

the week of March 12, 2012. The deadline for submitting proposals for this RFP to FDDC is April 2, 2012, by 2:00 p.m. (EDT).

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

DEO Final Order No.: DEO-12-007

DEPARTMENT OF ECONOMIC OPPORTUNITY

In Re: MONROE COUNTY LAND
DEVELOPMENT REGULATIONS
ADOPTED BY MONROE COUNTY
ORDINANCE NO. 019-2011

FINAL ORDER

The Department of Economic Opportunity (the "Department") hereby issues its Final Order, pursuant to Sections 380.05(6) 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 November 28, 2011, the Department received for review Monroe County Ordinance No. 019-2011 ("Ord. 019-2011"), adopted by Monroe County on October 19, 2011.
3. The purpose of Ord. 019-2011 is to amend Monroe County Code Section 110-73, Development Under a Conditional Use Permit, to further explain when a Minor Deviation Application, a Major Deviation Application or an Amendment Application is required to modify the development approved by a Conditional Use Permit.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are enacted, amended, or rescinded by any local government in the Florida Keys Area of Critical State Concern. Sections 380.05(6) and 380.0552(9), Florida Statutes (2010).
5. Monroe County is a local government within the Florida Keys Area of Critical State Concern. Section 380.0552, Florida Statutes (2010) and Rule 28-29.002 (superseding Chapter 27F-8), Florida Administrative Code.

6. "Land development regulations" include local zoning, subdivision, building, and other regulations controlling the development of land. Section 380.031(8), Florida Statutes (2010). The regulations adopted by Ord. 019-2011 are land development regulations.
7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles") as set forth in Section 380.0552(7),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.
8. Ord. 019-2011 is consistent with and furthers the following Principles:
 - (a) To strengthen a local government's capabilities for managing land use and development so that the local government is able to achieve these objectives without continuing the area of critical state concern designation.
9. Ord. 019-2011 is consistent with the Principles for Guiding Development as a whole.
10. Ord. 019-2011 furthers the Monroe County Comprehensive Plan.

WHEREFORE, IT IS ORDERED that Ord. 019-2011 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.

/s/_____
J. Thomas Beck, AICP
Director, Division of Community Planning
Department of Economic Opportunity
107 East Madison Street, MSC 110
Tallahassee, Florida 32399-4128

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 January, 2012.

/s/
Miriam Snipes, 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

AGENCY FOR HEALTH CARE ADMINISTRATION

Lake Butler Hospital Hand Surgery Center
Emergency Service Exemption

The Agency for Health Care Administration has received an application for an emergency service exemption from Lake Butler Hospital Hand Surgery Center located at 850 E. Main St., Lake Butler, FL 32054, pursuant to Section 395.1041(3), Florida Statutes and Rule 59A-3.255, Florida Administrative Code. The hospital is requesting an emergency service exemption for Plastic Surgery. Comments received within 15 days of publication will be considered by the Agency prior to making a determination of exemption status.

Additional information may be obtained by writing: Agency for Health Care Administration, Attention: Julie Young, 2727 Mahan Drive, MS #31, Tallahassee, Florida 32308, by phone: (850)412-4360 or by e-mail: Julie.Young@ahca.myflorida.com.

Wuesthoff Medical Center-Melbourne
Emergency Service Exemption

The Agency for Health Care Administration has received an application for an emergency service exemption from Wuesthoff Medical Center-Melbourne located at 250 North Wickham Road, Melbourne, FL 32935, pursuant to Section 395.1041(3), Florida Statutes and Rule 59A-3.255, Florida Administrative Code. The hospital is requesting an emergency service exemption for Otolaryngology. Comments received within 15 days of publication will be considered by the Agency prior to making a determination of exemption status.

Additional information may be obtained by writing: Agency for Health Care Administration, Attention: Terry Frech, 2727 Mahan Drive, MS #31, Tallahassee, Florida 32308, by phone: (850)412-4367, by e-mail: Terrence.Frech@ahca.myflorida.com.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection gives notice of its intent to grant a variance under Section 403.201, Florida Statutes, from the provisions of subparagraph 62-302.500(1)(a)4., paragraphs 62-4.241(2)(a), and 62-4.244(3)(a), Florida Administrative Code, to the Charlotte Harbor Water Association, Inc., Reverse Osmosis Water Treatment Facility, 2515 Highlands Road, Punta Gorda, Florida, which would allow relief from the acute toxicity requirements for waters discharging from the Reverse Osmosis Water Treatment Facility Outfall D-001 to the San Marino Canal and then to the Peace River, located in Charlotte County, Florida. A variance constitutes a temporary change to water quality standards within the affected area.

The intent to grant and application file on this matter are 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's Bureau of Water Facilities Regulation, 2600 Blair Stone Road, Tallahassee, Florida, Telephone: (850)245-8419.

The Department will grant the variance with the attached conditions unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, Florida Statutes, within 14 days of receipt of notice. The procedures for petitioning a hearing are set forth below.

A person whose substantial interests are affected by the Department's proposed variance decision may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received 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), Florida Administrative Code, a person may request an extension of the time for filing a petition for an administrative hearing. The request must be filed (received by the Clerk) in the Office of General Counsel before the end of the time period for filing a petition for an administrative hearing.

Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), Florida Statutes, must be filed within fourteen days of publication of the notice or within fourteen days of receipt of the written notice, whichever occurs first. Section 120.60(3), Florida Statutes, however, also allows that any person who has asked the Department for notice of agency action may file a petition within fourteen 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 or request for an extension of time within fourteen days of receipt of notice shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, Florida Statutes. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon filing of a motion in compliance with Rule 28-106.205, Florida Administrative Code.

A petition that disputes the material facts on which the Department's action is based must contain the following information, as indicated in Rule 28-106.201, Florida Administrative Code:

- (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 Department's proposed action;

- (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the Department's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the Department to take with respect to the Department's proposed action.

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

Mediation under Section 120.573, Florida Statutes, is not available for this proceeding.

NOTICE OF WITHDRAWAL OF APPLICATION FOR NATURAL GAS TRANSMISSION PIPELINE CERTIFICATION

On July 30, 2009 the Department of Environmental Protection (Department) received an application for certification of a natural gas transmission pipeline pursuant to the Natural Gas Transmission Pipeline Siting Act, Section 403.9401 et seq., Florida Statutes, concerning, Florida Power & Light Company's (FPL's) Florida EnergySecure Line Natural Gas Transmission Pipeline Siting Application No. NG09-02, OGC Case No. 09-3259, DOAH Case No. 09-004151TL. Pipeline construction was proposed within the following counties and municipalities: Clay, Flagler, Indian River, Martin, Bradford, Okeechobee, Orange, Brevard, Osceola, Palm Beach, Putnam, St. Lucie, Seminole, Volusia, City of Bunnell, City of Cocoa, City of Hampton, City of Palatka, City of Palm Coast, and City of Riviera Beach. On January 20, 2012, FPL filed a motion with the Division of Administrative Hearings to withdraw the Florida EnergySecure Line Application. The Administrative Law Judge granted the motion and ordered the case closed on January 20, 2012. On January 24, 2012, FPL submitted a letter of withdrawal to the Department. A copy of the withdrawal documents are available for review in the office of Cindy Mulkey, Siting Coordination Office, Department of Environmental Protection, 3900 Commonwealth Blvd., M.S. #48, Tallahassee, Florida 32399-3000, (850)245-2002 and on the following website through March 15, 2012; <http://www.dep.state.fl.us/siting/apps.htm#gas>.

NOTICE OF FILING OF APPLICATION FOR POWER PLANT CERTIFICATION

On January 24, 2012, the Siting Coordination Office received an application for certification of a power plant pursuant to the Florida Electrical Power Plant Siting Act, Section 403.501 et seq., Florida Statutes (F.S.), from Florida Power & Light Company for the construction and operation of the Port Everglades Next Generation Clean Energy Center in the City of Hollywood, Broward County, Power Plant Siting Application No. PA12-57, OGC Case No. 12-0710. A copy of the site certification application is available for review in the Siting Coordination Office, Department of Environmental Protection, 3900 Commonwealth Blvd., M.S. #48, Tallahassee, Florida 32399-3000, (850)245-2002. Pursuant to Section 403.507, F.S., and Chapter 62-17, Florida Administrative Code, statutory parties to the site certification proceeding should review the application and submit their reports and recommendations. In the future, a proposed certification hearing date will be announced. Pursuant to Section 403.508(3), F.S., parties to the proceeding shall include the applicant, the Public Service Commission, the Department of Community Affairs, the Fish and Wildlife Conservation Commission, the Water Management District, the Department of Environmental Protection, the Regional Planning Council, the local governments, and the Department of Transportation. Any party listed in Section 403.508(3)(a), F.S., other than the Department of Environmental Protection or the applicant may waive its right to participate in these proceedings if such party fails to file a notice of its intent to be a party on or before the 90th day prior to the certification hearing. In addition, notwithstanding the provisions of Chapter 120, F.S., upon the filing with the administrative law judge of a notice of intent to be a party no later than 75 days after the application is filed, the following shall also be parties to the proceeding: any agency not listed in Section 403.508(3)(a), F.S., as to matters within its jurisdiction; any domestic nonprofit corporation or association formed, in whole or in part, to promote conservation or natural beauty; to protect the environment, personal health, or other biological values; to preserve historical sites; to promote consumer interests; to represent labor, commercial, or industrial groups; or to promote comprehensive planning or orderly development of the area in which the proposed electrical power plant is to be located. Other parties may include any person, including those persons listed herein who have failed to timely file a notice of intent to be a party, whose substantial interests are affected and being determined by the proceeding and who timely file a motion to intervene pursuant to Chapter 120, F.S., and applicable rules. Intervention pursuant to this paragraph may be granted at the discretion of the designated administrative law judge and upon such conditions as he or she may prescribe any time prior to 30 days before the commencement of the certification hearing. Motions to intervene must be filed (received) with the Administrative Law Judge assigned to the case by the Division of

Administrative Hearings, The Desoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-1550, prior to 30 days before the date of the certification hearing. Any agency, including those whose properties or works are being affected pursuant to Section 403.509(4), F.S., shall be made a party upon the request of the department or the applicant. Pursuant to Section 403.508(6), F.S., if all parties to the proceeding stipulate that there are no disputed issues of fact or law to be raised at the certification hearing, the certification hearing may be cancelled.

DEPARTMENT OF HEALTH

Notice of Emergency Action

On January 30, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Alisha Celine Barber, L.P.N., License #PN 5190943. 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 January 31, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Julie M. Lewis, C.N.A., License #CNA 16557. 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 January 31, 2012, State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of George Louis Garcia, RPT, License #RPT 28334. 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.

FINANCIAL SERVICES COMMISSION

NOTICE OF FILINGS

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received the following application. Comments may be submitted to the Division Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing. However, pursuant to provisions specified in Chapter 69U-105, Florida Administrative Code, any person may request a public hearing by filing a petition with the Agency Clerk as follows:

By Mail or Facsimile	OR	By Hand Delivery
Agency Clerk		Agency Clerk
Office of Financial Regulation		Office of Financial
P. O. Box 8050		Regulation
Tallahassee, Florida		General Counsel's Office
32314-8050		The Fletcher Building
Phone: (850)410-9800		Suite 118
Fax: (850) 410-9548		101 East Gaines Street,
		Tallahassee, Florida
		32399-0379
		Phone: (850)410-9896

The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., March 2, 2012):

APPLICATION TO ORGANIZE A SUCCESSOR INSTITUTION

Application to Establish a Successor Institution:

Community Bank Acquisition Subsidiary

Received: January 19, 2012

APPLICATION TO MERGE

Constituent Institutions: Community Bank Acquisition Subsidiary, Lakewood Ranch, Florida and The Palm Bank, Tampa, Florida

Resulting Institution: The Palm Bank, Tampa, Florida

Received: January 26, 2012

APPLICATION AND PLAN FOR THE PURCHASE OF CERTAIN ASSETS AND ASSUMPTION OF CERTAIN LIABILITIES

Acquiring Entity: Banesco USA, Coral Gables, Florida

Selling Entity: Great Florida Bank (Weston Lakes Branch, Weston Florida), Miami Lakes, Florida

Received: January 30, 2012

BLUEPRINT 2000

This is to give notice that Leon County, Florida, has submitted an application for a Community Development Block Grant (CDBG funds) to the Florida Department of Economic Opportunity. The funding is provided by the U.S. Department of Housing and Urban Development (HUD) and will be used to

provide stormwater improvements to Segment 3A of the Capital Cascade Trail, a combination environmental improvement and recreational amenity enhancement project. The work will replace a steep sided open St. Augustine Branch (SAB), which creates significant street flooding and public safety hazards, with a Concrete Box Culvert (CBC) and a landscaped park.

This notice is required by Section 2(a)(4) of Executive Order 11988 for Floodplain Management, and by Section 2(b) of Executive Order 11990 for the Protection of Wetlands, and is implemented by HUD Regulations found at 24 CFR 55.20(b) for the HUD action that is within and/or affects a floodplain or wetland.

Construction will be undertaken in the 100-year floodplain and included wetlands. Leon County is interested in alternatives and public perceptions of possible adverse impacts that could result from the project as well as potential mitigation measures. Approximately 34% of the project work is located within the floodplain area and 23% of the project is in wetlands. The project site is along 590 linear feet of existing SAB between Monroe Street and Duval Street Overpass, parallel to the CSX railroad, crossing under Adams Street approximately 190 feet

south of the CSX railroad. The project area includes all of the SAB between Monroe and South Adams Street and extends to 240 feet west of Adams Street, including the banks adjacent to the SAB. In order to reduce flooding and eliminate ditch erosion which has created very hazardous conditions for adjacent buildings, the flow in the channel will be placed in a CBC and the culverts under Adams Street will be enlarged to reduce the tailwater condition at South Monroe Street.

Written comments must be received by Leon County at 301 South Monroe Street, Suite 502, Tallahassee, Florida 32301 on or before February 20, 2012.

Additional information may be obtained by contacting: Don Lanham, County Grant Program Coordinator, Contact: (850)606-5328.

Vincent S. Long – County Administrator

Environmental Certifying Official
