

7. Interested persons should contact: Tom Perigo at (941)685-9066 with any project related questions.
8. No attempts shall be made to contact Administrators, Board Members or any SMH staff other than the contact name listed, under the potential penalty of disqualification from the process.

Section XII Miscellaneous

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE OF INTENT TO FIND PUBLIC SCHOOLS
INTERLOCAL AGREEMENT CONSISTENT WITH
SECTION 163.31777(2), FLORIDA STATUTES
DCA DOCKET NUMBER 14-01

The Department gives notice of its intent to find the Public Schools Interlocal Agreement (“Agreement”) entered into by Desoto County, the City of Arcadia and the Desoto County School Board, pursuant to Section 163.31777, F.S., to be consistent with the minimum requirements of Section 163.31777(2), F.S.

The Agreement is available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at the Central Florida Regional Planning Council, 555 East Church Street, Bartow, Florida 33831.

Any affected person, as defined in Section 163.31777(3)(b), F.S., has a right to petition for an administrative hearing to challenge the proposed agency determination that the Agreement is consistent with the minimum requirements of Section 163.31777(2), F.S. The petition must be filed within twenty-one (21) days after publication of this notice in the Florida Administrative Weekly, and must include all of the information and contents described in Uniform Rule 28-106.201, F.A.C. The petition must be filed with the: Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, and a copy mailed or delivered to Desoto County, the City Of Arcadia and the Desoto County School Board. Failure to timely file a petition shall constitute a waiver of any right to request an administrative proceeding as a petitioner under Sections 120.569 and 120.57, F.S. If a petition is filed, the purpose of the administrative hearing will be to present evidence and testimony and forward a recommended order to the Department. If no petition is filed, this Notice of Intent shall become final agency action.

If a petition is filed, other affected persons may petition for leave to intervene in the proceeding. A petition for intervention must be filed at least twenty (20) days before the final hearing and must include all of the information and contents described in Uniform Rule 28-106.205, F.A.C. A petition for leave to intervene shall be filed at the: Division of Administrative Hearings, Department of Management

Services, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such a person has to request a hearing under Sections 120.569 and 120.57, F.S., or to participate in the administrative hearing.

If a formal or informal proceeding is commenced as described above, any party to that proceeding may suggest mediation under Section 120.573, F.S. Mediation is not available as of right, and will not occur unless all parties agree to participate in the mediation. Choosing mediation does not affect the right to an administrative hearing.

-s-Mike McDaniel, Chief
Office of Comprehensive Planning
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

DCA Final Order No.: DCA10-OR-189

In Re: LAND DEVELOPMENT
REGULATIONS ADOPTED BY
CITY OF KEY WEST
ORDINANCE NO.: 10-10

The Department of Community Affairs (the “Department”) hereby issues its Final Order, pursuant to Sections 380.05(6) and (11), Florida Statutes, (2009), approving a land development regulation adopted by a local government within the City of Key West Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The City of Key West is a designated area of critical state concern.
2. On August 4, 2010 the Department received for review City of Key West Ordinance No. 10-10, which was adopted by the City of Key West City Commission on May 18, 2010, (“Ord. 10-10”).
3. The purpose of Ord. 10-10 is to amend Chapter 108 of the City of Key West Land Development Regulations entitled Planning and Development by amending Article X Part B, Land Development Regulations, Building Permit Allocation and Vested Rights, Division 1; amending Section 108-995 pertaining to Renewal of Allocations; and amending 108-996 pertaining to Beneficial Use.
4. Ord. 10-10 amends Section 108-995 Reporting Requirements and Adjustments in residential allocation schedule to reserve a minimum number of the City’s existing unallocated units for beneficial use claims and the remaining existing unallocated units shall be allocated in accordance with the Comprehensive Plan and land development regulations. Ord. 10-10 amends Section 108-996 Period of Allocation to indicate that a single one year renewal of an allocation shall be granted provided the

applicant applies prior to expiration of the allocation and demonstrates reasonable cause for the extension. Allocations for beneficial use shall be for a period of two years during which time a building permit must be obtained, a single two year extension of a beneficial use allocation shall be granted prior to expiration, and unallocated units will be returned to the system for reallocation.

- 5. Ord. 10-10 is consistent with the City’s Comprehensive Plan: Objective 1-3.12: Managing Building Permit Allocation.

CONCLUSIONS OF LAW

- 6. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern based upon consistency with the Principles for Guiding Development applicable to that area of critical state concern. Sections 380.05(6) and 380.05(11), Florida Statutes (2009).
- 7. The City of Key West is an Area of Critical State Concern. Section 380.05, Florida Statutes (2009) and Rule 28-36.001, Florida Administrative Code.
- 8. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. Section 380.031(8), Florida Statutes (2009). The regulations adopted by Ord. 10-10 are land development regulations.
- 9. 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 the particular area (the “Principles”). Section 380.05(6), 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 for the City of Key West Area of Critical State Concern are set forth in subsection 28-36.003(1), Florida Administrative Code.
- 10. The above identified portions of Ord. 10-10, are consistent the following Principles:
 - (a) Strengthen local government capabilities for managing land use and development.
 - (h) Protection of public health, safety, welfare and economy of the City of Key West, and the maintenance of Key West as a unique Florida resource.
- 11. WHEREFORE, IT IS ORDERED that Ord. 10-10 is found to be consistent with the Principles for Guiding Development of the City of Key West 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/_____

CHARLES GAUTHIER, 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 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 1st day of October, 2010.

/s/ _____
 Paula Ford, Agency Clerk

By U.S. Mail:
 The Honorable Craig Cates
 Mayor, City of Key West
 P. O. Box 1409
 Key West, Florida 33041

Cheryl Smith
 Clerk to the City Commission
 P. O. Box 1409
 Key West, Florida 33041

Amy Kimball-Murley, AICP
 Planning Director
 City of Key West
 P. O. Box 1409
 Key West, Florida 33041

Larry Erskine
 City Attorney
 P. O. Box 1409
 Key West, FL 33041

By Hand Delivery or Interagency Mail:
 Rebecca Jetton, ACSC Administrator, DCA Tallahassee
 Richard E. Shine, Assistant General Counsel, DCA Tallahassee

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 Jonway Motorcycles USA, Co., Ltd., intends to allow the establishment of Beach Street Bikes, Inc., as a dealership for the sale of motorcycles manufactured by Shanghai Shenke Motorcycle Co., Ltd. (SHEN) at 910 West International Speedway Boulevard, Daytona Beach (Volusia County), Florida 32114, on or after November 14, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Beach Street Bikes, Inc., are dealer operator(s): Patrick Johnson, 910 West International Speedway Boulevard., Daytona Beach, Florida 32114; principal investor(s): Patrick Johnson, 910 West International Speedway Boulevard., Daytona Beach, Florida 32114, Ronald Hurtibise, 910 West International Speedway Boulevard, Daytona Beach, Florida 32114.

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 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 MX Global, Inc., d/b/a MX Motorsports as a dealership for the sale of motorcycles manufactured by Shanghai Jmstar Motorcycle Co., Ltd., (JMST) at 4905 Northwest 72nd Avenue, Miami (Miami-Dade County), Florida 33166, on or after November 14, 2010.

The name and address of the dealer operator(s) and principal investor(s) of MX Global, Inc., d/b/a MX Motorsports are dealer operator(s): Rick Marabini, 4905 Northwest 72nd Avenue, Miami, Florida 33166; principal investor(s): Eric Marabini, 4905 Northwest 72nd Avenue, Miami, Florida 33166.

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 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 MX Global, Inc., d/b/a MX Motorsports as a dealership for the sale of motorcycles manufactured by Shanghai Shenke Motorcycle Co., Ltd., (SHEN) at 4905 Northwest 72nd Avenue, Miami (Miami-Dade County), Florida 33166, on or after November 14, 2010.

The name and address of the dealer operator(s) and principal investor(s) of MX Global, Inc., d/b/a MX Motorsports are dealer operator(s): Rick Marabini, 4905 Northwest 72nd Avenue, Miami, Florida 33166; principal investor(s): Eric Marabini, 4905 Northwest 72nd Avenue, Miami, Florida 33166.

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 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 The Navitas Financial Group, Inc., d/b/a Pompano Pat's – Deland as a dealership for the sale of motorcycles manufactured by Shanghai Jmstar Motorcycle Co., Ltd. (JMST) at 2075 South Woodland Boulevard, Deland (Volusia County), Florida 32724, on or after November 14, 2010.

The name and address of the dealer operator(s) and principal investor(s) of The Navitas Financial Group, Inc., d/b/a Pompano Pat's – Deland are dealer operator(s): Patrick Johnson, 2075 South Woodland Boulevard, Deland, Florida 32724; principal investor(s): Patrick Johnson, 2075 South Woodland Boulevard, Deland, Florida 32724, Ronald Hurtibise, 2075 South Woodland Boulevard, Deland, Florida 32724.

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 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 Mod Cycles, Corp., intends to allow the establishment of Veruccino Motors, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Taizhou Wangye Power Co., Ltd., (ZHEJ) at 2801 North State Road 7, Hollywood (Broward County), Florida 33021, on or after November 14, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Veruccino Motors, Inc., are dealer operator(s): Isidro L. Acosta, 12 Main Street, Hollywood, Florida 33023; principal investor(s): Isidro L. Acosta, 12 Main Street, Hollywood, Florida 33023.

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: Carlos Ponce, Mod Cycles, Corp., 7547 Northwest 52 Street, Miami, Florida 33166.

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

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

ST. JOHNS RIVER WATER MANAGEMENT DISTRICT GIVES NOTICE OF INTENT TO GRANT THREE VARIANCES/WAIVERS – DISTRICT FILES OF RECORD 2010-14, 18 AND 19

The St. Johns River Water Management District (District) intends to grant/deny three variances/waivers from paragraph 40C-4.302(1)(c), Florida Administrative Code (F.A.C.), and the associated portions of the Applicant's Handbook: Management and Storage of Surface Waters (July 1, 2007), including Sections 10.1.1(c), 12.1.1(d), and 12.2.5(c), to the St. Augustine – St. Johns County Airport Authority, for the construction of: (a) a runway approach lighting system (ALS) in the salt marsh at the end of runway 13-31, (b) the replacement of Taxiway C, relocation of a tidal canal, and runway safety area (RSA) improvements, and (c) a second runway safety area improvement and the restoration of a spoil island. The projects are located in Section 50, Township 6 South, Range 29 East, St. Johns County, Florida. Paragraph 40C-4.302(1)(c), F.A.C., and the associated portions of the Applicant's Handbook: Management and Storage of Surface Waters (July 1, 2007), including Sections 10.1.1(c), 12.1.1(d), and 12.2.5(c), are designed to protect Class II or Class III waters which are classified as approved, restricted, conditionally approved or conditionally restricted for shellfish

harvesting and do so by limiting the types of activities allowed when the proposed work is located directly in such waters. The petitioner seeks the variances/waivers pursuant to Sections 373.414(17) and 403.201(1)(c), Florida Statutes (F.S.), in conjunction with Environmental Resource Permit Applications 4-109-28307-40, 42 and 43, to undertake the aforementioned construction at the St. Augustine-St. Johns County Airport. The work would occur in the Tolomato River which in this area is a Class II water conditionally restricted for shellfish harvesting. Notice of receipt of the petitions for variance was published in the Florida Administrative Weekly on April 3, 2010 and May 7, 2010. The District's Governing Board/Executive Director is scheduled to take final action on the petition for variance and the related permit application at a meeting no sooner than October 14, 2010 and no later than November 8, 2010.

NOTICE OF RIGHTS

1. A person whose substantial interests are or may be affected has the right to request an administrative hearing by filing a written petition with the St. Johns River Water Management District (District). Pursuant to Chapter 28-106 and Rule 40C-1.1007, Florida Administrative Code, the petition must be filed (received) either by delivery at the office of the District Clerk at District Headquarters, P. O. Box 1429, Palatka, Florida 32178-1429 (4049 Reid St., Palatka, FL 32177) or by e-mail with the District Clerk at Clerk@sjrwmd.com, within nineteen (19) days of the District depositing the notice of intended District decision in the mail (for those persons to whom the District mails actual notice) or within fourteen (14) days of newspaper publication of the notice of intended District decision (for those persons to whom the District does not mail actual notice). A petition must comply with Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes, and Chapter 28-106, Florida Administrative Code. The District will not accept a petition sent by facsimile (fax), as explained in paragraph no. 5 below. Mediation pursuant to Section 120.573, Florida Statutes, is not available.
2. If the District takes action that substantially differs from the notice of intended District decision, a person whose substantial interests are or may be affected has the right to request an administrative hearing by filing a written petition with the District, but this request for administrative hearing shall only address the substantial deviation. Pursuant to Chapter 28-106 and Rule 40C-1.1007, Florida Administrative Code, the petition must be filed (received) at the office of the District Clerk at the mail/street address or email address described in paragraph no. 1 above, within nineteen (19) days of the District depositing notice of final District decision in the mail (for those persons to whom the District mails actual notice) or within fourteen (14) days of newspaper or Florida Administrative Weekly publication of the notice of final District decision (for those persons to whom the District does not mail actual notice). A petition must comply with Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes, and Chapter 28-106, Florida Administrative Code. Mediation pursuant to Section 120.573, Florida Statutes, is not available.
3. A person whose substantial interests are or may be affected has the right to a formal administrative hearing pursuant to Sections 120.569 and 120.57(1), Florida Statutes, where there is a dispute between the District and the party regarding an issue of material fact. A petition for formal hearing must also comply with the requirements set forth in Rule 28-106.201, Florida Administrative Code.
4. A person whose substantial interests are or may be affected has the right to an informal administrative hearing pursuant to Sections 120.569 and 120.57(2), Florida Statutes, where no material facts are in dispute. A petition for an informal hearing must also comply with the requirements set forth in Rule 28-106.301, Florida Administrative Code.
5. A petition for an administrative hearing is deemed filed upon receipt of the complete petition by the District Clerk at the District Headquarters in Palatka, Florida during the District's regular business hours. The District's regular business hours are 8:00 a.m. – 5:00 p.m., excluding weekends and District holidays. Petitions received by the District Clerk after the District's regular business hours shall be deemed filed as of 8:00 a.m. on the District's next regular business day. The District's acceptance of petitions filed by email is subject to certain conditions set forth in the District's Statement of Agency Organization and Operation (issued pursuant to Rule 28-101.001, Florida Administrative Code), which is available for viewing at www.sjrwmd.com. These conditions include, but are not limited to, the petition being in the form of a PDF or TIFF file and being capable of being stored and printed by the District. Further, pursuant to the District's Statement of Agency Organization and Operation, attempting to file a petition by facsimile is prohibited and shall not constitute filing.
6. Failure to file a petition for an administrative hearing within the requisite time frame shall constitute a waiver of the right to an administrative hearing. (Rule 28-106.111, Florida Administrative Code).
7. The right to an administrative hearing and the relevant procedures to be followed are governed by Chapter 120, Florida Statutes, Chapter 28-106, Florida Administrative Code, and Rule 40C-1.1007, Florida Administrative Code. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means the District's final action may be different from the position taken by it in this notice. A person whose

substantial interests are or may be affected by the District's final action has the right to become a party to the proceeding, in accordance with the requirements set forth above.

8. Pursuant to Section 120.68, Florida Statutes, a party to the proceeding before the District who is adversely affected by final District action may seek review of the action in the District Court of Appeal by filing a notice of appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, within 30 days of the rendering of the final District action (in this case, the final order on the petition for variance). A District action is considered rendered after it is signed on behalf of the District and is filed by the District Clerk. Failure to observe the relevant time frames for filing a petition for judicial review will result in waiver of that right to review.

The petitions for variance (F.O.R. 2010-14, 18 and 19) and permit application files are available for public inspection during normal business hours, 8:00 a.m. through 5:00 p.m., Monday through Friday, except legal holidays, at District Headquarters. To request copies or inspection of these files, contact: Vance Kidder, Assistant General Counsel, Office of General Counsel, at the address above, or by telephone at (386)329-4199. They also can be viewed at the District's E-Permitting site on the District website.

The St. Johns River Water Management District (District) announces its intent to grant a variance from the provisions of paragraph 40C-4.302(1)(c), F.A.C., and the associated portions of the Applicant's Handbook: Management and Storage of Surface Waters (February 16, 2010), including Sections 10.1.1(c), 12.1.1(d) 12.2.5(c), (F.O.R. Number 2010-33) to the Indian River County Board of County Commissioners (County). Pursuant to Section 373.414(17), Florida Statutes, the County is seeking a variance from paragraph 40C-4.302(1)(c), F.A.C., and the associated portions of the Applicant's Handbook: Management and Storage of Surface Waters, including Sections 10.1.1(c), 12.1.1(d) and 12.2.5(c), with respect to Environmental Resource Permit Application 4-061-114751-2 to construct an extension to a boat ramp dock and dredging activities within the Indian River. The construction is proposed to occur directly in the Indian River, which is located within Class III waters that are also classified by the Department of Agriculture and Consumer Services as restricted for shellfish harvesting. Notice of receipt of the petition for variance was published in the Florida Administrative Weekly on September 3, 2010.

NOTICE OF RIGHTS

1. A person whose substantial interests are or may be affected has the right to request an administrative hearing by filing a written petition with the St. Johns River Water Management District (District). Pursuant to Chapter

28-106 and Rule 40C-1.1007, Florida Administrative Code, the petition must be filed (received) either by delivery at the office of the: District Clerk, District Headquarters, P. O. Box 1429, Palatka Florida 32178-1429 (4049 Reid St., Palatka, FL 32177) or by email with the District Clerk at Clerk@sjrwmd.com, within nineteen (19) days of the District depositing the notice of intended District decision in the mail (for those persons to whom the District mails actual notice) or within fourteen (14) days of newspaper publication of the notice of intended District decision (for those persons to whom the District does not mail actual notice). A petition must comply with Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes, and Chapter 28-106, Florida Administrative Code. The District will not accept a petition sent by facsimile (fax), as explained in paragraph no. 5 below. Mediation pursuant to Section 120.573, Florida Statutes, is not available.

2. If the District takes action that substantially differs from the notice of intended District decision, a person whose substantial interests are or may be affected has the right to request an administrative hearing by filing a written petition with the District, but this request for administrative hearing shall only address the substantial deviation. Pursuant to Chapter 28-106 and Rule 40C-1.1007, Florida Administrative Code, the petition must be filed (received) at the: Office of the District Clerk at the mail/street address or email address described in paragraph no. 1 above, within nineteen (19) days of the District depositing notice of final District decision in the mail (for those persons to whom the District mails actual notice) or within fourteen (14) days of newspaper publication of the notice of final District decision (for those persons to whom the District does not mail actual notice). A petition must comply with Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes, and Chapter 28-106, Florida Administrative Code. Mediation pursuant to Section 120.573, Florida Statutes, is not available.
3. A person whose substantial interests are or may be affected has the right to a formal administrative hearing pursuant to Sections 120.569 and 120.57(1), Florida Statutes, where there is a dispute between the District and the party regarding an issue of material fact. A petition for formal hearing must also comply with the requirements set forth in Rule 28-106.201, Florida Administrative Code.
4. A person whose substantial interests are or may be affected has the right to an informal administrative hearing pursuant to Sections 120.569 and 120.57(2), Florida Statutes, where no material facts are in dispute. A petition for an informal hearing must also comply with the requirements set forth in Rule 28-106.301, Florida Administrative Code.

5. A petition for an administrative hearing is deemed filed upon receipt of the complete petition by the District Clerk at the District Headquarters in Palatka, Florida during the District's regular business hours. The District's regular business hours are 8:00 a.m. – 5:00 p.m., excluding weekends and District holidays. Petitions received by the District Clerk after the District's regular business hours shall be deemed filed as of 8:00 a.m. on the District's next regular business day. The District's acceptance of petitions filed by e-mail is subject to certain conditions set forth in the District's Statement of Agency Organization and Operation (issued pursuant to Rule 28-101.001, Florida Administrative Code), which is available for viewing at: www.sjrwmd.com. These conditions include, but are not limited to, the petition being in the form of a PDF or TIFF file and being capable of being stored and printed by the District. Further, pursuant to the District's Statement of Agency Organization and Operation, attempting to file a petition by facsimile is prohibited and shall not constitute filing.
6. Failure to file a petition for an administrative hearing within the requisite time frame shall constitute a waiver of the right to an administrative hearing. (Rule 28-106.111, Florida Administrative Code).
7. The right to an administrative hearing and the relevant procedures to be followed are governed by Chapter 120, Florida Statutes, Chapter 28-106, Florida Administrative Code, and Rule 40C-1.1007, Florida Administrative Code. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means the District's final action may be different from the position taken by it in this notice. A person whose substantial interests are or may be affected by the District's final action has the right to become a party to the proceeding, in accordance with the requirements set forth above.
8. Pursuant to Section 120.68, Florida Statutes, a party to the proceeding before the District who is adversely affected by final District action may seek review of the action in the District Court of Appeal by filing a notice of appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, within 30 days of the rendering of the final District action (in this case, the final order on the petition for variance). A District action is considered rendered after it is signed on behalf of the District and is filed by the District Clerk. Failure to observe the relevant time frames for filing a petition for judicial review will result in waiver of that right to review.

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE OF LITIGATION

The Agency for Health Care Administration has received the following petitions for administrative hearings as of the close of business on September 28, 2010, concerning certificate of need decisions. No decision has been made as to the sufficiency of these petitions. A brief description of these projects is listed below. Resolution of these requests for hearings by way of a grant or denial of their certificate of need at issue will determine the substantial interest of persons. Those persons whose substantial interest may be determined by these proceedings including settlements, grants, and denials are advised to govern themselves accordingly and may wish to exercise rights including intervention. See Chapter 120, F.S., as well as Section 408.039, F.S. and Rule 59C-1.012, F.A.C. In deference to rights of substantially affected persons, AHCA will not settle or otherwise reach a final resolution of these matters for a period of 30 days from the date of the publication.

CON#	INITIAL DECISION, PROJECT, CTY, APPLICANT, PARTY REQUEST HEARING (PRH)
10076	Approval, establish an 18 bed freestanding inpatient hospice facility, Clay County, North Central Florida Hospice, Inc. d/b/a Haven Hospice, (PRH) Community Hospice of Northeast Florida, Inc.
10078	Denial, establish a pediatric cardiac catheterization program, Orange County, The Nemours Foundation, (PRH) same as applicant
10078	Supports Denial, establish a pediatric cardiac catheterization program, Orange County, The Nemours Foundation, (PRH) Orlando Health
10079	Approval, establish a pediatric cardiac catheterization program, Orange County, Adventist Health System/Sunbelt, Inc. d/b/a Florida Hospital, (PRH) The Nemours Foundation
10079	Approval, establish a pediatric cardiac catheterization program, Orange County, Adventist Health System/Sunbelt, Inc. d/b/a Florida Hospital, (PRH) Orlando Health
10080	Denial, establish a pediatric open heart surgery program, Orange County, The Nemours Foundation, (PRH) same as applicant
10080	Supports Denial, establish a pediatric open heart surgery program, Orange County, The Nemours Foundation, (PRH) Orlando Health
10081	Approval, establish a pediatric open heart surgery program, Orange County, Adventist Health System/Sunbelt, Inc. d/b/a Florida Hospital, (PRH) The Nemours Foundation
10081	Approval, establish a pediatric open heart surgery program, Orange County, Adventist Health System/Sunbelt, Inc. d/b/a Florida Hospital, (PRH) Orlando Health

- 10082 Denial, establish a new hospice program, Lee County, Compassionate Care Hospice of Florida, Inc., (PRH) same as applicant
- 10083 Denial, establish a new hospice program, Broward County, Compassionate Care Hospice of Florida, Inc., (PRH) same as applicant
- 10083 Supports Denial, establish a new hospice program, Broward County, Compassionate Care Hospice of Florida, Inc., (PRH) Douglas Gardens of Broward, Inc.
- 10083 Supports Denial, establish a new hospice program, Broward County, Compassionate Care Hospice of Florida, Inc., (PRH) Odyssey Healthcare of Collier County, Inc. d/b/a Odyssey Healthcare of Central Florida, Inc.
- 10083 Supports Denial, establish a new hospice program, Broward County, Compassionate Care Hospice of Florida, Inc., (PRH) Hospice of Palm Beach County, Inc.
- 10084 Denial, establish a new hospice program, Broward County, Douglas Gardens of Broward, Inc., (PRH) same as applicant
- 10084 Supports Denial, establish a new hospice program, Broward County, Douglas Gardens of Broward, Inc., (PRH) Odyssey Healthcare of Collier County, Inc. d/b/a Odyssey Healthcare of Central Florida, Inc.
- 10084 Supports Denial, establish a new hospice program, Broward County, Douglas Gardens of Broward, Inc., (PRH) Compassionate Care Hospice of Florida, Inc.
- 10084 Supports Denial, establish a new hospice program, Broward County, Douglas Gardens of Broward, Inc., (PRH) Hospice of Palm Beach County, Inc.
- 10085 Approval, establish a new hospice program, Broward County, Hospice of Palm Beach County, Inc., (PRH) Douglas Gardens of Broward, Inc.
- 10085 Approval, establish a new hospice program, Broward County, Hospice of Palm Beach County, Inc., (PRH) Odyssey Healthcare of Collier County, Inc. d/b/a Odyssey Healthcare of Central Florida, Inc.
- 10085 Approval, establish a new hospice program, Broward County, Hospice of Palm Beach County, Inc., (PRH) Compassionate Care Hospice of Florida, Inc.
- 10086 Denial, establish a new hospice program, Broward County, Odyssey Healthcare of Collier County, Inc. d/b/a Odyssey Healthcare of Central Florida, Inc., (PRH) same as applicant
- 10086 Supports Denial, establish a new hospice program, Broward County, Odyssey Healthcare of Collier County, Inc. d/b/a Odyssey Healthcare of Central Florida, Inc., (PRH) Douglas Gardens of Broward, Inc.

- 10086 Supports Denial, establish a new hospice program, Broward County, Odyssey Healthcare of Collier County, Inc. d/b/a Odyssey Healthcare of Central Florida, Inc., (PRH) Compassionate Care Hospice of Florida, Inc.
- 10086 Supports Denial, establish a new hospice program, Broward County, Odyssey Healthcare of Collier County, Inc. d/b/a Odyssey Healthcare of Central Florida, Inc., (PRH) Hospice of Palm Beach County, Inc.
- 10091 Denial, establish a new hospice program, Miami – Dade County, Compassionate Care Hospice of Florida, Inc., (PRH) same as applicant

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.”

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 HEALTH

On October 1, 2010, 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 Kristin L. Hagan, R.N. License #RN 9274602. 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 October 1, 2010, 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 Margie Karen Manucy, R.N. License #RN 2037912. 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 September 29, 2010, 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 Felix Rosa, Jr., C.N.A. License #CNA 98714. 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 October 1, 2010, 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 Jennifer M. White, C.N.A. License #CNA 189642. 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 October 1, 2010, 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 Jessica Mari Sturgess, R.P.T. License #RPT 3206. 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 IS HEREBY GIVEN THAT the Office of Financial Regulation, Division of Financial Institutions, has received the following applications. 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 Regulation
P. O. Box 8050		General Counsel's Office
Tallahassee, Florida		The Fletcher Building
32314-8050		Suite 118
Phone (850)410-9800		101 East Gaines Street,
Fax: (850)410-9548		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., November 5, 2010):

APPLICATION TO MERGE

Constituent Institutions: Stonegate Bank, Fort Lauderdale, Florida, and Southwest Capital Bank, N.A., Fort Myers, Florida

Resulting Institution: Stonegate Bank

Received: October 5, 2010

APPLICATION TO EXPAND FIELD OF MEMBERSHIP

Specific information regarding the expansion can be found at <http://www.flofr.com/banking/cufm.asp>.

Name and Address of Applicant: Miami Postal Service Credit Union, Post Office Box 520622, Miami, Florida 33152

Expansion Includes: Employee Group

Received: October 1, 2010