

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

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

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

Pursuant to Section 320.642, Florida Statutes, notice is given that Motofino USA, Inc., intends to allow the establishment of Carley's Scooters, as a dealership for the sale of motorcycles manufactured by Zhejiang Taizhou Wangve Power Co., Ltd. (ZHEJ) at 595 Avenue K, Southeast, Winter Haven (Polk County), Florida 33880, on or after December 11, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Carley's Scooters are dealer operator(s): Carla Smith, 595 Avenue K, Southeast, Winter Haven, Florida 33880; principal investor(s): Carla Smith, 595 Avenue K, Southeast, Winter Haven, Florida 33880.

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: Tom Fay, Motofino USA, Inc., 2167 Gordon Highway, Augusta, Georgia 30909.

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, d/b/a Chrysler Group, LLC, intends to allow the establishment of CJD Northpark, LLC, as a dealership for the sale of automobiles manufactured by Chrysler Group Carco, LLC (CHRY) at 750 Towne Center Boulevard, Sanford (Seminole County), Florida, 32771, on or after February 10, 2010.

The name and address of the dealer operator(s) and principal investor(s) of CJD Northpark, LLC are dealer operator(s): John R. Fields, 2100 Frontage Road, Glencoe, Illinois 60022; principal investor(s): John R. Fields, 2100 Frontage Road, Glencoe, Illinois 60022.

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, 1000 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 More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Chrysler Group Carco, LLC, d/b/a Chrysler Group, LLC, intends to allow the establishment of CJD North, LLC d/b/a Fields Chrysler Jeep Dodge, as a dealership for the sale

of automobiles manufactured by Chrysler Group Carco LLC (DODG) at 750 Towne Center Boulevard, Sanford (Seminole County), Florida 32771, on or after February 10, 2010.

The name and address of the dealer operator(s) and principal investor(s) of CJD North, LLC d/b/a Fields Chrysler Jeep Dodge are dealer operator(s): John R. Fields, 2100 Frontage Road, Glencoe, Illinois 60022; principal investor(s): John R. Fields, 2100 Frontage Road, Glencoe, Illinois 60022.

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 More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Chrysler Group Carco, LLC, d/b/a Chrysler Group, LLC, intends to allow the establishment of CJD Northpark, LLC d/b/a Fields Chrysler Jeep Dodge as a dealership for the sale of automobiles manufactured by Chrysler Group Carco, LLC (JEEP) at 750 Towne Center Boulevard, Sanford (Seminole County), Florida, 32771, on or after February 10, 2010.

The name and address of the dealer operator(s) and principal investor(s) of CJD Northpark, LLC d/b/a Fields Chrysler Jeep Dodge are dealer operator(s): John R. Fields, 2100 Frontage Road, Glencoe, Illinois 60022; principal investor(s): John R. Fields, 2100 Frontage Road, Glencoe, Illinois 60022.

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 More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that JMSTAR Powersports, Inc., intends to allow the establishment of Hot Scooters, LLC, as a dealership for the sale of motorcycles manufactured by JMSTAR Powersports, Inc. (JMST) at 1316 North Federal Highway, Hollywood (Broward County), Florida 33020, on or after December 31, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Hot Scooters LLC are dealer operator(s): Giuseppe Urso, 1316 North Federal Highway, Hollywood, Florida 33020; principal investor(s): Giuseppe Urso, 1316 North Federal Highway, Hollywood, Florida 33020.

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: Yenong Xie, JMSTAR Powersports, Inc., 796 Sunflower Circle, Weston, Florida 33327.

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 Jonway Motorcycles USA, Co., Ltd., intends to allow the establishment of Ride Green, Inc., as a dealership for the sale of motorcycles manufactured by Shanghai Shenke Motorcycle Co., Ltd. (SHEN) at 16283 South Tamiami Trail, Fort Myers (Lee County), Florida 33908, on or after December 31, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Ride Green, Inc. are dealer operator(s): Chauncey Solinger, 16283 South Tamiami Trail, Unit B, Fort Myers, Florida 33908; principal investor(s): Chauncey Solinger, 16283 South Tamiami Trail, Unit B, Fort Myers, Florida 33908.

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: Darrell Green, Jonway Motorcycles USA Co., Ltd., 1503 Kelly Boulevard, Carrollton, Texas 75006.

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

Pursuant to Section 320.642, Florida Statutes, notice is given that Southeast Toyota Distributors, LLC, intends to allow the relocation of Central Florida Motor Sales, Inc. d/b/a Scion of Orlando, as a dealership for the sale of automobiles manufactured by Southeast Toyota Distributors, LLC (SCIO), from its present location at 3800 West Colonial Drive, Orlando, Florida 32808, to a proposed location at 3445 Vineland Road (Orange County), Orlando, Florida 32811, on or after March 1, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Central Florida Motor Sales, Inc. d/b/a Scion of Orlando are dealer operator(s): Joseph Siviglia, 3800 West Colonial Drive, Orlando, Florida 32808; principal investor(s): Joseph Siviglia, 3800 West Colonial Drive, Orlando, Florida 32308 and Andrew Adams, 558 South Central Expressway, Richardson, Texas 75080. The notice indicates intent to relocate the franchise in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

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

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

A copy of such petition or complaint must also be sent by U.S. Mail to: Janet Shope, Southeast Toyota Distributors, LLC, 100 Jim Moran Boulevard, Deerfield Beach, Florida 33442.

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

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

Pursuant to Section 320.642, Florida Statutes, notice is given that Jonway Motorcycles USA, Co., Ltd. intends to allow the establishment of Suncoast Motors, Inc., as a dealership for the sale of motorcycles manufactured by

Shanghai Shenke Motorcycle, Co., Ltd. (SHEN) at 853 US 41 Bypass South, Venice (Sarasota County), Florida 34285, on or after December 31, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Suncoast Motors, Inc. are dealer operator(s): Robert Shapiro, 853 US Highway 41 Bypass South, Venice, Florida 34285; principal investor(s): Robert Shapiro, 853 US Highway 41 Bypass South, Venice, Florida 34285.

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: Darrell Green, Jonway Motorcycles USA, Co., Ltd. 1503 Kelly Boulevard, Carrollton, Texas 75006.

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

Pursuant to Section 320.642, Florida Statutes, notice is given that Southeast Toyota Distributors, LLC, intends to allow the relocation of Central Florida Motor Sales, Inc. d/b/a Toyota of Orlando, as a dealership for the sale of automobiles manufactured by Southeast Toyota Distributors, LLC (TOYT), from its present location at 3800 West Colonial Drive, Orlando, Florida 32808, to a proposed location at 3445 Vineland Road (Orange County), Orlando, Florida 32811, on or after March 1, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Central Florida Motor Sales, Inc. d/b/a Toyota of Orlando are dealer operator(s): Joseph Siviglia, 3800 West Colonial Drive, Orlando, Florida 32808; principal investor(s): Joseph Siviglia, 3800 West Colonial Drive, Orlando, Florida 32308 and Andrew Adams, 558 South Central Expressway, Richardson, Texas 75080. The notice indicates intent to relocate the franchise in a county of more

than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

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

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

A copy of such petition or complaint must also be sent by U.S. Mail to: Janet Shope, Southeast Toyota Distributors, LLC, 100 Jim Moran Boulevard, Deerfield Beach, Florida 33442.

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

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

Pursuant to Section 320.642, Florida Statutes, notice is given that BMW of North America LLC, intends to allow the establishment of Wesley Chapel Automotive Management, LLC d/b/a MINI of Wesley Chapel as a dealership for the sale of automobiles manufactured by BMW of North America, LLC (MINC) at 323 feet Northwest of the Northwest corner of State Road 56 and Cypress Ridge Boulevard in Wesley Chapel (Pasco County), Florida 33544, on or after February 1, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Wesley Chapel Automotive Management, LLC d/b/a MINI of Wesley Chapel are dealer operator(s): Larry Morgan, 1101 East Fletcher Avenue, Tampa, Florida 33612; principal investor(s): LCM Investments II, LLLP, 1101 East Fletcher Avenue, Tampa, Florida 33612 and V. Young Enterprises, Inc., 3800 Ivy Dale Court, Land O'Lakes, Florida 34638.

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: Robert Goodheart, BMW of North America, LLC, 300 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.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

WATER MANAGEMENT DISTRICTS

NOTICE OF INTENDED AGENCY ACTION

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

Permit No. 50-00010-W (Application No. 080627-9) Town of Jupiter Water Utilities, 210 Military Trail, Jupiter, FL 33458, for issuance of a Water Use Permit modification to meet the public water supply demands for the Town of Jupiter serving 89,337 persons in the year 2025. Withdrawals are from the Surficial Aquifer system and from the Floridan Aquifer system. The project is located in Palm Beach County, Townships 40,41 South, Ranges 42,43 East.

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

As required by Sections 120.569(1), and 120.60(3), Florida Statutes, following is notice of the opportunities which may be available for administrative hearing or judicial review when the substantial interests of a party are determined by an agency. Please note that this Notice of Rights is not

intended to provide legal advice. Not all legal proceedings detailed below may be an applicable or appropriate remedy. You may wish to consult an attorney regarding your legal rights.

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

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

Filings by mail must be addressed to: Office of the SFWMD Clerk, P. O. Box 24680, West Palm Beach, Florida 33416.

Filings by hand-delivery must be delivered to the Office of the SFWMD Clerk. Delivery of a petition to the SFWMD's security desk does not constitute filing. To ensure proper filing, it will be necessary to request the SFWMD's security officer to contact the Clerk's office. An employee of the SFWMD's Clerk's office will receive and file the petition.

Filings by facsimile must be transmitted to the SFWMD Clerk's Office at (561)682-6010. Pursuant to subsections 28-106.104(7), (8) and (9), Florida Administration Code, a party who files a document by facsimile represents that the original physically signed document will be retained by that party for the duration of that proceeding and of any

subsequent appeal or subsequent proceeding in that cause. Any party who elects to file any document by facsimile shall be responsible for any delay, disruption, or interruption of the electronic signals and accepts the full risk that the document may not be properly filed with the clerk as a result. The filing date for a document filed by facsimile shall be the date the SFWMD Clerk receives the complete document.

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

1. Identification of the action being contested, including the permit number, application number, District file number or any other SFWMD identification number, if known.
2. The name, address and telephone number of the petitioner and petitioner's representative, if any.
3. An explanation of how the petitioner's substantial interests will be affected by the agency determination.
4. A statement of when and how the petitioner received notice of the SFWMD's decision.
5. A statement of all disputed issues of material fact. If there are none, the petition must so indicate.
6. A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the SFWMD's proposed action.
7. A statement of the specific rules or statutes the petitioner contends require reversal or modification of the SFWMD's proposed action.
8. If disputed issues of material fact exist, the statement must also include an explanation of how the alleged facts relate to the specific rules or statutes.
9. A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the SFWMD to take with respect to the SFWMD's proposed action.

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

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

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

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

AGENCY FOR HEALTH CARE ADMINISTRATION

DECISION ON BATCHED APPLICATION

The Agency for Health Care Administration made the following decision on Certificate of Need application for Hospital Beds and Facilities batching cycle with an application due date of September 9, 2009:

County: Duval

Service District: 4

CON # 10059 Decision Date: 12/11/2009 Decision: A
Facility/Project: West Jacksonville Medical Center, Inc.

Applicant: West Jacksonville Medical Center, Inc.

Project Description: Establish an 85-bed acute care hospital

Approved Cost: \$.00

A request for administrative hearing, if any, must be made in writing and must be actually received by this department within 21 days of the first day of publication of this notice in the Florida Administrative Weekly pursuant to Chapter 120, Florida Statutes, and Chapter 59C-1, Florida Administrative Code.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

The Department of Environmental Protection (Department) gives notice of its intent to grant a variance (No. 0286236-002 EV-VE) to Cemex Construction Materials Florida, LLC, 3820 Northdale Boulevard, Suite 100B, Tampa, Florida 33324, under Section 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 apply to dissolved oxygen levels in the hypolimnion (deeper portions) of

manmade lakes proposed to be constructed at a new limestone mine in Collier County under Environmental Resource Permit application No. 0286236-001.

The manmade lakes will be constructed across property lines such that the manmade lakes will have more than one property owner. After reclamation, the four manmade lakes will also be connected to each other by reinforced concrete pipes. After reclamation, control structures will allow discharge to offsite wetlands and other surface waters during storms less than the 25-year, 24-hour storm. The proposed manmade lakes will be subject to the water quality standards provided in Rule 62-302.530, F.A.C.

On July 16, 2009, Cemex Construction Materials Florida, LLC, 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.

The dissolved oxygen levels in the hypolimnion of the manmade lake are expected to drop below the mandatory minimum of 5.0 mg/L at times. Stratification and the associated reduction of dissolved oxygen in the hypolimnion are natural phenomena in deep-water bodies, especially during warmer parts of the year. This condition is well documented in the limnological literature and recognized in Section 373.414(6)(a), F.S., which states, "[t]he Legislature recognizes that some mining activities that may occur in waters of the state must leave a deep pit as part of the reclamation. Such deep pits may not meet the established water quality standard for dissolved oxygen below the surficial layers. 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 provided in Rule 62-302.530, F.A.C., for dissolved oxygen, within the hypolimnion of the proposed manmade lakes is not expected to result in any on-site or off-site impacts. Oxygen levels in the upper layers of the manmade lakes are expected to meet the requirements of Rule 62-302.530, F.A.C., and be adequate to support healthy fish populations. There is no practicable means known or available to achieve the required dissolved oxygen levels within the manmade lake. Therefore, the Department intends to grant a permanent variance pursuant to Section 403.201(1)(a), F.S., for the dissolved oxygen within the hypolimnion layer of the proposed manmade lakes.

This project is located at 7570 Oil Well Grade Road, approximately one mile north of Immokalee Road in the northwest corner of the northeast portion of Sections 9, 10, 15, 16, 21, and 22, Township 47 South, Range 28 East, in rural Collier County.

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, (850)488-8217.

Under this intent to grant, 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 grant 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, 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: Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon. If a request is filed late, the Department may still grant it upon a motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect.

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

In accordance with Section 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 Section 120.60(3), F.S., must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first. Under Section 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; and (g) a statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C. Under Sections 120.569(2)(c) and (d), F.S., a petition for

administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

This intent to grant a variance constitutes an order of the Department. Subject to the provisions of Section 120.68(7)(a), F.S., which may require a remand for an administrative hearing, the applicant has the right to seek judicial review of the order under Section 120.68, F.S., by the filing of a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with: Clerk of the Department, Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the order is filed with the Clerk of the Department.

NOTICE OF AVAILABILITY

FLORIDA CATEGORICAL EXCLUSION NOTIFICATION

Town of Lake Hamilton

The Florida Department of Environmental Protection has determined that the Town of Lake Hamilton's project involving installation of a transmission line to replace an old deteriorated and corroded transmission line will not adversely affect the environment. The total cost of the project is estimated to be \$464,675. The project may qualify for a Drinking Water State Revolving Fund loan composed of federal funds and state funds.

A full copy of the Florida Categorical Exclusion Notification can be obtained by writing to: Venkata Panchakarla, Department of Environmental Protection, Bureau of Water Facilities Funding, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400, (850)245-8366.

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://appprod.dep.state.fl.us/clearinghouse/>. For information, call (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

DEPARTMENT OF HEALTH

On December 9, 2009, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the License of Peter A. Smith, D.C. License #CH 9119. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that

this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public

On December 14, 2009, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Akram A. Ismail, M.D. License #ME 64427. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On December 14, 2009, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Nancy Ruth Crosby Jacobs, R.N. License #RN 1968242. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On December 9, 2009, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the License of Sheryl Renee

Williamson, R.N. License #RN 9188193. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

FINANCIAL SERVICES COMMISSION

NOTICE OF FILINGS

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received a written withdrawal of the following application:

APPLICATION WITHDRAWN

Application to Acquire Control

Financial Institution to be Acquired: Marquis Bank, Miami, Florida

Proposed Purchaser: Javier Holtz, Indian Creek Village, Florida

Date of Application: October 15, 2009

Withdrawn: December 15, 2009
