

Section XII Miscellaneous

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Honey Bee Technical Council Workshop
HONEY BEE TECHNICAL COUNCIL
WORKSHOP AGENDA

Wednesday, August 1st, 2012

Doyle Conner Building Auditorium, 1911 South West 34 Street, Gainesville, Florida 32608

Florida Department of Agriculture and Consumer Services, Division of Plant Industry – Apiary Inspection Section, Bureau of Plant and Apiary Inspection

- 10:30 a.m. – 10:45 a.m. Welcome – David A. Westervelt
Chief Apiarist
Bureau of Plant and Apiary
Inspection, FDACS/DPI
- 10:45 a.m. – 10:50 a.m. Roll Call – Jerry Latner
Chairman, HBTC
- 10:50 a.m. – Adjourn Open Forum – HBTC Board
Members Only
State Policy on depopulation
for feral honeybee colonies
Best Management Practices

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 Peace Power Sports, Inc., intends to allow the establishment of Bayside Motorsports Corp., as a dealership for the sale of motorcycles manufactured by Chongqing Astronautical Bashan Motorcycle Manufacturing Co. Ltd. (line-make BASH) at 3304-A West Columbus Drive, Tampa (Hillsborough County), Florida 33607, on or after August 6, 2012.

The name and address of the dealer operator(s) and principal investor(s) of Bayside Motorsports Corp. are dealer operator(s): Eddy Didier Rodriguez, 3401 West Ellicott Avenue, Tampa, Florida 33614; principal investor(s): Eddy Didier Rodriguez, 3401 West Ellicott Avenue, Tampa, Florida 33614.

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: Fang Liu, Peace Power Sports Inc., 2533 Royal Lane, Suite 505, Dallas, Texas 75229.

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 Peace Power Sports, Inc., intends to allow the establishment of Cycle Pros of Tampa, Inc., as a dealership for the sale of motorcycles manufactured by Chongqing Astronautical Bashan Motorcycle Manufacturing Co. Ltd., (line-make BASH) at 7601 North Nebraska Avenue, Tampa (Hillsborough County), Florida 33604, on or after August 6, 2012.

The name and address of the dealer operator(s) and principal investor(s) of Cycle Pros of Tampa, Inc., are dealer operator(s): Carmen Hayes, 1311 East 29th Avenue, Tampa, Florida 33605; principal investor(s): Carmen Hayes, 1311 East 29th Avenue, Tampa, Florida 33605.

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: Fang Liu, Peace Power Sports, Inc., 2533 Royal Lane, Suite 505, Dallas, Texas 75229.

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 SportChassis, LLC, intends to allow the establishment of Land Rover Southpointe, Inc., d/b/a Sarasota SportChassis as a dealership for the sale of heavy duty pickup trucks manufactured by Sportchassis, LLC (line-make FRHT) at 4975 Clark Road, Sarasota (Sarasota County), Florida 34233, on or after August 6, 2012.

The name and address of the dealer operator(s) and principal investor(s) of Land Rover Southpointe, Inc., d/b/a Sarasota SportChassis are dealer operator(s): Don Urfer, 5141 Clark Road, Sarasota, Florida 34233; principal investor(s): Don Urfer, 5141 Clark Road, Sarasota, Florida 34233.

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: Brian Aneshansley, Sportchassis, LLC, 2300 South Thirteenth Street, Clinton, Oklahoma 73601.

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 Lotus Cars USA, Inc., intends to allow the establishment of Land Rover Southpointe, Inc., d/b/a Lotus Southpointe as a dealership for the sale of automobiles manufactured by Lotus (line-make LOTU) at 4975 Clark Road, Sarasota (Sarasota County), Florida 34233, on or after August 6, 2012.

The name and address of the dealer operator(s) and principal investor(s) of Land Rover Southpointe, Inc., d/b/a Lotus Southpointe are dealer operator(s): Donald R. Urfer, 5141 Clark Road, Sarasota, Florida 34233; principal investor(s): Donald R. Urfer, 5141 Clark Road, Sarasota, Florida 34233.

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: Arnold A. Johnson, Lotus Cars USA, Inc., 2402 Tech Center Parkway, Suite 600, Lawrenceville, Georgia 30043.

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 Peace Power Sports, Inc., intends to allow the establishment of Motor Werks, LLC, as a dealership for the sale of motorcycles manufactured by Chongqing Astronautical Bashan Motorcycle Manufacturing Co. Ltd. (line-make BASH) at 1265 South Highway US 1, Rockledge (Brevard County), Florida 32955, on or after August 6, 2012.

The name and address of the dealer operator(s) and principal investor(s) of Motor Werks, LLC, are dealer operator(s): Elena Swiden, 430 Sundoro Court, Merritt Island, Florida 32953 and Kevin Rude, 430 Sundoro Court, Merritt Island, Florida 32953; principal investor(s): Elena Swiden, 430 Sundoro Court, Merritt Island, Florida 32953.

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: Fang Liu, Peace Power Sports, Inc., 2533 Royal Lane, Suite 505, Dallas, Texas 75229.

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.

AGENCY FOR HEALTH CARE ADMINISTRATION

DECISIONS ON BATCHED APPLICATIONS

The Agency for Health Care Administration made the following decisions on Certificate of Need applications for Other Beds and Programs batching cycle with an application due date of May 16, 2012:

- County: Lake Service District: 3E
CON # 10143 Decision Date: 6/21/2012 Decision: W
Applicant/Project: Passages Hospice of Central Florida, Inc.
Project Description: Establish a new hospice program
Approved Cost: \$.00
- County: Miami-Dade Service Area 4 District: 11
CON # 10147 Decision Date: 6/21/2012 Decision: W
Applicant/ Facility: University of Miami/University of Miami Hospital
Project Description: Establish an adult lung transplantation program
Approved Cost: \$.00
- County: Miami-Dade Service Area 4 District: 11
CON # 10150 Decision Date: 6/21/2012 Decision: W
Applicant/ Facility: University of Miami/University of Miami Hospital
Project Description: Establish an adult heart transplantation program
Approved Cost: \$.00
- County: Miami-Dade Service Area 4 District: 11
CON # 10153 Decision Date: 6/21/2012 Decision: W
Applicant/ Facility: University of Miami/University of Miami Hospital
Project Description: Establish an adult kidney transplantation program
Approved Cost: \$.00
- County: Miami-Dade Service Area 4 District: 11
CON # 10155 Decision Date: 6/21/2012 Decision: W
Applicant/ Facility: University of Miami/University of Miami Hospital
Project Description: Establish an adult liver transplantation program
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

NOTICE OF AVAILABILITY

FLORIDA CATEGORICAL EXCLUSION NOTIFICATION

City of Carrabelle

The Florida Department of Environmental Protection has determined that the City of Carrabelle’s project to purchase the existing water system owned by Water Management Services, Inc. on St. George Island will not adversely affect the environment. The purchase price is estimated to be \$15,000,000. 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: Paul Brandl, Department of Environmental Protection, Bureau of Water Facilities Funding, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400 or calling (850)245-8373.

NOTICE OF INTENT TO GRANT VARIANCE

The Department of Environmental Protection gives notice of its intent to grant a variance under Section 403.201, F.S., from the provisions of sub-subparagraph 62-4.242(2)(a)2.b., F.A.C., to the U.S. Army Corps of Engineers, P. O. Box 4970, Jacksonville, Florida 32232-0018, (File No. 0307923-002-BV) to establish a maximum allowable turbidity level above background for work within the Nassau River-St. Johns River Marshes Aquatic Preserve and Timucuan Ecological and Historical Preserve OFW, Class III Waters. This variance is associated with the proposed periodic maintenance dredging of the Atlantic Intercoastal Waterway in Sawpit Creek, South Amelia River, and Nassua Sound in Nassua County. (File No. 0307923-001-JC) The variance will allow 15 Nephelometric Turbidity Units above background at the edge of the mixing zone. 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, Office of Beaches and Coastal Systems, 4870 Capital Circle Northwest, Tallahassee, Florida 32303, Telephone: (850)414-7731.

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 of the Florida Statutes. The petition must contain the information set

forth below and must be filed (received by the clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000.

Mediation under Section 120.573, F.S. is not available.

Because the administrative hearing process is designed to redetermine final agency action on the application, the filing of a petition for an administrative hearing may result in a modification of the agency action or even a denial of the application. If a sufficient petition for an administrative hearing or request for an extension of time to file a petition is timely filed, this agency action automatically becomes only proposed agency action on the application, subject to the result of the administrative review process. Accordingly, the applicant is advised not to commence construction or other activities in accordance with this variance until the deadlines noted below for filing a petition for an administrative hearing, or request for an extension of time has expired.

Under subsections 28-106.111(3) and 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department’s action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon. If a 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.

In the event that 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. Any intervention will be 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 subsection 28-106.111(2) and paragraphs 62-110.106(3)(a), (4), F.A.C., 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; and (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action; (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.S. 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 action is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above. Upon the timely filing of a petition this order will not be effective until further order of the Department.

This variance constitutes an order of the Department. The applicant has the right to seek judicial review of the order under Section 120.68, Florida Statutes, by the filing of a notice of appeal under Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the final order is filed with the Clerk of the Department.

Florida State Clearinghouse

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

DEPARTMENT OF HEALTH

Notice of Vacating Emergency Action

On June 22, 2012, the State Surgeon General, issued an Order Vacating Order of Emergency Suspension of License with regard to the license of William Edmund Crain Jr., R.N., License #9312202. The Department orders that the Emergency Suspension of License be vacated.

Notice of Emergency Action

On June 20, 2012, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Yulexis C. Gonzalez Hernandez, C.N.A., License #CNA 195342. 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 (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF FINANCIAL SERVICES

Notice of Publication of Objection Determination Under
Section 120.745(4), F.S.

The Financial Services Commission, Office of Financial Regulation, has published its determination of objections pursuant to Section 120.745(4), F.S. This notice and the

publication were first published on the Office's website on June 21, 2012, and may be accessed at: http://www.flofr.com/2011_Rule_Review.aspx. Inquiries, public comments, and objections pertaining to the publication may be sent to: John Kim, Office of Financial Regulation, 200 E. Gaines St., Suite 660J, Tallahassee, Florida 32399, Fax: (850)410-9748, email: john.kim@flofr.com.
