

207009 Chipley National Guard Armory: Interior and exterior renovation to bring facility to current code compliance standards. Available on VBS 8/12/2011.

The Department reserves the right to reject any and all submissions or accept minor irregularities in the best interest of the DMA.

POINT OF CONTACT: Department of Military Affairs, Construction & Facility Management Office, Contract Management Branch (904)823-0256 or (904)827-8544, e-mail: cfmocontracting@ng.army.mil.

Faxed or e-mailed submittals are not acceptable and will not be considered. All instructions must be complied with and requested data must be included in order for your firm to be considered for this project. All information received will be maintained with the Department and will not be returned.

Request for private meetings by individual firms will not be granted. No individual verbal communication shall take place between any applicants and the Owners or Owner's representatives. Request for any additional information, clarifications, or technical questions must be requested in writing.

FLORIDA DEVELOPMENTAL DISABILITIES COUNCIL

REQUEST FOR PROPOSALS (FDDC # 2011-CD-9100)

Disability Awareness Language Arts and Literacy Guide
 The Florida Developmental Disabilities Council, Inc. (FDDC) is pleased to announce that this request for proposals (RFP #2011-CD-9100) is released in order to develop a Disability Awareness Language Arts and Literacy Guide for Prekindergarten and Elementary Grades.

Individuals, not-for-profit, and for-profit agencies may submit proposals in response to this RFP. FDDC has set aside federal funds for a period not to exceed one (1) year for fiscal support of this RFP. The amount of this contract will be up to \$60,000, with the exact amount finalized during contract negotiations.

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

The deadline for submitting written questions and letters of intent for this RFP is August 22, 2011 by 4:00 p.m. (EDT). Letters of intent are encouraged but not mandatory. Letters of Intent will only be accepted by fax, mail, or hand delivery. Letters of Intent by email will not be accepted. All answers to written questions will be posted on the FDDC website during the week of September 5, 2011. The deadline for submitting proposals for this RFP to FDDC is September 29, 2011 by 2:00 p.m. (EDT).

THE ABOVE ANNOUNCEMENT WILL APPEAR IN THE FLORIDA ADMINISTRATIVE WEEKLY AND ON THE FDDC WEB PAGE (fddc.org) ON AUGUST 5, 2011.

PLEASE FORWARD ALL REQUESTS FOR COPIES OF THIS RFP TO CAROLYN WILLIAMS.

QUESTIONS ARE TO BE SUBMITTED IN WRITTEN FORMAT ONLY. THIS IS A LEGAL PROCESS AND WE CANNOT ANSWER QUESTIONS VERBALLY.

**Section XII
 Miscellaneous**

DEPARTMENT OF COMMUNITY AFFAIRS

DCA Final Order No.: DCA11-OR-141

In re: POLK COUNTY LAND DEVELOPMENT REGULATIONS ADOPTED BY POLK COUNTY ORDINANCE NO.11-008

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6) and (11), Florida Statutes, (2010), approving Polk County Ordinance No. 11-008.

FINDINGS OF FACT

1. The Green Swamp Area is a statutorily designated area of critical state concern, and Polk County is a local government within the Green Swamp Area.

2. On July 8, 2011, the Department received for review Polk County Ordinance No. 11-008 that was adopted by the Polk County Board of County Commissioners on June 28, 2011.

3. Proposed Ordinance No. 11-008 amends Ordinance No. 00-09, Land Development Code, amending the Use Tables in Chapters 2, 4, and 5 providing for Permitted and Conditional Use Reviews; amending Chapter 2, Land Use Districts and Regulations; amending Chapter 7, Site Development Standards, providing for Site Development Criteria; and amending Chapter 10, Definitions, providing for definitions to address a new use know as Agritourism.

4. Proposed Ordinance No. 11-008 amends Section 222.D of the Polk County Land Development Code to allow general farming and animal grazing uses in all land use categories; amends Chapter 2 of the Land Development Code to include Section 229 Agritourism identifying the criteria, level of review and associated regulations for the development of Agritourism uses; and amends Chapters 7 and 10 to include parking and buffering regulations as well as definitions for Agritourism.

CONCLUSIONS OF LAW

5. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Green Swamp Area of Critical State Concern. §§ 380.05(6) and (11), Fla. Stat. (2010).

6. Polk County is a local government within the Green Swamp Area of Critical State Concern. § 380.0551, Fla. Stat. (2010) and Rule Chapter 28-26, Fla. Admin. Code.

7. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. § 380.031(8), Florida Statutes (2010). The regulations adopted by the Ordinances 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 for that area. § 380.05(6), Fla. Stat.; 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 for guiding development in the Green Swamp Area of Critical State Concern are set forth in Rule 28-26.003, Florida Administrative Code. ("Principles").

9. Ordinance No. 11-008 furthers Principles for Guiding Development, paragraphs 28-26.003(1)(a) and (b), Florida Administrative Code.

(a) Minimize the adverse impacts of development on resources of the Floridan Aquifer, wetlands, and flood-detention areas.

(b) Protect the normal quantity, quality and flow of ground water and surface water which are necessary for the protection of resources of state and regional concern.

10. Ordinance No. 11-008 is consistent with the Principles for Guiding Development as a whole and is not inconsistent with any Principle.

11. Ordinance No. 11-008 is consistent with the Polk County Comprehensive Plan and furthers Future Land Use Policies 2.132-D4 and 2.132-E19.

WHEREFORE, IT IS ORDERED that Ordinance No. 11-008 is found to be consistent with the Principles for Guiding Development of the Green Swamp 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.

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

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 SUBSECTION 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.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 22nd day of July, 2011.

Paula Ford, Agency Clerk

By U.S. Mail:
Michael F. Craig, Esq.
Polk County Attorney
Drawer AT01
P. O. Box 9005
Bartow, FL 33831

Thomas Deardorff, Director
Growth Management Department
P. O. Box 9005, Drawer GM03
Bartow, FL 33831

Edwin V. Smith, Chairman
Board of County Commissioners
P. O. 9005, Drawer BC01
Bartow, FL 33831

DCA Final Order No.: DCA11-OR-146
In re: MONROE COUNTY LAND
DEVELOPMENT REGULATIONS
ADOPTED BY MONROE COUNTY
ORDINANCE NO. 005-2011

FINAL ORDER

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

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and Monroe County is a local government within the Florida Keys Area.

2. On June 8, 2011, the Department received for review Monroe County Ordinance No. 005-2011 (“Ord. 005-2011”), adopted by Monroe County on May 4, 2011.

3. The purpose of Ord. No. 005-2011 is to amend or ratify the Tier Overlay District Designations for approximately ninety-two parcels competing for building permits in the Rate of Growth Ordinance allocation system in accord with the Amended Final Order DCA 07-GM-166A issued in DOAH Case No. 06-2449GM.

4. Ord. 005-2011 assigns a tier designation for ninety-two individual parcels, identified by Real Estate Number, which were previously tierless as a result of Amended Final Order DCA 07-GM-166A. The ninety-two parcels are currently competing for an allocation in the ROGO system which includes criteria for Tier I, Tier III, and Tier IIIA properties.

CONCLUSIONS OF LAW

5. The Department is required to approve or reject land development regulations that are enacted, amended, or rescinded by any local government in the Florida Keys Area of Critical State Concern. § 380.05(6), Florida Statutes, and § 380.0552(9), Florida Statutes (2010).

6. Monroe County is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Florida Statutes (2010) and Rule 28-29.002 (superseding Chapter 27F-8), Florida Administrative Code.

7. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Florida Statutes (2010). The regulations adopted by Ord. 005-2011 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), Florida Statutes. 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. 005-2011 promotes and furthers the following Principles:

(b) To protect shoreline and marine resources, including mangroves, coral reef formations, seagrass beds, wetlands, fish and wildlife and their habitat.

(c) To protect upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation (for example, hardwood hammocks and pinelands), dune ridges and beaches, wildlife, and their habitat.

(e) To limit the adverse impacts of development on the quality of water throughout the Florida Keys.

(f) To enhance natural scenic resources, promoting the aesthetic benefits of the natural environment, and ensuring that development is compatible with the unique historic character of the Florida Keys.

(j) To ensure the improvement of nearshore water quality by requiring the construction and operation of wastewater management facilities that meet the requirements of ss. 381.0065(4)(l) and 403.086(10), Florida Statutes, as applicable, and by directing growth to areas served by central wastewater treatment facilities through permit allocation systems.

(n) To protect the public health, safety, and welfare of the citizens of the Florida Keys and maintaining the Florida Keys as a unique Florida resource.

10. Ord. 005-2011 is consistent with the Principles for Guiding Development as a whole.

11. Ord. 005-2011 furthers Monroe County Comprehensive Plan Policy 105.2.1 and Policy 105.2.2.

WHEREFORE, IT IS ORDERED that Ord. 005-2011 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.

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

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING 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.

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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.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 27th day of July, 2011.

Paula Ford, Agency Clerk

By U.S. Mail:
Honorable Heather Carruthers
Mayor of Monroe County
2798 Overseas Highway, Suite 400
Marathon, Florida 33050

Danny L. Kolhage
Clerk to the Board of County Commissioners
500 Whitehead Street
Key West, Florida 33040

Christine Hurley
Growth Management Director
2798 Overseas Highway, Suite 400
Marathon, Florida 33050

DCA Final Order No.: DCA11-OR-147
In re: MONROE COUNTY LAND
DEVELOPMENT REGULATIONS
ADOPTED BY MONROE COUNTY
ORDINANCE NO. 006-2011

FINAL ORDER

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

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and Monroe County is a local government within the Florida Keys Area.

2. On June 8, 2011, the Department received for review Monroe County Ordinance No. 006-2011 ("Ord. 006-2011"), adopted by Monroe County on May 4, 2011.

3. The purpose of Ord. No. 006-2011 is to assign Tier Overlay District Designations for approximately one hundred-ten parcels determined to have no Tier on the Tier Overlay District Map for Monroe County in accord with the Amended Final Order DCA 07-GM-166A issued in DOAH Case No. 06-2449GM.

4. Ord. 006-2011 assigns a tier designation for approximately one hundred-ten individual parcels, identified by Real Estate Number, which were previously tierless as a result of Amended Final Order DCA 07-GM-166A. The one hundred-ten parcels have been the subject of award of an allocation in the Rate of Growth system which includes criteria for Tier I, Tier III, and Tier IIIA properties, or have been issued building permits.

CONCLUSIONS OF LAW

5. The Department is required to approve or reject land development regulations that are enacted, amended, or rescinded by any local government in the Florida Keys Area of Critical State Concern. § 380.05(6), Florida Statutes, and § 380.0552(9), Florida Statutes (2010).

6. Monroe County is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Florida Statutes (2010) and Rule 28-29.002 (superseding Chapter 27F-8), Florida Administrative Code.

7. "Land development regulations" include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Florida Statutes (2010). The regulations adopted by Ord. 006-2011 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), Florida Statutes. 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. 006-2011 promotes and furthers the following Principles:

(b) To protect shoreline and marine resources, including mangroves, coral reef formations, seagrass beds, wetlands, fish and wildlife and their habitat.

(c) To protect upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation (for example, hardwood hammocks and pinelands), dune ridges and beaches, wildlife, and their habitat.

(e) To limit the adverse impacts of development on the quality of water throughout the Florida Keys.

(f) To enhance natural scenic resources, promoting the aesthetic benefits of the natural environment, and ensuring that development is compatible with the unique historic character of the Florida Keys.

(j) To ensure the improvement of nearshore water quality by requiring the construction and operation of wastewater management facilities that meet the requirements of §§ 381.0065(4)(l) and 403.086(10), Florida Statutes, as applicable, and by directing growth to areas served by central wastewater treatment facilities through permit allocation systems.

(n) To protect the public health, safety, and welfare of the citizens of the Florida Keys and maintaining the Florida Keys as a unique Florida resource.

10. Ord. 006-2011 is consistent with the Principles for Guiding Development as a whole.

11. Ord. 006-2011 furthers Monroe County Comprehensive Plan Policy 105.2.1 and Policy 105.2.2.

WHEREFORE, IT IS ORDERED that Ord. 006-2011 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.

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

NOTICE OF ADMINISTRATIVE RIGHTS

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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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CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 27th day of July, 2011.

Paula Ford, Agency Clerk

By U.S. Mail:
Honorable Heather Carruthers
Mayor of Monroe County
2798 Overseas Highway, Suite 400
Marathon, Florida 33050

Danny L. Kolhage
Clerk to the Board of County Commissioners
500 Whitehead Street
Key West, Florida 33040

Christine Hurley
Growth Management Director
2798 Overseas Highway, Suite 400
Marathon, Florida 33050

DCA Final Order No.: DCA11-OR-148
In re: MONROE COUNTY LAND
DEVELOPMENT REGULATIONS
ADOPTED BY MONROE COUNTY
ORDINANCE NO. 007-2011

FINAL ORDER

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

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and Monroe County is a local government within the Florida Keys Area.

2. On June 8, 2011, the Department received for review Monroe County Ordinance No. 007-2011 ("Ord. 007-2011"), adopted by Monroe County on May 4, 2011.

3. The purpose of Ord. No. 007-2011 is to assign Tier Overlay District Designations for approximately two thousand eight hundred ninety-one parcels determined to have no Tier on the Tier Overlay District Map for Monroe County in accord with the Amended Final Order DCA 07-GM-166A issued in DOAH Case No. 06-2449GM.

4. Ord. 007-2011 assigns a tier designation for approximately two thousand eight hundred ninety-one individual parcels, identified by Real Estate Number, which were previously tierless as a result of Amended Final Order DCA 07-GM-166A. The two thousand eight hundred ninety-one parcels are not currently competing in the Rate of Growth system which includes criteria for Tier I, Tier III, and Tier IIIA properties, or have not applied for permits.

CONCLUSIONS OF LAW

5. The Department is required to approve or reject land development regulations that are enacted, amended, or rescinded by any local government in the Florida Keys Area of Critical State Concern. § 380.05(6), Florida Statutes, and § 380.0552(9), Florida Statutes (2010).

6. Monroe County is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Florida Statutes (2010) and Rule 28-29.002 (superseding Chapter 27F-8), Florida Administrative Code.

7. "Land development regulations" include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Florida Statutes (2010). The regulations adopted by Ord. 007-2011 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), Florida Statutes. 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. 007-2011 promotes and furthers the following Principles:

(b) To protect shoreline and marine resources, including mangroves, coral reef formations, seagrass beds, wetlands, fish and wildlife and their habitat.

(c) To protect upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation (for example, hardwood hammocks and pinelands), dune ridges and beaches, wildlife, and their habitat.

(e) To limit the adverse impacts of development on the quality of water throughout the Florida Keys.

(f) To enhance natural scenic resources, promoting the aesthetic benefits of the natural environment, and ensuring that development is compatible with the unique historic character of the Florida Keys.

(j) To ensure the improvement of nearshore water quality by requiring the construction and operation of wastewater management facilities that meet the requirements of §§ 381.0065(4)(l) and 403.086(10), Florida Statutes, as applicable, and by directing growth to areas served by central wastewater treatment facilities through permit allocation systems.

(n) To protect the public health, safety, and welfare of the citizens of the Florida Keys and maintaining the Florida Keys as a unique Florida resource.

10. Ord. 007-2011 is consistent with the Principles for Guiding Development as a whole.

11. Ord. 007-2011 furthers Monroe County Comprehensive Plan Policy 105.2.1 and Policy 105.2.2.

WHEREFORE, IT IS ORDERED that Ord. 007-2011 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.

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

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING 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.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 27th day of July, 2011.

Paula Ford, Agency Clerk

By U.S. Mail:
Honorable Heather Carruthers
Mayor of Monroe County
2798 Overseas Highway, Suite 400
Marathon, Florida 33050

Danny L. Kolhage
Clerk to the Board of County Commissioners
500 Whitehead Street
Key West, Florida 33040

Christine Hurley
Growth Management Director
2798 Overseas Highway, Suite 400
Marathon, Florida 33050

DCA Final Order No.: DCA11-OR-149
In re: MONROE COUNTY LAND
DEVELOPMENT REGULATIONS
ADOPTED BY MONROE COUNTY
ORDINANCE NO. 008-2011

FINAL ORDER

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

FINDINGS OF FACT

- 1. The Florida Keys Area is a statutorily designated area of critical state concern, and Monroe County is a local government within the Florida Keys Area.
2. On June 8, 2011, the Department received for review Monroe County Ordinance No. 008-2011 ("Ord. 008-2011"), adopted by Monroe County on May 4, 2011.
3. The purpose of Ord. No. 008-2011 is to amend or ratify the Tier Overlay District Designations for approximately three hundred-one parcels determined to have a Tier on the Tier Overlay District Map for Monroe County in accord with the Amended Final Order DCA 07-GM-166A issued in DOAH Case No. 06-2449GM.

4. Ord. 008-2011 assigns a tier designation for approximately three hundred-one individual parcels, identified by Real Estate Number, which were previously assigned a tier as a result of Amended Final Order DCA 07-GM-166A. The three hundred-one parcels were proposed for reconsideration of the Tier designation by the Board of County Commissioners, Staff or Property Owners and are currently competing in the Rate of Growth system which includes criteria for Tier I, Tier III, and Tier IIIA properties.

CONCLUSIONS OF LAW

5. The Department is required to approve or reject land development regulations that are enacted, amended, or rescinded by any local government in the Florida Keys Area of Critical State Concern. § 380.05(6), Florida Statutes, and § 380.0552(9), Florida Statutes (2010).

6. Monroe County is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Florida Statutes (2010) and Rule 28-29.002 (superseding Chapter 27F-8), Florida Administrative Code.

7. "Land development regulations" include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Florida Statutes (2010). The regulations adopted by Ord. 008-2011 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), Florida Statutes. 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. 008-2011 promotes and furthers the following Principles:

(b) To protect shoreline and marine resources, including mangroves, coral reef formations, seagrass beds, wetlands, fish and wildlife and their habitat.

(c) To protect upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation (for example, hardwood hammocks and pinelands), dune ridges and beaches, wildlife, and their habitat.

(e) To limit the adverse impacts of development on the quality of water throughout the Florida Keys.

(f) To enhance natural scenic resources, promoting the aesthetic benefits of the natural environment, and ensuring that development is compatible with the unique historic character of the Florida Keys.

(j) To ensure the improvement of nearshore water quality by requiring the construction and operation of wastewater management facilities that meet the requirements of §§ 381.0065(4)(l), and 403.086(10), Florida Statutes, as applicable, and by directing growth to areas served by central wastewater treatment facilities through permit allocation systems.

(n) To protect the public health, safety, and welfare of the citizens of the Florida Keys and maintaining the Florida Keys as a unique Florida resource.

10. Ord. 008-2011 is consistent with the Principles for Guiding Development as a whole.

11. Ord. 008-2011 furthers Monroe County Comprehensive Plan Policy 105.2.1 and Policy 105.2.2.

WHEREFORE, IT IS ORDERED that Ord. 008-2011 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.

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

NOTICE OF ADMINISTRATIVE RIGHTS

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REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

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CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 27th day of July, 2011.

Paula Ford, Agency Clerk

By U.S. Mail:
Honorable Heather Carruthers
Mayor of Monroe County
2798 Overseas Highway, Suite 400
Marathon, Florida 33050

Danny L. Kolhage
Clerk to the Board of County Commissioners
500 Whitehead Street
Key West, Florida 33040

Christine Hurley
Growth Management Director
2798 Overseas Highway, Suite 400
Marathon, Florida 33050

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

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

Pursuant to Section 320.642, Florida Statutes, notice is given that Polaris Sales, Inc., intends to allow the establishment of Arrigo Enterprises, Inc., d/b/a Arrigo Dodge Chrysler Jeep as a dealership for the sale of low-speed vehicles manufactured by Global Electric Motorcars (line-make GEM) at 6500 Okeechobee Boulevard, West Palm Beach (Palm Beach County), Florida 33411, on or after September 4, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Arrigo Enterprises, Inc., d/b/a Arrigo Dodge Chrysler Jeep are dealer operator(s): James J. Arrigo, 2671 Dakota Circle, West Palm Beach, Florida 33409; principal investor(s): James J. Arrigo, 2671 Dakota Circle, West Palm Beach, Florida 33409 and John J. Arrigo, 2630 Tecumseh, West Palm Beach, Florida 33409 and Virginia Arrigo Landeum, 92470 Tecumseh, West Palm Beach, Florida 33409.

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

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

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

A copy of such petition or complaint must also be sent by U.S. Mail to: Michael W. Malone, Polaris Sales, Inc., 2100 Highway 55, Medina, Minnesota 55340.

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

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 BMW of North America, LLC, intends to allow the establishment of Corsair Powersports of Jacksonville, Inc., d/b/a BMW Motorcycles of Jacksonville as a dealership for the sale of motorcycles manufactured by BMW (line-make BMW) at 1481 Wells Road, Orange Park (Clay County), Florida 32073, on or after September 4, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Corsair Powersports of Jacksonville, Inc., d/b/a BMW Motorcycles of Jacksonville are dealer operator(s): Don Passell, 1164 Wyndegate Drive, Orange Park, Florida 32073, principal investor(s): Don Passell, 1164 Wyndegate Drive, Orange Park, Florida 32073.

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

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

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

A copy of such petition or complaint must also be sent by U.S. Mail to: Lou Provato, BMW of North America LLC, 200 Chestnut Ridge Road, Woodcliff Lake, New Jersey 07677.

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 BMW of North America, LLC, intends to allow the establishment of Euro Motorsports of NWF, Inc., d/b/a BMW Motorcycles of Pensacola as a dealership for the sale of motorcycles manufactured by BMW (line-make BMW) at 6258 Northwest Street, Pensacola (Escambia County), Florida 32505, on or after September 4, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Euro Motorsports of NWF, Inc., d/b/a BMW Motorcycles of Pensacola are dealer operator(s): Courtney A. Pereira, 3013 Lake Pointe Circle, Pensacola, Florida 32505; principal investor(s): Courtney A. Pereira, 3013 Lake Pointe Circle, Pensacola, Florida 32505.

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: Lou Provato, BMW of North America LLC, 200 Chestnut Ridge Road, Woodcliff Lake, New Jersey 07677.

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 Chrysler Group Carco, LLC, intends to allow the establishment of Brandon Auto Mall by Ed Morse, LLC, d/b/a Brandon Auto Mall FIAT as a dealership for the sale of FIAT passenger cars manufactured by Chrysler (line-make FIAT) at 11024 Causeway Boulevard, Brandon (Hillsborough County), Florida 33511, on or after September 4, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Brandon Auto Mall by Ed Morse, LLC, d/b/a Brandon Auto Mall FIAT are dealer operator(s): Edward J. Morse, Jr., 2850 South Federal Highway, Delray Beach, Florida 33483 and Peter Snelling, 11024 Causeway Boulevard, Brandon, Florida 33511; principal investor(s): Edward J. Morse, Jr., 2850 South Federal Highway, Delray Beach, Florida 33483 and Edward J. Morse, 2850 South Federal Highway, Delray Beach, Florida 33483.

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: P.R. Langley, Chrysler Group Carco, LLC, 10300 Boggy Creek Road, Orlando, Florida 32824.

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 Genuine Scooters, LLC, intends to allow the establishment of Motorcycle Territory, Inc., as a dealership for the sale of motorcycles manufactured by LML Limited (line-make LMLL) at 3100 Southeast Carnivale Court, Stuart (Martin County), Florida 34994, on or after September 4, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Motorcycle Territory, Inc., are dealer operator(s): Dennis Conners, 3100 Southeast Carnivale Court, Stuart, Florida 34994, principal investor(s): Dennis Conners, 3100 Southeast Carnivale Court, 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, to file a petition or complaint protesting the application.

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

A copy of such petition or complaint must also be sent by U.S. Mail to: Jim Kolbe, Genuine Scooters, LLC, 5400 North Damen Avenue, Chicago, Illinois 60625.

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

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

Pursuant to Section 320.642, Florida Statutes, notice is given that Genuine Scooters, LLC, intends to allow the establishment of Motorcycle Territory, Inc., as a dealership for the sale of motorcycles manufactured by Motive Power Industry Co. Ltd. (line-make MOTI) at 3100 Southeast Carnivale Court, Stuart (Martin County), Florida 34994, on or after September 4, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Motorcycle Territory, Inc., are dealer operator(s): Dennis Conners, 3100 Southeast Carnivale Court, Stuart, Florida 34994, principal investor(s): Dennis Conners, 3100 Southeast Carnivale Court, 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, to file a petition or complaint protesting the application.

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

A copy of such petition or complaint must also be sent by U.S. Mail to: Jim Kolbe, Genuine Scooters, LLC, 5400 North Damen Avenue, Chicago, Illinois 60625.

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

FLORIDA PAROLE COMMISSION

Randolph Baggett vs. Florida Parole Commission; Rule No.: 23-21.010. By order dated July 20, 2011, the Commission denied the Petition to Initiate Rulemaking filed by Inmate Baggett finding that the requested proposed change would be an impermissible extension of the Commission's statutory authority. A copy of the Petition and the Commission's Order No. 11-02-AR may be obtained by contacting: Sarah Rumph, General Counsel, 4070 Esplanade Road, Tallahassee, FL 32399-2450.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE OF QUOTA LIQUOR LICENSE DRAWINGS

The division will accept Quota License Drawing Entry Forms for 45 days beginning the third Monday in August. This year entry forms will be accepted from August 15, 2011, until 5:00 p.m., on September 28, 2011, for the following counties and amounts: ALACHUA (2)*, CLAY (1)*, COLUMBIA (1)*, DADE (4)*, DUVAL (1)*, ESCAMBIA (1)*, HERNANDO (1), HILLSBOROUGH (4)*, LAKE (1), LEON (1), MANATEE (1), ORANGE (4), PALM BEACH (5)*, PASCO (2), POLK (5), ST. JOHNS (1), ST. LUCIE (1)

*One (1) or more revoked licenses are being re-issued pursuant to Section 561.19(2)(a), F.S.

The division must receive all entry forms before this deadline. No exceptions. Mail the completed entry form, including payment (check or money order made payable to the division), to: DIVISION OF ALCOHOLIC BEVERAGES AND TOBACCO, Attention: Quota License Drawing, 1940 North Monroe Street, Tallahassee, Florida 32399-1021.

DBPR ABT-6033 is the only entry form that will be accepted for filing into these drawings. All other entry forms from prior drawings will be denied. All interested persons should contact the Division's district office serving their area of interest or visit the Division's Internet website: <http://www.myfloridalicense.com/dbpr/abt> to obtain the proper application form.

Further information may also be obtained by calling: (850)488-8284 or writing to Division of Alcoholic Beverages and Tobacco, Bureau of Licensing, New Quota License Drawing, 1940 North Monroe Street, Tallahassee, FL 32399-1021.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF INTENT TO ISSUE VARIANCE

The Department of Environmental Protection (Department) gives notice of its intent to issue a variance (No. 0293270-002-EV-VE) to FFD Land, Co., Inc., Post Office Box 3088, Immokalee, Florida, 34143, under paragraph 403.201(1)(a), Florida Statutes (F.S.), from the provisions of subsection 62-302.530(30), Florida Administrative Code (F.A.C.), which provides minimum standards for dissolved oxygen levels in the surface waters of the state. This variance will authorize the dissolved oxygen levels in the deeper portions of a manmade lake to fall below the minimum levels set by Rule 62-302.530, F.A.C. The manmade lake is proposed to be constructed at a new limestone mine in Lee County. The proposed construction will require an environmental resource permit which has been assigned a different file number, File No. 0293270-001, and is not the subject of this intent to issue a variance.

The project is located in Sections 26, 34, 35, and 36; Township 46 South; Range 26 East as well as Sections 1, 2, 3, 11, and 12; Township 47 South; Range 26 East approximately 8 miles east of Estero, Lee County. After reclamation, the slopes will be contoured to allow discharge to offsite wetlands and other surface waters during storms less than the 25-year, 24-hour storm. The proposed manmade lake will be subject to the water quality standards provided in Rule 62-302.530, F.A.C.

On February 16, 2010, FFD Land Co. Inc., applied to the Department for a variance from the minimum standards for dissolved oxygen authorized by subsection 63-302.530(30), F.A.C., which requires a minimum level of 5.0 mg/L dissolved oxygen in the surface waters of the state.

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

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

403.201(1)(a), F.S., for the dissolved oxygen levels in the hypolimnion layer of the proposed manmade lake to fall below the minimum levels authorized by Rule 62-302.530, F.A.C.

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

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

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

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

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

In accordance with Section 403.201, F.S., petitions for an administrative hearing by the applicant must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under subsection 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, including an explanation of how the alleged facts relate to the specific rules or statutes, including an explanation of how the alleged facts relate to the specific rules or statutes; and (g) a statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

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

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/. For information, call (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

DEPARTMENT OF JUVENILE JUSTICE

Revised Guidelines Posted for Review and Comment

The Florida Department of Juvenile Justice has posted a revision to Contract Management and Program Monitoring Guidelines (FDJJ 2000) for review and comment on MyFlorida.com at: http://www.djj.state.fl.us/policies_procedures/policyreview.html.

Revision were made to the Contract Management and Program Monitoring Guidelines (Chapter 2-8), an attachment to the Contract & Grant Monitoring Policy (FDJJ 2000) in order to conform with Section 297.052(1)(h), Florida Statutes, which requires agencies to include in contracts financial consequences for providers that fail to perform in accordance with their contract.

The revised section of the Guidelines is posted for a single 20 working day review and comment period, with a closure date of September 2, 2011 for submission of comments. Responses

to comments received will be posted during the review period to the extent possible, but no later than 10 working days after the end of the review period on the above Website.

DEPARTMENT OF HEALTH

Notice of Emergency Action

On July 20, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Bruce Ronald Clendenin, R.N., License #RN 3147752. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2010). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On July 21, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Michelle Nicole Brunson, C.N.A., License #CNA 22306. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2010). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On July 26, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Marie Margaret Portela, R.N., License #RN 2976832. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2010). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On July 21, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Roberto Rodriguez, R.N., License #RN 9225339. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2010).

The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On July 21, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Leonardo A. Malagon, L.P.N., License #LPN 5178956. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2010). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On July 21, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Yanisley Chao, L.P.N., License #LPN 5182895. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2010). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On July 21, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Maria M. Perez, R.N., License #RN 9194372. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2010). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On July 21, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Daisy Lina Santos, R.N., License #RN 9200484. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2010).

The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On July 21, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Marlene Magadan, R.N., License #RN 9214065. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2010). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On July 21, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Barbara Ann Musumeci, L.P.N., License #PN 5145192. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2010). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On July 21, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Kelly Lynn Schaeffer, C.N.A., License #CNA 101440. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2010). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On July 21, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Melinda Lawanna Bryant, C.N.A., License #CNA 87611. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2010).

The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

NOTICE OF THE AVAILABILITY OF THE 2011 TRAUMA CENTER LETTER OF INTENT PACKAGE

NAME OF AGENCY: Department of Health (DOH)

PACKAGE TITLE: Florida Trauma Center Letter of Intent Package

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

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

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

Rule 64J-2.012, Florida Administrative Code.

TO OBTAIN A PACKAGE: You may request a Letter of Intent package by telephone, fax, mail, or visit the Office of Trauma's website at: <http://doh.state.fl.us/demo/Trauma/index.html> "Letter of Intent 2011"

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

Fax: (850)488-2512.

Mail request to: Florida Department of Health, Division of Emergency Operations, Office of Trauma, 4052 Bald Cypress Way, Bin #C-18 Tallahassee, FL 32399-1738. Or you may pick up in person at: Florida Department of Health, Division of Emergency Operations, Office of Trauma, 4025 Esplanade Way, Tallahassee, FL 32399.

DEADLINE: Letters of Intent must be postmarked between September 1, 2011 and midnight October 1, 2011.

CONTACTS: Bernadette Behmke (850)245-4444, Ext. 2756, or Susan McDevitt at (850)245-4444, Ext. 2760 or SunCom 205-4440.
