

- 5A – Structural Steel/Misc Metals
- 7A – Caulking & Sealants
- 7B – Roofing, Siding and Metal Panels
- 9E – Paint & Wall Coverings
- 11A – Food Service Equipment
- 16 A – Electrical

For the following scopes contact Marcus Niceley:

- 8B – Overhead Doors
- 9B – Carpet, Ceramic tile and Resilient Flooring
- 10A – Covered Walkways
- 12A – Millwork & Casework
- 13A – Metal Buildings (Alternate)

All of the above can be reached at (352)369-6183:

Bid Packages will be available @ NGI on Monday, October 19, 2009.

**SEALED BIDS AND PREQUALIFICATION FORMS RECEIVED PRIOR TO BID DAY ARE TO BE SENT TO:**

Attn: Mike Miller/Project Manager  
 Balfour Beatty Construction LLC.  
 \*11650 N.W. Gainesville Road  
 Ocala, Florida 34482  
 (352)369-6183

\*Bids will only be accepted at this address up to the day prior to bid day. All bids being submitted on bid day must be hand delivered to the Churchill Ballroom located in the Hilton of Ocala as listed above.

Interested parties can obtain plans, specifications, bid package and prequalification forms at the following location. Estimated cost of a full set of Bidding Documents is \$300. CD's with bidding documents will also be available. All bidders must follow the bidding requirements listed in the instructions to bidders available at:

NGI  
 304A S.W. Broadway St.  
 Ocala, FL 34474  
 (352)622-5039

A pre bid conference will be held at: The Hilton of Ocala, 3600 S.W. 36th Ave., Ocala, FL. 34474, telephone (352)854-1400; On October 29, 2009, 9:00 a.m.

Balfour Beatty Construction does not discriminate on the basis of race, color, religion, age, sex, national origin, marital status, handicap or other reason prohibited by law.  
 LICENSE CGC 05623.

**INVITATION TO BID**

Lowell Correctional Institution Phase II – Ancillary Buildings  
 Balfour Beatty Construction LLC (BBC) is accepting bids for the site work portion only for the above referenced project no later than Tuesday, October 27, 2009, 2:00 p.m., in the Keeneland Ballroom, The Hilton of Ocala, 3600 S.W. 36th

Avenue, Ocala, Florida 34474. The bids will be opened immediately following the 2:00 p.m., bid close at the same location.

Bids are being accepted at this time for the sitework (div. 2) scope of work only.

The Bid Package will be available at NGI on Friday, October 2, 2009.

**SEALED BIDS AND PREQUALIFICATION FORMS RECEIVED PRIOR TO BID DAY ARE TO BE SENT TO:**

Attn: Mike Miller/Project Manager  
 Balfour Beatty Construction LLC.  
 \*11650 N.W. Gainesville Road  
 Ocala, Florida 34482  
 (352)369-6183

\*Bids will only be accepted at this address up to the day prior to bid day. All bids received on bid day must be hand delivered to the Keeneland Ballroom located in the Hilton of Ocala as listed above.

Interested parties can obtain plans, specifications, bid package and prequalification forms at the following location. Estimated cost of a full set of Bidding Documents is \$50. CD's with bidding documents will also be available. All bidders must follow the bidding requirements listed in the instructions to bidders available at:

NGI  
 304A S.W. Broadway St.  
 Ocala, FL 34474  
 (352)622-5039

A pre bid conference will be held at: The Hilton of Ocala, 3600 S. W. 36th Ave., Ocala, FL. 34474, phone: (352)854-1400, October 7, 2009, 9:00 a.m.

Balfour Beatty Construction does not discriminate on the basis of race, color, religion, age, sex, national origin, marital status, handicap or other reason prohibited by law.

LICENSE CGC 05623.

**Section XII  
 Miscellaneous**

**DEPARTMENT OF COMMUNITY AFFAIRS**

Notice of Funding Availability FEMA-1831-DR-FL and  
 FEMA-1840-DR-FL  
 Program Summary

The Florida Division of Emergency Management is pleased to announce the availability of Hazard Mitigation Grant Program (HMGP) funds as a result of the recent Presidential Disaster Declarations (FEMA-1831-DR-FL and FEMA-1840-DR-FL). HMGP is authorized by Section 404 of the Robert T. Stafford Disaster Relief Act and is offered to assist communities in implementing mitigation measures designed to reduce or eliminate long-term risk to people and property from natural

hazards and their effects. The Division is soliciting applications and encourages all eligible applicants to identify and submit applications that address eligible mitigation activities. The amount of funding available to the state is based on 20% of the total federal disaster assistance for these events. The application period will close January 15, 2010. Therefore, all applications must be postmarked by January 15, 2010. The Division encourages and welcomes the submittal of complete applications at anytime during this cycle. You are entitled to submit applications under both disaster declarations. Please Note: Each funding disaster is separate. If you are submitting to both FEMA-1831-DR-FL and FEMA-1840-DR-FL, four (4) completed applications must be received per each disaster.

**APPLICATION TIMELINE:** Applications are currently being accepted. The deadline for the submission of applications is January 15, 2010 (postmarked). Applications will only be accepted from eligible applicants as defined in the Minimum Program Eligibility section of this notice. Please provide four completed copies of the State of Florida Joint Hazard Mitigation Grant Program and Flood Mitigation Assistance Application and all appropriate attachments. The Joint application and all other pertinent forms may be obtained at the Divisions website located at <http://www.floridadisaster.org/Mitigation/Hazard/forms.htm>.

Alternatively, you may contact the Division directly at (850)922-4182. In order to be considered, completed applications must be sent to the following address:

ATTN: Kathleen Marshall, Hazard Mitigation Grant Program  
Florida Division of Emergency Management  
Mitigation Section  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100

#### MINIMUM PROGRAM ELIGIBILITY

**Eligible Applicants:** According to the C.F.R. 44 § 206.434(a) applicants eligible to apply for Hazard Mitigation Grant Program funds include: State and local governments who have an approved Local Mitigation Plan (LMS) in accordance with 44 CFR 201.6, prior to receipt of HMGP subgrant funding for projects; private non-profit organizations or institutions that own or operate a private non-profit facility as defined in § 206.221(e); and a qualified conservation organization as defined at 44 CFR § 80.3(h); Indian tribes or authorized tribal organizations.

**Eligible Activities:** Activities include mitigation projects that will result in protection of public or private property from natural hazards. Activities for which implementation has already been initiated or completed, are not eligible for funding. Eligible projects include, but are not limited to the following:

- a. Acquisition or relocation of hazard prone structures;
- b. Retrofitting of existing buildings and facilities that will result in increased protection from hazards;
- c. Elevation of flood prone structures;

- d. Infrastructure protection measures;
  - e. Stormwater management improvements;
  - f. Minor structure flood control projects; and
  - g. Retrofitting of existing buildings and facilities for shelters.
- See Attachment C for FEMA Memorandum – Clarification of requirements for HMGP wind retrofit projects.

The state will not consider funding requests for:

- Generators-unless they are an integral part of a larger eligible project (see Attachment A).
- Construction of new facilities – however, the cost associated with above code upgrades can be considered.
- Equipment such as emergency pumps, vehicles and communication devices.
- Tree removal.
- Projects already in progress. (Construction may not begin until the project has met requirements of the National Environmental Policy Act. In addition the contract between the State and subgrantee must be executed.)

**Eligibility Criteria:** All projects submitted must meet the following minimum criteria to be considered for funding:

- Conform to the Florida Hazard Mitigation Plan and the respective community's Local Mitigation Strategy (LMS);
- Conform to the funding priorities for the disaster as established in the respective community's LMS governing the project;
- Demonstrate cost-effectiveness;
- Is technically feasible;
- Provide a beneficial impact upon the designated disaster area;
- Conform to all applicable environmental laws and regulations and Executive Orders;
- Solve a problem independently or constitutes a functional part of a solution;
- Is in an National Flood Insurance Program (NFIP) participating community that is not on probation or have been suspended from the NFIP; and
- Meet all applicable State and local codes and standards.

#### COST-SHARE REQUIREMENTS

Under the HMGP, FEMA will contribute up to 75 percent (75%) of the total amount approved under the grant award to implement eligible cost-effective mitigation measures. The applicant must provide the remaining 25 percent (25%) non-federal share. All contributions, cash or in-kind services, are acceptable as part of the non-federal share. Requirements for in-kind contributions can be found in 44 CFR §13.24. In-kind contributions must be directly related to the eligible project cost. In-kind resources are those personnel, materials, equipment and supplies owned, controlled and operated by the applicant or a third party contributor.

Applicants will also be able to use the Global Match concept as part of the 25% non-federal share match. Which means if the Match project is approved you will be eligible to receive up to 100% federal share. Global Match is when non-federal

contributions are derived from one single non-federally funded project or several non-federally funded projects that are “pooled” together to match one or more federally funded projects to attain the required 25% or greater program share for a HMGP grant. In other words, Global Match permits a potential applicant to meet the non-federal share match by receiving credit for state and/or local government funds that were committed to similar type project(s). These similar non-federally funded projects must meet all of the eligibility requirements as specified by the federal funding source for which it is matching.

#### PRE-AWARD COSTS

Prior to receiving a grant award, Pre-award costs may be requested. Pre-award costs include items such as engineering, environmental study, permitting and other “soft” costs associated with a construction project. Construction activities are not considered pre-award costs. Pre-award costs must be requested in writing. Guidelines for pre-award costs are included, see Attachment B.

#### COUNTY FUND ALLOCATION

To ensure funds are distributed equitably, designated counties have been assigned a portion of the total HMGP grant. The amount is based on a calculation of the proportional share of the total federal assistance under the Public Assistance (PA), Individual Assistance (IA) and Small Business Administration (SBA) programs as of February 2009. Commitment of project funds by the Division is contingent upon receipt of appropriate Legislative Budget Authority.

These figures are shown in Attachment D and represent the estimated amount of HMGP funds currently available. HMGP funding is available only to those counties that have a FEMA approved Disaster Mitigation Act of 2000 compliant Local Mitigation Strategy (LMS). Project applications will be considered only if:

(1) The application is accompanied by an endorsement by the LMS Chairperson or Vice-Chairperson stating that the project is included in the current LMS; and

(2) If more than one project is submitted, the endorsement indicates the prioritization. A sample project submission letter is shown in Attachment E.

DEM will attempt to fund each submitted project in priority order until the county’s allocation has been exhausted. In accordance with Rule 9G-22.006, F.S., the Division uses the following tiered allocation system up until the State application deadline with FEMA:

**Tier 1** The available HMGP funds are allocated to counties included in the relevant presidential disaster declaration in proportion to each county’s share of federal disaster funding from the Public Assistance (PA), Individual Assistance (IA) and Small Business Administration (SBA) Disaster Loan Program as of the date of receipt of the FEMA funding notice described above. Eligible projects submitted by each county included in the relevant

presidential disaster declaration will be funded in order of priority as outlined in the LMS until the allocated funds (through the 12-Month Lock-in) are exhausted or all eligible projects are funded.

**Tier 2** Any allocation remaining after all eligible projects in any declared county are funded, shall be re-allocated to those counties included in the relevant presidential disaster declaration whose allocation was not sufficient to fund all submitted eligible projects. The order of priority for re-allocating funds is detailed in Attachment E.

**Tier 3** In the event funds remain after the Tier 1 and Tier 2 process, any remaining funds will be offered on a statewide basis as described in Attachment E.

Please see Attachment E for a detailed explanation of funding tiers.

#### FUNDING AVAILABILITY AND NOTIFICATION

FEMA notifies the State of HMGP funding availability at several milestones:

##### 1. Initial Estimate

This represents an early estimate only, is not an actual commitment of funding by FEMA. It may increase or decrease based on actual disaster claims during the declaration period. These estimates are provided for planning purposes and to jump-start the HMGP application process.

##### 2. 180 Days from the Date of Declaration

This represents the State’s Lock-in Amount. It is the minimum the State can expect to receive from FEMA. County allocations listed in Attachment D are based on this estimate. After this disclosure, HMGP funds to the State cannot be decreased.

It is important for potential applicants to recognize that HMGP funds are contingent upon FEMA’s reexamination of the disaster figures at the given time intervals. A county’s funding allocation can increase or decrease after it has submitted an application.

#### TECHNICAL ASSISTANCE

The Division of Emergency Management (DEM) is in the process of scheduling HMGP application development workshops. Please check the DEM website for date, time, location and a short overview of the workshops which will be posted on the DEM website <http://www.floridadisaster.org/Mitigation/Hazard> as they are scheduled. DEM will provide technical assistance throughout the application process; this includes assistance with the application process, Benefit Cost Analysis, Engineering Feasibility and Environmental/Historical Preservation Compliance. If there are any questions regarding the allocation of funds or the project review and selection criteria, please call Bureau staff at one of the following numbers:

(850)922-5944 (Program Eligibility)

(850)922-5332 (Program Eligibility)

(850)487-2053 (Environmental)

(850)922-5010 (Engineering and Technical Feasibility)

To assist you in submitting qualified project applications, the following attachments are located on the DEM website <http://www.floridadisaster.org/Mitigation/Hazard> including the Joint Hazard Mitigation Grant Program & Flood Mitigation Assistance Application:

- Attachment A: HMGP Policy on Generators and related Equipment
- Attachment B: HMGP Program Policy on Pre-award Cost and Form
- Attachment C: FEMA Memorandum – Clarification of Requirements for HMGP Wind Retrofit Projects
- Attachment D: Initial Estimate of Available HMGP Funding
- Attachment E: Sample Project Submission Letter and Explanation of Tier Funding

**DEPARTMENT OF TRANSPORTATION**

Site Approval-Amistad Ranch

The Florida Department of Transportation intends to issue an “Airport Site Approval Order,” in accordance with Chapter 330, Florida Statutes, “Regulation of Aircraft, Pilots, and Airports” and Chapter 14-60, Florida Administrative Code, “Airport Licensing, Registration, and Airspace Protection” for the following site:

Amistad Ranch, a private airport, in Okeechobee County, at Latitude 27° 12' 57.01" and Longitude 80° 41' 05.52", to be owned and operated by Amistad Ranch, 13551 S.E. 34th Street Okeechobee, FL 34974.

A copy of the Airport Site Approval Order, the Airport’s application, the applicable rules, and other pertinent information may be obtained by contacting Mr. Aaron N. Smith, State Aviation Manager, Florida Department of Transportation, Aviation Office, 605 Suwannee Street, Mail Station 46, Tallahassee, Florida 32399-0450; (850)414-4514; aviation.fdot@dot.state.fl.us. Website: <http://www.dot.state.fl.us/aviation>.

**ADMINISTRATIVE HEARING RIGHTS:** Any person whose substantial interests will be determined or affected by this Airport Site Approval Order has the right, pursuant to Section 120.57, Florida Statutes, to petition for an administrative hearing. The petition for an administrative hearing must conform to the requirements of Rule Chapter 28-106, Florida Administrative Code, and must be filed, in writing, within twenty-one days of the publication of this notice, with the Clerk of Agency Proceedings, Office of General Counsel, Florida Department of Transportation, 605 Suwannee Street, Mail Station 58, Room 550, Tallahassee, Florida 32399-0450. Failure to file a petition within the allowed time constitutes a waiver of any right such person has to request a hearing under Chapter 120, Florida Statutes.

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

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

Pursuant to Section 320.642, Florida Statutes, notice is given that General Motors Company, intends to allow the establishment of Regal Pontiac, Inc. d/b/a Regal Chevrolet, as a dealership for the sale of automobiles manufactured by General Motors Company (CHEV) at 2615 Lakeland Hills Boulevard, Lakeland, (Polk County), Florida 33805, on or after October 23, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Regal Pontiac, Inc. d/b/a Regal Chevrolet are dealer operator(s): Sal Campisi, 2615 Lakeland Hills Boulevard, Lakeland, Florida 33805; principal investor(s): Sal Campisi, 2615 Lakeland Hills Boulevard, Lakeland, Florida 33805.

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 M.S. 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Carlos Latour, General Motors Company, 100 GM Renaissance Center, Detroit, Michigan 48265.

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 Benelli America, LLC, intends to allow the establishment of Fast Trixx Powersports, Inc., as a dealership for the sale of motorcycles manufactured by Benelli Q.J. SRL (BENE) at 2386 Allen Road, Tallahassee, (Leon County), Florida 32312, on or after September 30, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Fast Trixx Powersports, Inc. are dealer operator(s): Daniel Maddox, 12005 Cedar Bluff Trail, Tallahassee, Florida 32312, principal investor(s): Daniel Maddox, 12005 Cedar Bluff Trail, Tallahassee, Florida 32312.

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

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 M.S. 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Ken Oleson, Benelli America, LLC, 2912 Skyway Circle North, Irving, Texas 75038.

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

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#### Notice of Publication for a New Point

##### Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Pacific Rim International West, Inc., intends to allow the establishment of TGT Companies, Inc. d/b/a Extreme Motor Sales as a dealership for the sale of motorcycles manufactured by Huzhou Daixi Zhenhua Technology Trade Co. Ltd. (DAIX) at 1918 South Orange Blossom Trail, Apopka, (Orange County), Florida 32703, on or after September 30, 2009.

The name and address of the dealer operator(s) and principal investor(s) of TGT Companies, Inc. d/b/a Extreme Motor Sales, are dealer operator(s): Tina Wilson, 1918 South Orange Blossom Trail, Apopka, Florida 32703; principal investor(s): Tina Wilson, 1918 South Orange Blossom Trail, Apopka, Florida 32703.

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

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Wendy Yu, Pacific Rim International West, Inc., 2260 South Archibald Avenue, # E, Ontario, California 91761.

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

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#### **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."

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#### **WATER MANAGEMENT DISTRICTS**

##### NOTICE OF INTENT TO GRANT A VARIANCE

The St. Johns River Water Management District (District) intends to grant a variance from paragraph 40C-4.302(1)(c), Florida Administrative Code (F.A.C.), and the associated portions of the Applicant's Handbook: Management and Storage of Surface Waters (May 13, 2008), including Sections 10.1.1(c), 12.1.1(d), and 12.2.5(c), to Honda R. & D. Americas, Inc., for the repair and reconfiguration of a boat ramp. The project is located in Section 3, Township 30 South, Range 38 East, Brevard County, Florida. paragraph 40C-4.302(1)(c), F.A.C., and the associated portions of the Applicant's Handbook: Management and Storage of Surface Waters (May 13, 2008), including Sections 10.1.1(c), 12.1.1(d), and 12.2.5(c), are designed to protect Class II or Class III waters which are classified as approved, restricted, conditionally approved or conditionally restricted for shellfish harvesting and require permit applicants to comply with additional criteria when the proposed work is located in, adjacent to, or in close proximity to such waters. The petitioner seeks a variance pursuant to Subsection 373.414(17), Florida Statutes (F.S.), in conjunction with Environmental Resource Permit Application 4-009-103222-3, to reconstruct a boat ramp to support an outboard engine research and development facility. The work would occur in the Indian River which in this area is a Class II water classified by the State as conditionally restricted for shellfish harvesting. Notice of receipt of the petition for variance was published in the Florida

Administrative Weekly on November 14, 2008. The Executive Director is scheduled to take final action on the petition for variance and the related permit application on or after October 27, 2009.

A person whose substantial interests are or may be affected by the District's intended action has the right to request an administrative hearing by filing a written petition with the District. Pursuant to Chapter 28-106 and Rule 40C-1.1007, F.A.C., and Section 403.201, Fla. Stat., the petition must be filed (received), either by delivery at the office of the District Clerk at District Headquarters, P. O. Box 1429, Palatka, Florida 32178-1429 (4049 Reid St., Palatka, FL 32177) or by e-mail with the District Clerk at Clerk@sjrwmd.com, within fourteen (14) days of this publication date (for those persons to whom the District does not mail or email actual notice). A petition must comply with Sections 120.54(5)(b)4. and 120.569(2)(c), F.S., and Chapter 28-106, F.A.C. The District will not accept a petition sent by facsimile (fax), as explained below. Mediation pursuant to Section 120.573, F.S., is not available.

If the District takes action that substantially differs from this notice, a person whose substantial interests are or may be affected has the right to request an administrative hearing by filing a written petition with the District, but this request for administrative hearing shall only address the substantial deviation. Pursuant to Chapter 28-106 and Rule 40C-1.1007, F.A.C., the petition must be filed (received) at the office of the District Clerk at the mail/street address or email address described above, within nineteen (19) days of the District depositing notice of final District decision in the mail (for those persons to whom the District mails actual notice), within fourteen (14) days of the District emailing the notice of final District decision (for those persons to whom the District emails actual notice), or within fourteen (14) days of newspaper publication of the notice of final District decision (for those persons to whom the District does not mail or email actual notice). The petition must comply with Sections 120.54(5)(b)4. and 120.569(2)(c), F.S., and Chapter 28-106, F.A.C. Mediation pursuant to Section 120.573, F.S., is not available.

A person whose substantial interests are or may be affected has the right to a formal administrative hearing pursuant to Sections 120.569 and 120.57(1), F.S., where there is a dispute between the District and the party regarding an issue of material fact. A petition for formal hearing must also comply with the requirements set forth in Rule 28-106.201, F.A.C. A person whose substantial interests are or may be affected has the right to an informal administrative hearing pursuant to Sections 120.569 and 120.57(2), F.S., where no material facts are in dispute. A petition for an informal hearing must also comply with the requirements set forth in Rule 28-106.301, F.A.C.

A petition for an administrative hearing is deemed filed upon receipt of the complete petition by the District Clerk at the District Headquarters in Palatka, Florida during the District's regular business hours. The District's regular business hours are 8:00 a.m. – 5:00 p.m., excluding weekends and District holidays. Petitions received by the District Clerk after the District's regular business hours shall be deemed filed as of 8:00 a.m. on the District's next regular business day. The District's acceptance of petitions filed by e-mail is subject to certain conditions set forth in the District's Statement of Agency Organization and Operation (issued pursuant to Rule 28-101.001, F.A.C.), which is available for viewing at www.sjrwmd.com. These conditions include, but are not limited to, the petition being in the form of a PDF or TIFF file and being capable of being stored and printed by the District. Further, pursuant to the District's Statement of Agency Organization and Operation, attempting to file a petition by facsimile is prohibited and shall not constitute filing.

Failure to file a petition for an administrative hearing within the requisite time frame shall constitute a waiver of the right to an administrative hearing. (Rule 28-106.111, Florida Administrative Code).

The right to an administrative hearing and the relevant procedures to be followed are governed by Chapter 120, Florida Statutes, Chapter 28-106, Florida Administrative Code, and Rule 40C-1.1007, Florida Administrative Code. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means the District's final action may be different from the position taken by it in this notice. A person whose substantial interests are or may be affected by the District's final action has the right to become a party to the proceeding, in accordance with the requirements set forth above.

Pursuant to Section 120.68, F.S., a party to the proceeding before the District who is adversely affected by final District action may seek review of the action in the District Court of Appeal by filing a notice of appeal pursuant to the Florida Rules of Appellate Procedure within 30 days of the rendering of the final District action. A District action is considered rendered after it is signed on behalf of the District and is filed by the District Clerk. Failure to observe the relevant time frames for filing a petition for judicial review will result in waiver of that right to review.

The petition for variance (F.O.R. 2008-107) and permit application files are available for public inspection during normal business hours, 8:00 a.m. through 5:00 p.m., Monday through Friday, except legal holidays, at District Headquarters. To request copies or inspection of these files, contact Gail L. Hankinson, Assistant General Counsel, Office of General Counsel, at the address above, or by telephone at (386)329-4391.

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

Permit No. 50-09195-P (Application No. 070608-14) L and J Enterprises LLC (Estates of Juno Beach), 8895 N. Military Trail, Suite 101B, Palm Beach Gardens, FL 33410, for issuance of an Environmental Resource Permit to authorize construction and operation of a surface water management system to serve an 11.57 acre residential development. The water will be discharged to the NPBCID Unit 20 and the project is located in Palm Beach County, Section 33, Township 41 South, Range 43 East.

The Staff Report setting forth the staff recommendation regarding the permit, including proposed limiting conditions to provide reasonable assurances that the project meets SFWMD statutes and rules, can be obtained by contacting the Regulatory Records Management Section, during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at 3301 Gun Club Road, West Palm Beach, FL 33406, Environmental Resource Regulation Department, by telephone at (561)682-6911, by e-mail at [permits@sfwmd.gov](mailto:permits@sfwmd.gov), or by accessing the Staff Report directly from the District's website ([www.sfwmd.gov](http://www.sfwmd.gov)) using the Application/Permit Search on the ePermitting page.

As required by Sections 120.569(1) and 120.60(3), F.S., following is notice of the opportunities which may be available for administrative hearing or judicial review when the substantial interests of a party are determined by an agency. Please note that this Notice of Rights is not intended to provide legal advice. Not all legal proceedings detailed below may be an applicable or appropriate remedy. You may wish to consult an attorney regarding your legal rights.

**Right to Request Administrative Hearing** – A person whose substantial interests are or may be affected by the South Florida Water Management District's (SFWMD or District) action has the right to request an administrative hearing on that action pursuant to Sections 120.569 and 120.57, F.S. Persons seeking a hearing on a District decision which does or may determine their substantial interests shall file a petition for hearing with the District Clerk within 21 days of receipt of written notice of the decision, unless one of the following shorter time periods apply: 1) within 14 days of the notice of consolidated intent to grant or deny concurrently reviewed applications for environmental resource permits and use of sovereign submerged lands pursuant to Section 373.427, F.S.; or 2) within 14 days of service of an Administrative Order pursuant to Subsection 373.119(1), F.S. "Receipt of written notice of agency decision" means receipt of either written notice through mail, or electronic mail, or posting that the District has or intends to take final agency action, or publication of notice that the District has or intends to take final agency action. Any person who receives written notice of

a SFWMD decision and fails to file a written request for hearing within the timeframe described above waives the right to request a hearing on that decision.

**Filing Instructions** – The Petition must be filed with the Office of the District Clerk of the SFWMD. Filings with the District Clerk may be made by mail, hand-delivery or facsimile. Filings by e-mail will not be accepted. Any person wishing to receive a clerked copy with the date and time stamped must provide an additional copy. A petition for administrative hearing is deemed filed upon receipt during normal business hours by the District Clerk at SFWMD headquarters in West Palm Beach, Florida. Any document received by the office of the SFWMD Clerk after 5:00 p.m. shall be filed as of 8:00 a.m. on the next regular business day. Additional filing instructions are as follows:

- Filings by mail must be addressed to the Office of the SFWMD Clerk, P. O. Box 24680, West Palm Beach, Florida 33416.
- Filings by hand-delivery must be delivered to the Office of the SFWMD Clerk. Delivery of a petition to the SFWMD's security desk does not constitute filing. To ensure proper filing, it will be necessary to request the SFWMD's security officer to contact the Clerk's office. An employee of the SFWMD's Clerk's office will receive and file the petition.
- Filings by facsimile must be transmitted to the SFWMD Clerk's Office at (561)682-6010. Pursuant to subsections 28-106.104(7), (8) and (9), F.A.C., a party who files a document by facsimile represents that the original physically signed document will be retained by that party for the duration of that proceeding and of any subsequent appeal or subsequent proceeding in that cause. Any party who elects to file any document by facsimile shall be responsible for any delay, disruption, or interruption of the electronic signals and accepts the full risk that the document may not be properly filed with the clerk as a result. The filing date for a document filed by facsimile shall be the date the SFWMD Clerk receives the complete document.

**Initiation of an Administrative Hearing** – Pursuant to Rules 28-106.201 and 28-106.301, F.A.C., initiation of an administrative hearing shall be made by written petition to the SFWMD in legible form and on 8 and 1/2 by 11 inch white paper. All petitions shall contain:

1. Identification of the action being contested, including the permit number, application number, District file number or any other SFWMD identification number, if known.
2. The name, address and telephone number of the petitioner and petitioner's representative, if any.
3. An explanation of how the petitioner's substantial interests will be affected by the agency determination.
4. A statement of when and how the petitioner received notice of the SFWMD's decision.

5. A statement of all disputed issues of material fact. If there are none, the petition must so indicate.

6. A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the SFWMD's proposed action.

7. A statement of the specific rules or statutes the petitioner contends require reversal or modification of the SFWMD's proposed action.

8. If disputed issues of material fact exist, the statement must also include an explanation of how the alleged facts relate to the specific rules or statutes.

9. A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the SFWMD to take with respect to the SFWMD's proposed action.

A person may file a request for an extension of time for filing a petition. The SFWMD may, for good cause, grant the request. Requests for extension of time must be filed with the SFWMD prior to the deadline for filing a petition for hearing. Such requests for extension shall contain a certificate that the moving party has consulted with all other parties concerning the extension and that the SFWMD and any other parties agree to or oppose the extension. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

If the District takes action with substantially different impacts on water resources from the notice of intended agency decision, the persons who may be substantially affected shall have an additional point of entry pursuant to Rule 28-106.111, F.A.C., unless otherwise provided by law.

Mediation – The procedures for pursuing mediation are set forth in Section 120.573, F.S., and Rules 28-106.111 and 28-106.401-405, F.A.C. The SFWMD is not proposing mediation for this agency action under Section 120.573, F.S., at this time.

Right to Seek Judicial Review – Pursuant to Sections 120.60(3) and 120.68, F.S., a party who is adversely affected by final SFWMD action may seek judicial review of the SFWMD's final decision by filing a notice of appeal pursuant to Florida Rule of Appellate Procedure 9.110 in the Fourth District Court of Appeal or in the appellate district where a party resides and filing a second copy of the notice with the SFWMD Clerk within 30 days of rendering of the final SFWMD action.

**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."

AMENDMENT TO NOTICE OF INTENT TO ISSUE  
PROPOSED  
MODIFICATION OF TRANSMISSION LINE  
CERTIFICATION

The Florida Department of Environmental Protection (Department) hereby provides the following amendment to its Notice of Intent to Issue Proposed Modification of Transmission Line Certification, regarding: Florida Power & Light Company St. Johns Pellicer-Pringle Transmission Line Siting Application No. 05-13A, OGC Case No. 09-3192 published in the Florida Administrative Weekly on October 2, 2009. In addition to the modifications mentioned in that Notice of Intent, the Department is initiating modifications to update the existing Conditions of Certification in accordance with Section 403.5315(2)(b), F.S., in order to update the general conditions. A copy of the proposed modifications in their entirety may be obtained by contacting: Michael P. Halpin, P.E., Administrator, Siting Coordination Office, Department of Environmental Protection, 3900 Commonwealth Blvd., M.S. 48, Tallahassee, Florida 32399-3000, (850)245-2002. Pursuant to Section 403.5315(2)(b), Florida Statutes, parties to the certification proceeding have 45 days from issuance of notice to such party's last address of record in which to object to the requested modification. Failure of any of the parties to file a response will constitute a waiver of objection to the requested modification. Any person who is not already a party to the certification proceeding and whose substantial interest is affected by the requested modification has 30 days from the date of publication of this public notice to object in writing. The written objection must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, M.S. 35, Tallahassee, Florida 32399-3000. If no objections are received, then a Final Order approving the modification shall be issued by the Department.

NOTICE OF INTENT TO ISSUE PROPOSED  
MODIFICATION OF TRANSMISSION LINE  
CERTIFICATION

The Florida Department of Environmental Protection (Department) hereby provides notice of an intent to modify the Transmission Line Conditions of Certification issued pursuant to the Florida Transmission Line Siting Act, Chapter 403.52, et seq., Florida Statutes, concerning: Florida Power & Light Company St. Johns Pellicer-Pringle Transmission Line Siting Application No. 05-13A, OGC Case No. 09-3192. On July 15, 2009, the Department received an application to modify the Conditions of Certification for the St. Johns Pellicer-Pringle 230 kV Transmission line from Florida Power & Light pursuant to Section 403.5315(2)(c), Florida Statutes, to expand the corridor in two locations where two areas, since certification, have been developed or proposed for development. Those two areas are in St. Johns County north of State Road (SR) 207, west of Interstate 95 (I-95), and along SR



206, but east of I-95. For the first area FPL has proposed widening the corridor approximately 150 to 800 ft. west of the western corridor boundary for a distance of approximately 0.43 mile. For the second area FPL has proposed a corridor expansion for a distance of approximately 1.13 miles with an exclusion area extending from the eastern boundary of certified corridor to a line running 200 ft. west of the eastern boundary of this modification area.

A copy of the proposed modification may be obtained by contacting: Michael P. Halpin, P.E., Administrator, Siting Coordination Office, Department of Environmental Protection, 3900 Commonwealth Blvd., M.S. #48, Tallahassee, Florida 32399-3000, (850)245-2002. Pursuant to Section 403.5315(2)(b), Florida Statutes, parties to the certification proceeding have 45 days from issuance of notice to such party's last address of record in which to object to the requested modification. Failure of any of the parties to file a response will constitute a waiver of objection to the requested modification. Any person who is not already a party to the certification proceeding and whose substantial interest is affected by the requested modification has 30 days from the date of publication of this public notice to object in writing. The written objection must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, MS #35, Tallahassee, Florida 32399-3000. If no objections are received, then a Final Order approving the modification shall be issued by the Department.

#### FLORIDA STATE CLEARINGHOUSE

The state is coordinating reviews of federal activities and federally funded projects as required by Section 403.061(40), F.S. A list of projects, comments deadlines and the address for providing comments are available at [http://www.dep.state.fl.us/secretary/oip/state\\_clearinghouse/](http://www.dep.state.fl.us/secretary/oip/state_clearinghouse/). For information, call (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

#### DEPARTMENT OF HEALTH

On September 24, 2009, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Steven J. Sonenblum, D.C. License #CH 7163. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

#### DEPARTMENT OF FINANCIAL SERVICES

##### IN RE: THE RECEIVERSHIP OF CUMBERLAND CASUALTY & SURETY COMPANY – NOTICE REGARDING APPROVAL OF REHABILITATION PLAN AND DEADLINE FOR FILING CLAIMS

IN THE Circuit Court of Leon County, Florida ("Receivership Court"), Case No. 2004-507, Receivership of Cumberland Casualty & Surety Company ("Cumberland"). Notice to all persons having business with Cumberland. By order of the Receivership Court entered July 30, 2009 ("Order"), you are hereby notified of approval of the Plan of Rehabilitation; the cancellation of Cumberland bonds; and deadline to file claims in the receivership. All persons having claims against Cumberland shall present them to the receivership by January 26, 2010, or such claims shall be forever barred. Claims are to be submitted to: Cumberland Casualty & Surety Company in Receivership, 4311 West Waters Avenue, Suite 401, Tampa, Florida 33614. Copies of the Order, Plan of Rehabilitation, and a Proof of Claim Form may be obtained at: [www.floridainsurancereceiver.org](http://www.floridainsurancereceiver.org). You may also obtain a Proof of Claim Form by calling 1(800)723-0171.

##### IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT, IN AND FOR LEON COUNTY, FLORIDA

CASE NO.: 2009-CA-2668

In Re: The Receivership of FIRST COMMERCIAL INSURANCE COMPANY, a Florida corporation.

##### NOTICE TO ALL POLICYHOLDERS, CREDITORS, AND CLAIMANTS HAVING BUSINESS WITH FIRST COMMERCIAL INSURANCE COMPANY

You are hereby notified that by order of the Circuit Court of the Second Judicial Circuit, in and for Leon County, Florida, entered the 24th day of August, 2009, the Department of Financial Services of the State of Florida was appointed as Receiver of FIRST COMMERCIAL INSURANCE COMPANY and was ordered to liquidate the assets located in Florida of said company.

Policyholders, claimants, creditors, and other persons in this State having claims against the assets of FIRST COMMERCIAL INSURANCE COMPANY, shall present such claims to the Receiver on or before 11:59:59 p.m., Tuesday, August 17, 2010, or such claims shall be forever barred.

Requests for forms for the presentation of such claims and inquiries concerning this Receivership should be addressed to: The Division of Rehabilitation and Liquidation, Florida Department of Financial Services, Receiver for FIRST COMMERCIAL INSURANCE COMPANY, Post Office Box 110, Tallahassee, Florida 32302-0110. Additional information may be found at: [www.floridainsurancereceiver.org](http://www.floridainsurancereceiver.org).

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT, IN AND FOR LEON COUNTY, FLORIDA  
CASE NO.: 2009-CA-2669

In Re: The Receivership of FIRST COMMERCIAL TRANSPORTATION AND PROPERTY INSURANCE COMPANY, a Florida corporation.

NOTICE TO ALL POLICYHOLDERS, CREDITORS, AND CLAIMANTS HAVING BUSINESS WITH FIRST COMMERCIAL TRANSPORTATION AND PROPERTY INSURANCE COMPANY

You are hereby notified that by order of the Circuit Court of the Second Judicial Circuit, in and for Leon County, Florida, entered the 24th day of August, 2009, the Department of Financial Services, State of Florida was appointed as Receiver of FIRST COMMERCIAL TRANSPORTATION AND PROPERTY INSURANCE COMPANY and was ordered to liquidate the assets located in Florida of said company.

Policyholders, claimants, creditors, and other persons in this State having claims against the assets of FIRST COMMERCIAL TRANSPORTATION AND PROPERTY INSURANCE COMPANY, shall present such claims to the Receiver on or before 11:59:59 p.m., Tuesday, August 17, 2010, or such claims shall be forever barred.

Requests for forms for the presentation of such claims and inquiries concerning this Receivership should be addressed to: The Division of Rehabilitation and Liquidation of the Florida Department of Financial Services, Receiver for FIRST COMMERCIAL TRANSPORTATION AND PROPERTY INSURANCE COMPANY, Post Office Box 110, Tallahassee, Florida 32302-0110. Additional information may be found at: [www.floridainsurancereceiver.org](http://www.floridainsurancereceiver.org).

**JACKSONVILLE TRANSPORTATION AUTHORITY**

Notice of Opportunity to Hold a Public Hearing for Supplemental Environmental Assessment for Jacksonville Rapid Transit System Phase One Project.

The Federal Transit Administration and the Jacksonville Transportation Authority (JTA) are issuing a Notice of Opportunity to Hold a Public Hearing on the Supplemental Environmental Assessment (EA) for the Jacksonville Rapid Transit System Phase One project. The project is located in Downtown Jacksonville Florida and includes the provision of a Bus Rapid Transit (BRT) System to support population and employment growth and improve mobility, transit travel times, passenger facilities, and service reliability. Based on the results of the Supplemental Environmental Assessment and the

evaluation of alternatives, Final Modified Option E has been identified as the recommended Locally Preferred Alternative (LPA). Modified Option E moves the Kings Avenue BRT station to the same location as the Kings Avenue Skyway station. The LPA includes dedicated transit lanes during peak hours, enhanced transit superstops, streetscape improvements, and other BRT features along portions of Broad and Jefferson streets, Bay and Forsyth streets west of Broad Street, the Acosta Bridge, Museum Circle, San Marco Boulevard, Riverplace Boulevard, Prudential Drive, Onyx Street, Louisa Street, and Kings Avenue north of Manning Street.

Information on the project can be found on the JTA website: [www.jtafla.com](http://www.jtafla.com) and a copy of the Supplemental EA can be reviewed at the following places:

- Jacksonville Main Library  
303 N. Laura Street  
Jacksonville, FL 32202
- Jacksonville Transportation Authority Offices  
100 N. Myrtle Avenue  
Jacksonville, FL 32204

You may request that a public hearing be held for the Supplemental EA by sending a written request on or before November 8, 2009 to:

- Winova Hart-Mayer  
Communication and Outreach Coordinator  
Jacksonville Transportation Authority  
100 N. Myrtle Avenue  
Jacksonville, FL 32204  
[whart@jtafla.com](mailto:whart@jtafla.com)

If a public hearing is held, then JTA will publish a notice of date, time, and location for the hearing in the Florida Times Union, Legal Section and post on the JTA website: [www.jtafla.com](http://www.jtafla.com). You may also submit written comments on the Supplemental EA to Winova Hart-Mayer of JTA at the address above by November 8, 2009.

The environmental assessment and public hearing has been conducted in compliance with Title VI of the Civil Rights Act of 1964 and Title VIII of the Civil Rights Act of 1968. Persons wishing to express their concerns relative to adherence to Titles Six and Eight of the Civil Rights Act may do so by contacting: JTA's Contract Compliance Program Manager, Ken Middleton at (904)598-8728 or [kmiddleton@jtafla.com](mailto:kmiddleton@jtafla.com). Public participation is solicited without regard to race, color, religion, sex, age, national origin, handicap, or familial status.