prior Receipt of Proposals, responder must reference RFP number, receipt date and time on outside of proposal package to insure proper acceptance. Proposals submitted by facsimile are not acceptable. For information relating to the RFP, contact

Proposal Number: FAC94-06  
 Purchasing Agent: B. J. Lewis, Facilities, (850)644-7639  
 Receipt of Proposal: On or before September 28, 2006,  
 2:00 p.m.  
 FSU-Facilities Maintenance  
 114 Mendenhall, Building A  
 Tallahassee, Florida 32306-4150  
 Facilities Maintenance Purchasing

Bid Documents: Request for Proposal for Facility Condition Analysis Services, Florida State University Facilities Management.

Contact Person: Tom Shewan, Director Facilities Maintenance, (850)645-6466

**NOTICE TO DESIGN BUILD TEAMS**

The University of South Florida, announces that Qualifications Based Design/Build Services (QB/DB), for the design and construction of the USF Track and Field Complex, will be required for the project listed below.

PROJECT NUMBER: 594

PROJECT AND LOCATION: USF Track and Field Complex, University of South Florida, Tampa Campus, Tampa, Florida.

**PROJECT DESCRIPTION:**

The project consists of the design and construction of a New Track Facility and the renovation of the Existing Track Facility. The scope of the New Track Facility shall include a new 400 meter, eight (8) lane track and field, recreational field lighting and synthetic track infield subject to budget. The scope of the renovation of the Existing Track Facility includes replacement/reconstruction/reconfiguration of the existing track and field to a new 400 meter, eight (8) lane track and field (with a NCCA and Big East Conference compliant soccer field infield), upgrades to the existing stadium's press box, restrooms, concourse, grandstands, etc., and replacement of the existing stadium lighting subject to budget.

The project is anticipated to be designed and construction to be completed for occupancy by August 2007 for the renovation of the Existing Track Facility and September 2007 for New Track Facility.

The Design/Build Team (Design and Construction Services Team/DCST) shall be responsible for the management of the process and project to meet project scope, budget and schedule requirements. The Design/Design Team shall be responsible for specific and specialty design and construction expertise required for the design and construction of the new 400 meter track and field facilities to facilitate International, USA, NCAA, and FSHAA track and field events, including ADA, USAFT and IAAF specifications for disabled athletes. The management of the process and project by the Design Build Team shall facilitate the project needs, and accomplishing those needs within the mandatory project schedule and budget for occupancy requirements. The Design/Build Services contract shall be in compliance with the qualifications based Design/Build selection provisions in Section 287.055, F.S., and Rule 6C-14.007, F.A.C., including pre-construction fees, construction related service costs and a guaranteed maximum price. It is the University's responsibility to negotiate a fair, competitive, and reasonable compensation per Section 287.055, F.S. A fair, competitive and reasonable compensation shall be evaluated based upon the following information: (1) Compensation on similar projects, (2) other compensation reference data; and (3) after approval of the ranking, proposals requested from the short listed firms based upon a scope of services document to be provided at the time of negotiations. The University will contract with a single contract entity who's Design/Build Team shall provide all services including, but not necessarily limited to professional services, budgeting, construction services, labor, materials, and equipment required to design and construct the project. The selected team will be required to provide computer drawings according to the standards of the University of South Florida, including computer record drawings reflecting as-built conditions. Blanket professional design liability insurance will be required

for this project in the amount of \$250,000 and will be provided as a part of Basic Services. The proposed contractual value of this project is approximately \$2,600,000. The respondent must be capable of bonding at 100% of the value of the contract with a surety licensed to do business in the State of Florida with a Best rating of A, Class VIII. Project development including professional services is contingent upon availability of funds.

**INSTRUCTIONS:**

Teams desiring to apply for consideration shall submit a Request for Qualifications submittal including a letter of interest, a completed "Design and Construction Services Qualification Supplement form (DCSQS), dated August 2006" with attachments, and additional information required within the proposal limits as described in the Request for Qualifications dated August 2006. Applications submitted in any other format may not be considered. The Request for Qualifications dated August 2006 and the Design and Construction Services Qualifications Instructions and Supplement form dated August 2006, which includes project information and selection criteria, may be obtained by contacting: Kathy Bennett, Contracts Administrator, Facilities Planning and Construction, University of South Florida, 4202 East Fowler Avenue FPC110, Tampa, Florida 33620-7550, via e-mail: kbennett@admin.usf.edu, phone (813)974-3098, Fax (813)974-3542. All teams must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, or a joint venture, it must be registered by the Department of State to do business in the State of Florida at the time of application. If the applicant is the contract entity and has a consultant to perform the design or construction services, the contract entity and consultant must have an agreement at the time of application to formally contract for consulting services. Firms applying as "Associations" without a registered joint venture agreement or a contract entity and consultant without an agreement will not be considered. Selection of finalists for interview will be made on the basis of qualifications of the proposed design/build team, including team qualifications, team experience and ability to provide service in meeting the project requirements and the goals and objectives of the University's Strategic Plan. As part of the University of South Florida's strategic plan, USF made a commitment to foster collaboration, open and timely communication, mutual respect, trust and inclusiveness. The University of South Florida is an equal opportunity institution, and, as such, strongly encourages the lawful use of certified Minority and Women-owned Business Enterprises ("MBEs") in the provision of design and construction-related services by providing a fair and equal opportunity to compete for, or for participation in, design and/or construction related services. Applications that do not comply with the above instructions may be disqualified. Submittals are part of the public record and no submittal material will be returned. The plans and specifications for The University of South Florida projects are

subject to reuse in accordance with the provisions of Section 287.055, F.S. As required by Section 287.133, F.S., a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$25,000 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list. Interested teams are invited and encouraged to attend a Pre-Submittal meeting at the University of South Florida, Facilities Planning and Construction, Conference Room 109, to be held at 10:00 a.m. (Eastern Time), on Tuesday, September 19, 2006, 4202 East Fowler Avenue, FPC110, Tampa, Florida 33620-7550, to review the scope and requirements of this project. Requests for meetings by individual firms will not be granted. It shall be noted that no verbal communication shall take place between the applicants and the University of South Florida except as provided at the Pre-Submittal Meeting, the Pre-Interview Meeting and the request for the RFQ and DCSQS. Requests for any additional information or clarification at any other time than above must be in accordance with the RFQ. Seven (7) copies of the required information shall be submitted to the attention of: the Project Manager, Ray Gonzalez, R.A., Facilities Planning and Construction, University of South Florida, 4202 East Fowler Avenue, FPC110, Tampa, Florida 33620-7550 by 2:00 p.m. (Eastern Time), Friday, October 6, 2006. Facsimile (FAX) or electronic submittals are not acceptable and will not be considered. The University reserves the right to suspend or discontinue the selection process at any time and to return or reject any or all submissions of Design/Build proposals without obligation to the respondent. The award of this contract is subject to availability of funds. If additional funding is realized, the University has the option to incorporate additional scope/funding under this contract.

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**CORRECTION TO CALL FOR BIDS**

The University of West Florida Board of Trustees announced the following project in the F.A.W., Sept. 1, 2006 edition:

Combs Commons Campus Renovation Project – Phase Two Correction to announcement – A Mandatory Pre-Solicitation Conference will be held on September 12, 2006, 10:00 a.m. (CDT), in Bldg. 2, Room 2001, Combs Commons Campus, The University of West Florida, 720 H. W. Lovejoy Rd., Ft. Walton Beach, FL.

View this solicitation and related information on the Department of Procurement Services' website at <http://uwf.edu/procurement>.

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**BID REQUEST FOR:**

**PIZZA SERVICE FOR SELECTED LEE COUNTY SCHOOLS FOR FOOD AND NUTRITION SERVICES**

Bid No. B-066478CP Opening Date: Tuesday, September 19, 2006, at 10: 00 a.m.

Request a bid package by:

Phone: (239)479-4250, Fax: (239)337-8200 In Person or Mail: 3308 Canal Street, Fort Myers, Florida 33916-6594

Requests must be received by September 12, 2006, 2:00 p.m.

Complete Bid Package available only upon request.

By: Chevone Peterson

**PREQUALIFICATION:** When the total bid price including alternates exceeds \$200,000.00, each bidder whose field is governed by Chapters 399, 489, and 633, Florida Statutes, for licensure or certification must submit prequalification data of their eligibility to submit bids five (5) calendar days prior to the opening date.

**INSTRUCTIONS:** Any firm desiring plans and bid specifications for this project may obtain a copy by writing the address or calling the telephone number below. Plans and specifications will be available on September 8, 2006 at: Suwannee River Water Management District Office, 9225 CR-49, Live Oak Florida 32060, Attention: Gwen Lord Telephone Number: (386)362-1001

**ADA REQUIREMENTS:** Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please contact: the Bureau of Design and Construction, (850)488-5372, at least five (5) workdays prior to openings. If you are hearing or speech impaired, please contact the Florida Relay Services by calling 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**BID SUBMITTAL DUE DATE:** No later than 3:30 p.m., Tuesday, October 10, 2006, to the below address: Florida Department of Environmental Protection Bureau of Design and Construction, 3540 Thomasville Road, Tallahassee, Florida 32309. The Department reserves the right to reject any or all bids. Michael Renard, Contracts Manager, Bureau of Design and Construction.

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

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

Notice of Bid/Request for Proposal  
**NOTICE OF INVITATION TO BID**  
**BID NO. BDC17-06/07**

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Construction is soliciting formal competitive bids for the project listed below:

**PROJECT NAME:** Adams Tract Campsites

**SCOPE OF WORK:** The contractor shall provide the necessary labor, supervision, equipment and materials required to construct five (5) sleeping shelters, a picnic pavilion, portable restrooms and all associated site work.

**PARK LOCATION:** Suwannee River Wilderness Trail, Lafayette County, approx. 6 miles east of Mayo, Florida

**PROJECT MANAGER:** Jim Ross, Bureau of Design and Construction, Telephone Number: (850)488-5372, Fax Number: (850)488-1141

**MINORITY BUSINESS REQUIREMENT:** The Department of Environmental Protection supports diversity in its Procurement Program and requests that all sub-contracting opportunities afforded by this bid embrace diversity enthusiastically. The award of sub-contracts should reflect the full diversity of the citizens of the State of Florida. The Department will be glad to furnish a list of Minority Owned Firms that could be offered sub-contracting opportunities.

Notice of Bid/Request for Proposal  
**NOTICE OF INVITATION TO BID**  
**BID NO. BDC18-06/07**

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Construction is soliciting formal competitive bids for the project listed below:

**PROJECT NAME:** Lafayette Blue Springs State Park

**SCOPE OF WORK:** The contractor shall provide the necessary labor, supervision, equipment and materials required to construct five (5) rental cabins, with associated utilities (including underground electrical, potable well water and distribution system and aerobic sewage disposal system). Also included is all site work and paving to furnish access and parking to the cabins.

**PARK LOCATION:** Lafayette Blue Springs State Park, 799 N. E. Blue Spring Park Road, Mayo Florida

**PROJECT MANAGER:** Jim Ross, Bureau of Design and Construction, Telephone Number: (850)488-5372, Fax Number: (850)488-1141

**MINORITY BUSINESS REQUIREMENT:** The Department of Environmental Protection supports diversity in its Procurement Program and requests that all sub-contracting

opportunities afforded by this bid embrace diversity enthusiastically. The award of sub-contracts should reflect the full diversity of the citizens of the State of Florida. The Department will be glad to furnish a list of Minority Owned Firms that could be offered sub-contracting opportunities.

**PREQUALIFICATION:** When the total bid price including alternates exceeds \$200,000.00, each bidder whose field is governed by Chapters 399, 489, and 633, Florida Statutes, for licensure or certification must submit prequalification data of their eligibility to submit bids five (5) calendar days prior to the opening date.

**INSTRUCTIONS:** Any firm desiring plans and bid specifications for this project may obtain a copy by writing the address or calling the telephone number below. Plans and specifications will be available on September 8, 2006 at: Suwannee River State Park, 20185 County Road 132, Live Oak Florida 32060, Attention: Ed Higgins, Telephone Number: (386)362-2746

**ADA REQUIREMENTS:** Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please contact: the Bureau of Design and Construction, (850)488-5372, at least five (5) workdays prior to openings. If you are hearing or speech impaired, please contact the Florida Relay Services by calling 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**BID SUBMITTAL DUE DATE:** No later than 4:00 p.m., Tuesday, October 10, 2006, to the below address: Florida Department of Environmental Protection, Bureau of Design and Construction, 3540 Thomasville Road, Tallahassee, Florida 32309. The Department reserves the right to reject any or all bids. Michael Renard, Contracts Manager, Bureau of Design and Construction.

**FLORIDA DEVELOPMENTAL DISABILITIES COUNCIL**

Request for Proposals (RFP) 2006-IP-4900

The Florida Developmental Disabilities Council, Inc. (FDDC) is pleased to announce this Request for Proposal (RFP) 2006-IP-4900) for an Inclusion Summit Planner.

Please note that this RFP for an Inclusion Summit Planner was previously released as RFP 2006-IP-4600. Modifications have been made to this re-released RFP. The purpose of this

proposal is to select a conference planner that will perform the tasks identified in the RFP to organize and execute an Inclusion Summit in Florida anticipated to be held in June 2007. FDDC has set aside federal formula grant funds for an approximate nine month period. See RFP document for funding amounts.

Individuals, not-for-profit, and for-profit agencies may submit proposals in response to this RFP.

Copies of this RFP can be downloaded from the FDDC website (www.fddc.org) or copies may be requested by writing: FDDC, 124 Marriott Drive, Suite 201, Tallahassee, FL 32301, or calling (850)488-4180 or Toll Free 1(800)580-7801 or TDD Toll Free 1(888)488-8633.

The deadline for submitting letters of intent and written questions is prior to 4:00 p.m. (EST), on September 28, 2006. The deadline for submitting proposals is prior to 2:00 p.m. (EST), on November 3, 2006. Letters of Intent will only be accepted by fax, mail, or hand delivery. Letters of Intent by e-mail will not be accepted.

**PETER R. BROWN CONSTRUCTION**

Notice of Request for Proposals  
 ST. PETERSBURG COLLEGE  
 EPICENTER CAMPUS – ANNEX III INTERIOR  
 RENOVATION  
 PINELLAS  
 CLEARWATER, FL

Peter R. Brown Construction, Inc. (CGC-061419), the Construction Manager for the ST. PETERSBURG COLLEGE AND EPICENTER CAMPUS – ANNEX III INTERIOR RENOVATION hereby solicits sealed proposals for the following trades for the referenced project in accordance with the proposal documents to include but not limited to the following:

02B	Selective Demolition	09F	VCT Flooring	15A	Fire Sprinkler
08A	Doors, Frames, Hardware & Installation	09G	Painting	15C	HVAC
09B	GWB & Framing	10A	Misc. Specialties	16A	Electrical
09D	Acoustical Ceilings	11A	Audio-Visual Equipment	16B	Low Voltage Systems & Communications

The Scope of Work for this renovation project included but is not limited to the following description:

Approximately 31,000 square feet of an existing office space to be renovated to accommodate St. Petersburg College staff. Scheduled start date for this project is October 31, 2006 with substantial completion for the first 2,000 square foot area on or about December 8, 2006 and the remaining areas substantially complete by April 4, 2007. Trades included are demolition of selected partition walls, doors and finishes. New partition walls, new and re-used doors, new flooring finishes, ceiling finishes, paint finishes, misc. specialties, audio/visual equipment, adjusting and/or expanding the existing fire sprinkler, HVAC, electrical and low voltage systems to accommodate the renovated floor plan.

A pre-proposal meeting will be held at 10:00 a.m. (local time), Tuesday, October 3, 2006, at the following location:

St. Petersburg College – EpiCenter Campus  
 Annex III Building  
 6021 142nd Avenue, North  
 Clearwater, FL 33760

Deadline for receipt of All Proposal Packages has been set for 2:00 p.m., on October 17, 2006. Only proposals received on or before the time and date listed will be considered. All proposals received after 2:00 p.m., of the day specified above, will be returned unopened.

All trade contractors must be pre-qualified prior to submitting a proposal. A copy of the pre-qualification form can be received by contacting one of the following:

Jenny Sanchez  
 Phone: (727)535-6407  
 Fax: (727)539-8485

St. Petersburg College and Peter R. Brown Construction, Inc. are committed to provide equal opportunity and strongly encourage all interested M/WBE and SBE firms to submit proposals.

One set of plans and specifications will be supplied to all pre-qualified trade contractors at no cost. Drawings will be available September 28, 2006. Trade contractors are responsible for the cost of shipping. Additional sets may be purchased directly from the copy center. Copy center information will be distributed with the Proposal Packages.

St. Petersburg College and Peter R. Brown Construction, Inc. reserve the right to accept or reject any and all proposals in whole or part and to waive informalities and irregularities.

No verbal instruction or directives will be accepted regarding this project during the proposal period. All instructions or directives must be clarified through written Addenda of Supplements. All questions regarding the work should be directed to the Construction Manager, in writing no later than Friday, October 6, 2006. The Owner and Architect will not accept calls regarding this project.

## Section XII Miscellaneous

### DEPARTMENT OF COMMUNITY AFFAIRS

DCA Final Order No.: DCA06-OR-202  
 STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS  
 In re: CITY OF MARATHON LAND DEVELOPMENT  
 REGULATIONS  
 ADOPTED BY ORDINANCE NO. 2006-07

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#### FINAL ORDER

The Department of Community Affairs (the “Department”) hereby issues its Final Order, pursuant to § 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2005), rejecting 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 Marathon is a local government within the Florida Keys Area.
2. On June 27, 2006, the Department received for review City of Marathon Ordinance No. 2006-07 (“Ord. 2006-07”).
3. The purpose of Ord. 2006-07 is render inapplicable the requirements of Section 9.5-4, (R-17), (d), (e), regulating hotel redevelopment in order to allow a hotel owner the ability to redevelop or renovate existing square footage of unused, or underused space within the hotel for expansion to a second or third bedroom.
4. Ord. 2006-07 is inconsistent with the City’s 2010 Comprehensive Plan, Objective 1-2.1, Policy 1-2.1.1; Objective 1-2.2, Policy 1-2.2.1; and Objective 1-3.2, Policy 1-3.2.6, of the City of Marathon Comprehensive Plan. These objectives and Policies relate to the required 24 hour hurricane evacuation time, level of service, and capping the number of transient units at current levels.

#### CONCLUSIONS OF LAW

5. The Department is required to approve or reject land development regulations that are enacted, amended, or rescinded by any local government in the Florida Keys Area of Critical State Concern. § 380.05(6), Fla. Stat., and § 380.0552(9), Fla. Stat. (2005).
6. The City of Marathon is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2005) and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.