

- 2. Demonstrated strength of production personnel and processes. _____
- 3. Desirability of fee structure and budget. _____
- Media Planning and Fees
- 1. Demonstrated access to media planning research tools. _____
- 2. Demonstrated strength of media planning and buying personnel and processes. _____
- 3. Demonstrated innovation in media planning. _____
- 4. Demonstrated experience/ability to integrate dedicated and co-operative plans. _____
- 5. Demonstrated ability to deliver multicultural media planning/buying. _____
- 6. Desirability of fee structure and budget. _____
- Accounting process
- 1. Demonstrated strength of accounting personnel and processes. _____
- 2. Demonstrated integration of management, accounting and media planning software/processes. _____
- 3. Demonstrated ability to handle Partner program billing and invoicing. _____

**Section XII
Miscellaneous**

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Division of Community Planning, Department of Community Affairs, received the following petitions for binding letters of Development of Regional Impact, Vested Rights and Modification Determinations, pursuant to subsection 380.06(4)(a), Florida Statutes.

FILE NO.: BLID-11-2007-009
 DATE RECEIVED: July 19, 2007
 DEVELOPMENT NAME: PIER 66 HOTEL & MARINA
 DEVELOPER/AGENT: 2301 SE 17th Street, LLC/
 Joseph Goldstein
 DEVELOPMENT TYPE: 28-24.026, 28-24.023, 28-24.036,
 F.A.C.
 LOCAL GOVERNMENT: Fort Lauderdale

NOTICE IS HEREBY GIVEN THAT the Building Officials Association of Florida has issued a binding interpretation pursuant to Section 553.775, Florida Statutes, filed by Kathleen Croteau on May 24, 2007. The following is a summary of the interpretation:
 According to Section 424.2.17.1.12, of the 2004 Florida Building Code, Building, pool barrier is required to be on the same property as the pool.

A copy of the Interpretation may be obtained at http://www.floridabuilding.org/bi/bi_default.aspx

NOTICE IS HEREBY GIVEN THAT the Building Officials Association of Florida has issued a Binding Interpretation pursuant to Section 553.775, Florida Statutes, filed by Neil Melick on April 26, 2007. The following is a summary of the interpretation: According to Section 704.1, 1604.5, and 2101.1 of the 2004 Florida Building Code, Building, it is the intent of the code that the top joint of a rated wall, where it meets the slab above, must incorporate a flexible joint that has been tested to provide a fire resistance rating through a test report listed by a National Recognized Testing Laboratory recognized by the Florida Building Code.

A copy of the Interpretation may be obtained at http://www.floridabuilding.org/bi/bi_default.aspx.

NOTICE IS HEREBY GIVEN THAT the Building Officials Association of Florida has issued a binding interpretation pursuant to Section 553.775, Florida Statutes, filed by Thomas Pepe on May 15, 2007. The following is a summary of the interpretation: No interpretation was rendered due to the fact that the application was not presented to the local Dade County Board of Rules and Appeals (BORA).

A copy of the Interpretation may be obtained at http://www.floridabuilding.org/bi/bi_default.aspx

STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

In re: A LAND DEVELOPMENT REGULATION ADOPTED BY ISLAMORADA, VILLAGE OF ISLANDS
 ORDINANCE NO. 07-08

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. (2006), 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 Islamorada, Village of Islands is a local government within the Florida Keys Area.
2. On May 22, 2007, the Department received for review Islamorada, Village of Islands Ordinance No. 07-08 ("Ord. No. 07-08") adopted by the Village on May 10, 2007.

3. The purpose of the Ordinance is to amend the Village Code with regard to the local planning agency by modifying the disqualification criteria, removal criteria, quorum requirement and appointment terms currently in effect within the Village.

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), Fla. Stat., and § 380.0552(9), Fla. Stat. (2006).
5. Islamorada, Village of Islands is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2006), and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.
6. "Land development regulations" include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2006). The regulations adopted by Ord. 07-08 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), Fla. Stat. (2006). 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. 07-08 promotes and furthers the following Principles:
 - (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
 - (l) To protect the public health, safety and welfare of the citizens of the Florida Keys and maintain the Florida Keys as a unique Florida resource.
9. Ord. 07-08 is not inconsistent with the remaining Principles. Ord. 07-08 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 07-08 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.

 CHARLES GAUTHIER, 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 23rd day of July, 2007.

 Paula Ford, Agency Clerk

By U.S. Mail:

Honorable Dave Boerner, Mayor
 Islamorada, Village of Islands
 Post Office Box 568
 Islamorada, FL 33036

Beverly Raddatz, Village Clerk
 Islamorada, Village of Islands
 Post Office Box 568
 Islamorada, FL 33036

Nina Boniske, Esq.
 James White, Esq.
 Weiss Serota Helfman Pastoriza
 Guedes Cole & Boniske, P.A.
 3107 Stirling Drive, Suite 300
 Fort Lauderdale, FL 33312-8500

STATE OF FLORIDA
 DEPARTMENT OF COMMUNITY AFFAIRS
 In re: A LAND DEVELOPMENT REGULATION
 ADOPTED BY ISLAMORADA, VILLAGE OF
 ISLANDS
 ORDINANCE NO. 07-10

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. (2006), 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 Islamorada, Village of Islands is a local government within the Florida Keys Area.
2. On May 22, 2007, the Department received for review Islamorada, Village of Islands Ordinance No. 07-10 ("Ord. No. 07-10") adopted by the Village on May 10, 2007.
3. The purpose of the Ordinance is to amend the Village Code to allow boat sales as a permitted use in the Village Center (VC) zoning district and to allow the redevelopment of existing outdoor storage and display areas as a Major Conditional Use in the VC zoning district.
4. Ord. 07-10 is consistent with the Village Comprehensive Plan.

CONCLUSIONS OF LAW

5. 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), Fla. Stat., and § 380.0552(9), Fla. Stat. (2006).
6. Islamorada, Village of Islands is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2006), and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.
7. "Land development regulations" include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2006). The regulations adopted by Ord. 07-10 are land development regulations.
8. 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), Fla. Stat. (2006). 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.

- 9. Ord. 07-10 promotes and furthers the following Principles:
 - (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
 - (c) To protect upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation, dune ridges and beaches, wildlife and their habitat.
- 10. Ord. 07-10 is not inconsistent with the remaining Principles. Ord. 07-10 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 07-10 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.

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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.

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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.

CHARLES GAUTHIER, 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 23rd day of July, 2007.

Paula Ford, Agency Clerk

By U.S. Mail:

Honorable Dave Boerner, Mayor
Islamorada, Village of Islands
Post Office Box 568
Islamorada, FL 33036

Beverly Raddatz, Village Clerk
Islamorada, Village of Islands
Post Office Box 568
Islamorada, FL 33036

Nina Boniske, Esq.
James White, Esq.
Weiss Serota Helfman Pastoriza
Guedes Cole & Boniske, P.A.
3107 Stirling Drive, Suite 300
Fort Lauderdale, FL 33312-8500

STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

In re: A LAND DEVELOPMENT REGULATION
ADOPTED BY ISLAMORADA, VILLAGE OF
ISLANDS
ORDINANCE NO. 07-11

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. (2006), 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 Islamorada, Village of Islands is a local government within the Florida Keys Area.
2. On May 22, 2007, the Department received for review Islamorada, Village of Islands Ordinance No. 07-11 ("Ord. No. 07-11") adopted by the Village on May 10, 2007.
3. The purpose of the Ordinance is to amend Section 30-32, "Specific Definitions" of the Village Code with respect to the definition of a room, hotel, or motel; and further amending Article V "Schedule of District Use and Development Standards," Division VII "Off-Street Parking, Loading and Driveway Standards," Section 30-852 "Off-Street Parking" of the Village Code, and Modifying the Parking Requirements of Hotel or Motel Rooms.
4. The proposed amendment is changing the definition of a hotel/motel room from a single bedroom/full bath combination to a unit that can be up to two (2), or three (3) bedrooms, with up to two (2) full bathrooms and one-half bathroom units with one (1) kitchen, and one (1) additional living area (excluding bedrooms), not exceeding 2,000 square feet of habitable floor area, provided that the average habitable floor area of all hotel or motel units on the property does not exceed 1,500 square feet.
5. Data and analysis has not been provided to evaluate the net change in maximum potential development for the approximate 1,400 existing hotel and motel units within the Village, the net potential change of density and intensity, the potential impacts to hurricane evacuation as well as potential impacts on potable water supply or the potential impacts to affordable housing/work force housing from the proposed redevelopment of hotels and motels within the Village.
6. The proposed amendment is contrary to the Village Comprehensive Plan Policy 1-2.1.10 "Restrict Development of New Transient Units" which states that "Islamorada, Village of Islands shall cap the number of new transient units at the number of current hotel and motel rooms, campground and recreational vehicle spaces." The proposed amendment would allow for the conversion of an existing one bedroom, one bath hotel unit to a two bedroom, two bath unit with no equivalency redevelopment reduction. An existing one bedroom, one bath, and two bedroom, one bath hotel unit may be redeveloped to a 2,000 square foot three bedroom, two and one-half bath hotel/motel unit with a ninety (90) percent conversion factor.
7. The proposed amendment increases the number of required parking spaces from 1 space per room up to 1.2 spaces for two bedroom units and 1.5 spaces for three bedroom hotel/motel units to accommodate additional

vehicles staying at the redeveloped hotel/motel units with an average habitable floor area of 1,500 square feet. The increase in size of the redeveloped hotel and motel units along with the increased required number of parking spaces necessary to accommodate additional vehicles may negatively impact hurricane evacuation clearance times.

CONCLUSIONS OF LAW

8. 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), Fla. Stat., and § 380.0552(9), Fla. Stat. (2006).
9. Islamorada, Village of Islands is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2006), and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.
10. "Land development regulations" include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2006). The regulations adopted by Ord. 07-11 are land development regulations.
11. 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), Fla. Stat. (2006). 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.
12. Ord. 07-11 is inconsistent with the following Principles:
 - (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
 - (d) To ensure the maximum well-being of the Florida Keys and its citizens through sound economic development.
 - (j) To make available adequate affordable housing for all sectors of the population of the Florida.
 - (l) To protect the public health, safety, and welfare of the citizens of the Florida Keys and maintain the Florida Keys as a unique Florida Resource.
13. Ordinance 07-11 is neutral in effect on the remaining Principles.
14. Ordinance 07-11 has not demonstrated consistency with the following provisions of the Islamorada, Village of Islands Comprehensive Plan:

Policy 1-2.1.10: Restrict Development of New Transient Units, Islamorada shall cap the number of new transient units at the number of current and vested hotel and motel rooms, campground and recreational vehicle spaces existing within the Village as of December 6, 2001.

Policy 2-1.6.3: Adopt a 24 Hour Hurricane Evacuation Time for the Florida Keys.

Policy 3-1.1.8: Mandate Provision of Employee Housing for developers of new or expanded businesses.

Policy 1-2.2.4: Uses that are Non-Conforming Due to Density if legally permitted may be redeveloped to the same density. The Director of Community Planning and Development Services may consider a reduction of any of the applicable regulations upon a finding that the reduction is consistent with the Village Comprehensive Plan.

Policy 1-2.2.6: Enlargement or Extension to Non-Conforming Structures, if any of the existing hotel/motel rooms are non-conforming structures, they may not be expanded or redeveloped with improvements that constitute a substantial improvement.

WHEREFORE, IT IS ORDERED that Ord. 07-11 is found to be inconsistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby REJECTED.

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.

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CHARLES GAUTHIER, 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 20th day of July, 2007.

Paula Ford, Agency Clerk

By U.S. Mail:
 Honorable Dave Boerner, Mayor
 Islamorada, Village of Islands
 Post Office Box 568
 Islamorada, FL 33036

Beverly Raddatz, Village Clerk
 Islamorada, Village of Islands
 Post Office Box 568
 Islamorada, FL 33036

Nina Boniske, Esq.
 James White, Esq.
 Weiss Serota Helfman Pastoriza
 Guedes Cole & Boniske, P.A.
 3107 Stirling Drive, Suite 300
 Fort Lauderdale, FL 33312-8500

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

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

Pursuant to Section 320.642, Florida Statutes, notice is given that Land Rover North America, intends to allow the relocation of AN Imports of Fort Lauderdale, Inc. d/b/a Land Rover Fort Lauderdale, as a dealership for the sale of Land Rover vehicles from its present location at 5370 North Federal Highway, Fort Lauderdale, Florida 33308, to a proposed location at 400 West Copans Road, Pompano Beach (Broward County), Florida 33064, on or after September 2007.

The name and address of the dealer operator(s) and principal investor(s) of AN Imports of Fort Lauderdale, Inc. d/b/a Land Rover Fort Lauderdale are dealer operator: James R. Bender, 13600 Icot Boulevard, Clearwater, Florida 33760; principal investor(s): Auto Nation Vermont, Inc., 110 Southeast 6th Street, Fort Lauderdale, Florida 33301. The

notice indicates intent to relocate the franchise 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, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: 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 Coleman, Franchise Development Manager, Eastern Region, Land Rover of North America, 6630 Buckingham Circle, Cumming, Georgia 30040.

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 relocation of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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

Pursuant to Section 320.642, Florida Statutes, notice is given that Power Sports Factory, intends to allow the establishment of Blade Power Sports, Inc., as a dealership for the sale of Qianjiang (QIAN), Strada and Yamati (YMTI) motorcycles at 8536 Leo Kidd Road, Port Richie (Pasco County), Florida 34668, on or after July 19, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Blade Power Sports, Inc. are dealer operator(s): Stuart Taft, 3599 Woodridge Place, Palm Harbor, Florida 34684; principal investor(s): Stuart Taft, 3599 Woodridge Place, Palm Harbor, Florida 34684.

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: Steve Rubakh, President, Power Sports Factory, Inc., 6950 Central Highway, Pennsauken, New Jersey 08110.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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

Pursuant to Section 320.642, Florida Statutes, notice is given that SunL Group, Inc., intends to allow the establishment of Coastal Powersports, as a dealership for the sale of motorcycles manufactured by Qingqi Group, Inc. (QING), Taizhou Chuanl Motorcycle Manufacturing Co. Ltd. (CHUA), Chongqing Lifan Industry Group (CHOL), Shanghai Meitian Motorcycle Co. Ltd. (MEIT) and Shanghai JMSTAR Motorcycle Co. Ltd. (JMST) at 12 Eglin Parkway Southeast, Fort Walton Beach (Okaloosa County), Florida 32548, on or after July 23, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Coastal Powersports are dealer operator(s): Curtis Mitchell, 12 Eglin Parkway Southeast, Fort Walton Beach, Florida 32548; principal investor(s): Curtis Mitchell, 12 Eglin Parkway Southeast, Fort Walton Beach, Florida 32548.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: 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: Mei Zhou, SunL Group, Inc., 8551 Esters Boulevard, Irving, Texas 75063.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving

the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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

Pursuant to Section 320.642, Florida Statutes, notice is given that Motor Sports of America of New Jersey, Inc., intends to allow the establishment of Discount Scooters, Inc., as a dealership for the sale of Kaitong Motorcycle Manufacturing Co. Ltd. (KAIT) motorcycles at 5908 North Armenia Avenue, Tampa (Hillsborough County), Florida 33604, on or after July 16, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Discount Scooters, Inc. are dealer operator(s): Brook Gentile, 5908 North Armenia Avenue, Tampa, Florida 33604; principal investor(s): Brook Gentile, 5908 North Armenia Avenue, Tampa, Florida 33604.

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: James R. Pizzo, Owner-Operator, Motor Sports of America of New Jersey, Inc., 606 Ryan Avenue, Building Q, Unit 3, Westville, New Jersey 08093.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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

Pursuant to Section 320.642, Florida Statutes, notice is given that Motor Sports of America of New Jersey, Inc., intends to allow the establishment of Evolution Motorsports, Inc., as a dealership for the sale of Kaitong Motorcycle

Manufacturing Co. Ltd. (KAIT) motorcycles at 2629 North Magnolia Avenue, Ocala (Marion County), Florida 34475, on or after July 16, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Evolution Motorsports, Inc. are dealer operator(s): Kathy Parks, 2629 North Magnolia Avenue, Ocala, Florida 33603; principal investor(s): Kathy Parks, 2629 North Magnolia Avenue, Ocala, Florida 33603.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: 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: James R. Pizzo, Owner-Operator, Motor Sports of America of New Jersey, Inc., 606 Ryan Avenue, Building Q, Unit 3, Westville, New Jersey 08093.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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

Pursuant to Section 320.642, Florida Statutes, notice is given that SunL Group, Inc., intends to allow the establishment of Extreme Motor Sales, as a dealership for the sale of motorcycles manufactured by Qingqi Group, Inc. (QING), Taizhou Chuanl Motorcycle Manufacturing Co. Ltd. (CHUA), Chongqing Lifan Industry Group (CHOL), Shanghai Motorcycle Co. Ltd. (MEIT) and Shanghai JMSTAR Motorcycle Co. Ltd. (JMST) at 1025 Sunshine Lane, Altamonte Springs (Seminole County), Florida 32714, on or after July 24, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Extreme Motor Sales are dealer operator(s): Curtis Mitchell, 12 Eglin Parkway Southeast, Fort Walton Beach, Florida 32548; principal investor(s): Curtis Mitchell, 12 Eglin Parkway Southeast, Fort Walton Beach, Florida 32548.

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: Mei Zhou, SunL Group, Inc, 8551 Esters Boulevard, Irving, Texas 75063.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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

Pursuant to Section 320.642, Florida Statutes, notice is given that Buell Motorcycle Company, intends to allow the establishment of Gulf Coast Harley-Davidson, Inc., as a dealership for the sale of Buell motorcycles (BUEL) at 5817 State Road 54, New Port Richie (Pasco County), Florida 34652, on or after August 13, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Gulf Coast Harley-Davidson, Inc. are dealer operator(s): Preston L. Farrior, 2907 Villa Rosa, Tampa, Florida 34652; principal investor(s): James L. Ferman Jr., 1814 Richardson Place, Tampa, Florida 33609, Steven B. Straske III, 3302 Mullen Avenue, Tampa, Florida 33609 and J. Farrior III, 42 Ladoga, Tampa, Florida 33606.

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: Ed Yagodinski, Regional Dealer Development Representative, Harley-Davidson Motor Company, Post Office Box 653, Milwaukee, Wisconsin 53201.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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

Pursuant to Section 320.642, Florida Statutes, notice is given that Motor Sports of America of New Jersey, Inc., intends to allow the establishment of Mojo Powersports, Inc., as a dealership for the sale of motorcycles manufactured by Kaitong Motorcycle Manufacturing Co. Ltd. (KAIT) at 707 West Bay Drive, Largo (Pinellas County), Florida 33770, on or after July 16, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Mojo Powersports, Inc. are dealer operator(s): Peter Spoto, 707 West Bay Drive, Largo, Florida 33770; principal investor(s): Peter Spoto, 707 West Bay Drive, Largo, Florida 33770.

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: James R. Pizzo, Owner-Operator, Motor Sports of America of New Jersey, Inc., 606 Ryan Avenue, Building Q, Unit 3, Westville, New Jersey 08093.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving

the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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

Pursuant to Section 320.642, Florida Statutes, notice is given that RTM Group, Inc., intends to allow the establishment of Mojo Powersports, Inc., as a dealership for the sale of RTM Group, Inc. (RTMI) motorcycles at 707 West Bay Drive, Largo (Pinellas County), Florida 33770, on or after July 17, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Mojo Powersports, Inc. are dealer operator(s): Peter Spoto, 707 West Bay Drive, Largo, Florida 33770; principal investor(s): Peter Spoto, 707 West Bay Drive, Largo, Florida 33770.

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: Raul Romero, Jr., President, RTM Group, Inc., 6500 Northwest 72nd Avenue, Suite 103, Miami, Florida 33166.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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

Pursuant to Section 320.642, Florida Statutes, notice is given that Maserati North America, Inc., intends to allow the establishment of TT of Tamiami, Inc. d/b/a Maserati of Naples, as a dealership for the sale of Maserati automobiles (MASE) at 301 Airport Road South, Naples (Collier County), Florida 34104, on or after September 1, 2007.

The name and address of the dealer operator(s) and principal investor(s) of TT of Tamiami, Inc. d/b/a Maserati of Naples are dealer operator(s): Terry Taylor, 515 North Flagler Drive, Suite P-400, West Palm Beach, Florida 33401; principal investor(s): Terry Taylor, 515 North Flagler Drive, Suite P-400, West Palm Beach, Florida 33401.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: 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: David M. Wertheim, Vice President and General Counsel, Maserati North America, Inc., 250 Sylvan Avenue, Englewood Cliffs, New Jersey 07632.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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

Pursuant to Section 320.642, Florida Statutes, notice is given that Big Dog Motorcycles, LLC, intends to allow the establishment of Treasure Coast Harley-Davidson of Stuart, Inc. d/b/a Treasure Coast Toy Store, as a dealership for the sale of Big Dog motorcycles (BDMC) at 4515 Southeast Commerce Avenue, Stuart, (Martin County), Florida 34997, on or after July 24, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Treasure Coast Harley-Davidson of Stuart, Inc. d/b/a Treasure Coast Toy Store are dealer operator(s): James C. LaBar, 4967 Southeast Federal Highway, Stuart, Florida 34997; principal investor(s): James C. LaBar, 4967 Southeast Federal Highway, Stuart, Florida 34997.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: 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: Tracy Buer, Dealer Relations and Contract Administrator, Big Dog Motorcycles, LLC, 1520 East Douglas Avenue, Wichita, Kansas 67214.

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.

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: James R. Pizzo, Owner-Operator, Motor Sports of America of New Jersey, Inc., 606 Ryan Avenue, Building Q, Unit 3, Westville, New Jersey 08093.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE OF LITIGATION

The Agency for Health Care Administration has received the following petitions for administrative hearings as of the close of business on July 20, 2007, concerning certificate of need decisions. No decision has been made as to the sufficiency of these petitions. A brief description of these projects is listed below. Resolution of these requests for hearings by way of a grant or denial of their certificate of need at issue will determine the substantial interest of persons. Those persons whose substantial interest may be determined by these proceedings including settlements, grants, and denials are advised to govern themselves accordingly and may wish to exercise rights including intervention. See Chapter 120, F.S., as well as Section 408.039, F.S. and Rule 59C-1.012, F.A.C. In deference to rights of substantially affected persons, AHCA will not settle or otherwise reach a final resolution of these matters for a period of 30 days from the date of the publication.

- CON# INITIAL DECISION, PROJECT, CTY, APPLICANT, PARTY REQUEST HEARING (PRH)
- 9975 Approval, establish an 80 bed Class I acute care hospital, Pasco County, Pasco-Pinellas Hillsborough Community Health System, Inc., (PRH) New Port Richey Hospital, Inc. d/b/a Community Hospital of New Port Richey

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 Motor Sports of America of New Jersey, Inc., intends to allow the establishment of Wenmark, Inc. d/b/a All The Wheel Toys, as a dealership for the sale of Kaitong Motorcycle Manufacturing Co. Ltd. (KAIT) motorcycles at 1540 Northwest Federal Highway, Stuart (Martin County), Florida 34994, on or after July 16, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Wenmark, Inc. d/b/a All The Wheel Toys are dealer operator(s): Mark Mourning, 1540 Northwest Federal Highway, Stuart, Florida 34994; principal investor(s): Mark Mourning, 1540 Northwest Federal Highway, Stuart, Florida 34994.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License

- 9975 Approval, establish an 80 bed Class I acute care hospital, Pasco County, Pasco-Pinellas Hillsborough Community Health System, Inc., (PRH) BayCare of Southeast Pasco, Inc.
- 9975 Supports approval, establish an 80 bed Class I acute care hospital, Pasco County, Pasco-Pinellas Hillsborough Community Health System, Inc., (PRH) same as applicant
- 9977 Denial, establish a 130 bed Class I acute care hospital, Pasco County, BayCare of Southeast Pasco, Inc., (PRH) same as applicant
- 9977 Supports denial, establish a 130 bed Class I acute care hospital, Pasco County, BayCare of Southeast Pasco, Inc., (PRH) New Port Richey Hospital, Inc. d/b/a Community Hospital of New Port Richey
- 9978 Approval, establish a 5 bed Level II NICU, Orange County, The Nemours Foundation, (PRH) Adventist Health System/Sunbelt, Inc. d/b/a Florida Hospital
- 9978 Approval, establish a 5 bed Level II NICU, Orange County, The Nemours Foundation, (PRH) Orlando Regional Healthcare System
- 9979 Approval, establish an 82 bed Class II children’s hospital, Orange County, The Nemours Foundation, (PRH) Adventist Health System/Sunbelt, Inc. d/b/a Florida Hospital
- 9979 Approval, establish an 82 bed Class II children’s hospital, Orange County, The Nemours Foundation, (PRH) Orlando Regional Healthcare System
- 9980 Approval, establish an 8 bed Level III NICU, Orange County, The Nemours Foundation, (PRH) Adventist Health System/Sunbelt, Inc. d/b/a Florida Hospital
- 9980 Approval, establish an 8 bed Level III NICU, Orange County, The Nemours Foundation, (PRH) Orlando Regional Healthcare System
- 9981 Approval, construct an 80 bed hospital, St. Lucie County, Martin Memorial Medical Center, Inc. (PRH) HCA Health Services of Florida, Inc. d/b/a St. Lucie Medical Center and Lawnwood Medical Center, Inc. d/b/a Lawnwood Regional Medical Center

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.”

The Department of Environmental Protection (Department) gives notice of its intent to issue a variance (File No. 0131819-009-EV-VR) to Mosaic Fertilizer, LLC, (Mosaic), Post Office Box 2000, Mulberry, Florida 33860-1100, under

Section 378.212(1)(a), Florida Statutes (F.S.), from the provisions of paragraph 62C-16.0032(2)(a), Florida Administrative Code, (F.A.C.).

On June 21, 2007, Mosaic Fertilizer, LLC, (Mosaic) petitioned the Department for a variance to paragraph 62C-16.0032(2)(a), Florida Administrative Code, from Mosaic Fertilizer, LLC. The variance is from the requirement for a mine operator to file a Conceptual Reclamation Plan Application with the Department of Environmental Protection within seven days of the submittal of an Application for Development Approval (ADA) under Chapter 380, F.S. This petition is associated with the submission of the Mosaic Hookers Prairie Mine Conceptual Reclamation Plan Modification. Mosaic is currently working on a Conceptual Reclamation Plan (CRP) Modification Application required by Specific Condition 20 of the Wetland Resource Permit No. 0131819-006 to be submitted by October 9, 2007.

Therefore, the Department intends to issue a variance pursuant to Section 378.212(1)(a), F.S., from the provisions of paragraph 62C-16.0032(2)(a), F.A.C. The term of variance will be until October 9, 2007, unless a later date is approved in writing by the Department.

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 Florida Department of Environmental Protection, Bureau of Mine Reclamation, 2051 East Dirac Drive, Tallahassee, Florida 32310-3760, 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 issued 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 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. 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 378.212(3), 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 subsection 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; 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 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, as part of industrial wastewater Permit Number FL0001554 for the Sanford Steam Electric Power Plant located at 950 South Highway 17-92, Debary, Volusia County Florida. The facility is owned by Florida Power & Light Company (FPL), P. O. Box 14000, Juno Beach, Florida 33408. The exemption is for the permitted discharge of treated industrial wastewater to Class G-II ground water. The exemption is granted for the duration of the FPL's wastewater

Permit Number FL0001554. Any future exemptions must be petitioned for by the applicant in conjunction with the wastewater Permit Number FL0001554.

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. The petition must contain the information set forth below and must be filed (received) 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 Ms. Jill Watson, Power Generation Division, Florida Power and Light Company, Post Office Box 14000, Juno Beach, Florida 33408, 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, Florida Statutes, 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, Florida Administrative Code.

A petition that disputes the material facts on which the Department's action is based must contain the following information:

- (a) The name, address, and telephone number of each petitioner; the name, address, and telephone number of the petitioner's representative, if any; the Department case or identification number and the county in which the subject matter or activity is located;
- (b) A statement of when and how each petitioner received notice of the Department action;
- (c) A statement of how each petitioner's substantial interests are affected by the Department action;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A statement of facts that the petitioner contends warrants reversal or modification of the Department action;
- (f) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief; and
- (g) Demand for relief (sought by the petitioner, stating precisely the action that the petitioner wants the Department to take).

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 28-106.301, Florida Administrative Code.

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. to 5:00 p.m., Monday through Friday, except legal holidays, at the Tallahassee Office, 2600 Blair Stone Road, Room 232B, Tallahassee, Florida 32399-2400, telephone David James at (850)245-8648.

NOTICE OF AVAILABILITY

FLORIDA FINDING OF NO SIGNIFICANT IMPACT

The Department of Environmental Protection has determined that the Columbia County project for construction of a well field, a production well, chlorination equipment, a ground storage tank, a hydro-pneumatic tank, high service pumps, a standby diesel generator, and a water distribution system will not adversely affect the environment. The Clearinghouse SAI number for this project is FL200705173395C. Construction will occur in the Highway 441 and I-75 utility service area of the County. The total cost of the project is estimated to be \$2,178,718. 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 Finding of No Significant Impact can be obtained by writing to: Paul Brandl, Department of Environmental Protection, Bureau of Water Facilities Funding, 2600 Blair Stone Road, MS#3505, Tallahassee, Florida 32399-2400 or calling (850)245-8373.

NOTICE OF AVAILABILITY

FLORIDA CATEGORICAL EXCLUSION NOTICE

The Department of Environmental Protection has determined that Niceville's proposed project for the construction of wastewater facilities improvements will not have a significant adverse affect on the environment. The total project cost is estimated at \$1,560,000. The project is expected to qualify for a State Revolving Fund loan composed of federal and state matching funds.

A full copy of the Florida Categorical Exclusion Notice can be obtained by writing to: Bhupendra H. Vora, P.E., Bureau of Water Facilities Funding, Department of Environmental Protection, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400 or by calling (850)245-8380.

NOTICE OF AVAILABILITY

FLORIDA CATEGORICAL EXCLUSION NOTICE

The Department of Environmental Protection has determined that Niceville's proposed project for the construction of stormwater facilities improvements will not have a significant adverse affect on the environment. The total project cost is estimated at \$11,993,500. The project is expected to qualify for a State Revolving Fund loan composed of federal and state matching funds.

A full copy of the Florida Categorical Exclusion Notice can be obtained by writing to: Bhupendra Vora, P.E., Bureau of Water Facilities Funding, Department of Environmental Protection, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400 or by calling (850)245-8380.

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 is available at http://www.dep.state.fl.us/secretary/oip/state_clearinghouse/ ("Current Project Information") or call (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

FLORIDA COASTAL MANAGEMENT PROGRAM

On July 11, 2007, the State received concurrence from the Federal Office of Ocean and Coastal Resource Management (OCRM) that the proposed changes to the approved Florida Coastal Management Program (FCMP), as noted in the routine program change submission located at http://www.dep.state.fl.us/cmp/federal/fedconsv_06.htm constitute routine changes as defined by 15 C.F.R. 923.84, implementing the Federal Coastal Zone Management Act (16 U.S.C. ss. 1451 et seq.).

These routine program changes incorporate all changes enacted by the Florida Legislature in 2006 to the following statutes: Chapter 161, Florida Statutes (F.S.), Beach and Shore Preservation; Chapter 163, Part II, F.S., Growth Policy, County and Municipal Planning, Land Development Regulation; Chapter 186, F.S., State and Regional Planning; Chapter 252, F.S., Emergency Management; Chapter 253, F.S., State Lands; Chapter 258, F.S., State Parks and Preserves; Chapter 259, F.S., Land Acquisitions for Conservation or Recreation; Chapter 260, F.S., Recreational Trails System; Chapter 267, F.S., Historical Resources; Chapter 288, F.S., Commercial Development and Capital Improvements; Chapter 334, F.S., Transportation Administration; Chapter 339, F.S., Transportation Finance and Planning; Chapter 370, F.S., Saltwater Fisheries; Chapter 372, F.S., Wildlife; Chapter 373, F.S., Water Resources; Chapter 375, F.S., Outdoor Recreation and Conservation Lands; Chapter 376, F.S., Pollutant Discharge Prevention and Removal; Chapter 377, F.S., Energy Resources; Chapter 380, F.S., Land and Water Management; Chapter 381, F.S., Public Health, General provisions (Sections

381.001, 381.0011, 381.0012, 381.381.006, 381.0061, 381.0065, 381.0066, and 381.0067); Chapter 403, F.S., Environmental Control; and Chapter 582, F.S., Soil and Water Conservation.

Changes adopted by the Florida Legislature prior to 2006 are also included in the FCMP, with the exceptions specified in the routine program change submission located at http://www.dep.state.fl.us/cmp/federal/fedconsv_06.htm. These incorporated changes do not result in any substantial change to the enforceable policies or authorities of the FCMP related to uses subject to management, special management areas, boundaries, authorities and organization or coordination, public involvement, and national interest.

As of the date of this notice, these statutory changes are incorporated into the FCMP and federal consistency applies to these statutory changes, except as noted. This notice has been sent to affected parties, including affected local governments, state agencies, and regional offices of relevant federal agencies as required by 15 C.F.R. 923.84(b)(4). A list of persons and organizations notified is available for inspection or can be provided upon request by the FCMP at (850)245-2161.

For more information on this routine program change, please contact: Mr. Danny Clayton, Department of Environmental Protection, Florida Coastal Management Program, 3900 Commonwealth Boulevard, Tallahassee, FL 32399-3000, (850)245-2161.

DEPARTMENT OF HEALTH

On July 20, 2007, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Charmaine Rose Barclay, R.N., license number RN 9251684. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On July 20, 2007, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Lori Renee Croft, R.N., license number RN 1678842. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On July 20, 2007, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Carey E. Daniels, C.N.A., license number CNA 26931. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On July 20, 2007, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Gloria Lynn Gregory, R.N., license number RN 2923552. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On July 20, 2007, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Nicole Marie Olson, R.N., license number RN 2949532. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On July 20, 2007, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Cathy Sisson, C.N.A., license number CNA 121388. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On July 20, 2007, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Linda E. Lemay Stevens, R.N., license number RN 2982092. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the

public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On July 20, 2007, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Renee Woulard, C.N.A., license number CNA 95877. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On July 20, 2007, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Faouzie Chammah, R.Ph., license number PS 32536. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Request for Public Comments on Florida's WIC Program
The WIC Program (the Special Supplemental Nutrition Program for Women, Infants, and Children) is soliciting comments and suggestions about its program and how service delivery can be improved to better meet the clients' needs. WIC is federally funded by the United States Department of Agriculture, and serves low- and moderate-income pregnant, breastfeeding, and postpartum women; infants; and children up to age 5. The program provides a combination of nutritious foods, nutrition education, breastfeeding support, and referrals for health care. WIC is available in all 67 counties in Florida. If you have any comments or suggestions, please direct them to Cheryl Miller, Department of Health, WIC and Nutrition Services, BIN #A-16, 4052 Bald Cypress Way, Tallahassee, FL 32399-1726, or by Fax (850)922-3936. Your feedback is essential and is appreciated before August 15, 2007. In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability. To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence

Avenue, S.W., Washington, D.C. 20250-9410 or call 1(800)795-3272 (Voice) or (202)720-6382 (TTY). USDA is an equal opportunity provider and employer.

**FISH AND WILDLIFE CONSERVATION
COMMISSION**

AVAILABILITY OF DRAFT MANAGEMENT PLAN

The Florida Fish and Wildlife Conservation Commission at its June 2006 meeting determined that delisting (removing from the imperiled species lists) the bald eagle (*Haliaeetus leucocephalus*) was warranted, and directed the development of a management plan. Delisting will not occur until the delisting rules in the proposed plan are approved by the Commission. A first draft management plan for the bald eagle was prepared and made available for public comment. Comments were reviewed and the draft management plan revised. The Commission is now requesting written comments on the second draft management plan. Copies of the draft management plan will be available at <http://myfwc.com/imperiledspecies/petitions.htm> after 9:00 a.m., August 6, 2007. Written comments should be addressed to Bald Eagle Management Plan, 1239 S. W. 10th Street, Ocala, Florida 34474-2797, or submitted to eagle_plan@myFWC.com. Comments will be accepted until 11:59 p.m., September 14, 2007. Florida has a broad public records law. Your written communications, including e-mails, are public records subject to public disclosure.

FINANCIAL SERVICES COMMISSION

NOTICE OF FILINGS

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institution, has received the following application. Comments may be submitted to the Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing. However, pursuant to provisions specified in Chapter 69U-105, Florida Administrative Code, any person may request a public hearing by filing a petition with the Clerk, Legal Services Office, Office of Financial Regulation, Division of Financial Institutions, 200 East Gaines Street, Tallahassee, Florida 32399-0379. The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., August 24, 2007):

**APPLICATION TO ORGANIZE A SUCCESSOR
INSTITUTION AND BANK MERGER**

Constituent Institutions: Prime Bank, Melbourne, Florida and PB Interim Bank, Melbourne, Florida
Resulting Institution: Prime Bank
With Title: Prime Bank
Received: July 25, 2007
