



County Manager's Office  
2575 Judge Fran Jamieson Way  
Viera, Fl. 32940

Phone 633-2010  
Fax 633-2115  
sally.lewis@brevardcounty.us

December 17, 2014

Kathy Cicala  
Legal Advertisement Section  
Florida Today  
P.O. Box 41-9000  
Melbourne, Fl. 32936

**VIA: E-MAIL** [KCICALA@FLORIDATODAY.COM](mailto:KCICALA@FLORIDATODAY.COM)

Dear Kathy,

Please place the attached **PUBLIC NOTICE** in the Legal Section, in the **Thursday , January 8, 2015** edition of the Florida Today.

Please forward the bill and proof of publication to me:

ATTENTION: SALLY LEWIS, COUNTY MANAGER'S OFFICE  
2725 Judge Fran Jamieson Way  
Bldg. C, Room 301  
Viera, Fl. 32940

If you have any questions, please contact me at 633-2010.

Cordially,

Sally Lewis  
Agenda Coordinator  
/sl  
cc: Clerk to the Board

## John Lynch

---

**From:** Cicala, Kathy <kcicala@floridatoday.com>  
**Sent:** Thursday, December 18, 2014 12:47 PM  
**To:** Lewis, Sally A  
**Cc:** Mcgarry, Michael J; Christine Mulligan; Donna Scott; John Lynch; Kelly Fulton; Tammy Etheridge  
**Subject:** RE: Legal Ad for 1-8-15

AD#345455

\$524.00

1/8

AD#345455,01/08/2015 û

¥

<BF>PUBLIC NOTICE û

STATE OF FLORIDA û

DEPARTMENT OF ENVIRONMENTAL PROTECTION û

CONSOLIDATED NOTICE OF INTENT TO ISSUE PERMIT û

AND AUTHORIZATION TO USE SOVEREIGN SUBMERGED LANDS<NM> û

The Department of Environmental Protection gives notice of its intent to issue a joint coastal permit, File No. 0134869-009-JC and Letter of Consent to use sovereign submerged lands to Brevard County (2725 Judge Fran Jamieson Way, Building A, Viera, FL 32940), to periodically nourish all or portions of a 9.6-mile segment of beach in the North Reach. For each nourishment event, approximately 1.5 million cubic yards of beach-quality sand may be dredged from one or both of the two offshore borrow areas Canaveral Shoals I and II). In order to gain access to the Canaveral Shoals I borrow area, an access channel (Access Lane) may be dredged to a width of 500 feet, a length of 5300 feet and a depth of -30.3 feet NAVD. The beach-compatible fill material will be hydraulically placed on the beach by one or both of the following methods: (a) direct hopper dredge pump-out onto the beach; or (b) hopper dredge discharge into the Nearshore Disposal and Sand Rehandling Area (NDSRA), with subsequent transfer to the beach by cutterhead pipeline dredge. Material dredged from the access channel leading to the Canaveral Shoals I borrow area that contains between 5% and 20 % fines will be discharge by the hopper dredge into the Nearshore Disposal Area (NDA), and dredged material containing more than 20% fines will be placed in the Canaveral Ocean Dredged Material Disposal Site (ODMDS). The landward portion of the beach berm will be flat and will tie into the existing berm at an elevation of +8.2 feet North American Vertical Datum (NAVD), with a variable width of up to 80 feet. From there, the berm will have a seaward slope of 1:40 (vertical:horizontal) to an elevation of +6.7 feet NAVD, over a distance of 60 feet. The foreshore slope of the berm will be 1:15 (vertical:horizontal) until it ties into the existing seabed.

The project site is located in Brevard County, Sections 11-15, 22, 23, 26 and 35, Township 24 South, Range 37 East; Sections 2, 3, 10, 11, 14, 15, 22 and 23, Township 25 South, Range 37 East; and Sections 26, 27 and 35, Township 25 South, Range 37 East.

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

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 permit or even a denial of the application. Under rule 62-110.106(4), Florida Administrative Code (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 judge upon the filing of a motion in compliance with rule 28-106.205, F.A.C.

In accordance with rules 28-106.111(2) and 62-110.106(3)(a)(1), 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; (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 issue constitutes an order of the Department. The applicant has the right to seek judicial review of the order under section 120.68, F.S., by the filing of a notice of appeal

under rule 9.110 of the Florida Rules of Appellate Procedure with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the final order is filed with the Clerk of the Department.

The application and "CONSOLIDATED NOTICE OF INTENT TO ISSUE JOINT COASTAL PERMIT AND AUTHORIZATION TO USE SOVEREIGN SUBMERGED LANDS" and the "DRAFT CONSOLIDATED JOINT COASTAL PERMIT AND INTENT TO GRANT SOVEREIGN SUBMERGED LANDS AUTHORIZATION" can be viewed at the Department's Internet Web site at: [ftp://ftp.dep.state.fl.us/pub/ENV-PRMT/brevard/pending/0134869\\_Brevard%20North%20Reach/009-JC/Final/Intent/](ftp://ftp.dep.state.fl.us/pub/ENV-PRMT/brevard/pending/0134869_Brevard%20North%20Reach/009-JC/Final/Intent/)

#### HOLIDAY DEADLINES.

FLORIDA TODAY IS CLOSED ON FRIDAY, 12/26/14.

FLORIDA TODAY DEADLINES FOR PUBLICATION ON 12/25 - 12/29

2PM TUESDAY, 12/23.

FLORIDA TODAY DEADLINES FOR PUBLICATION ON 01/01 - 01/05

2PM TUESDAY, 12/30

EAGLE AND REPORTER - 12 NOON ON 12/18 FOR 12/25

12NOON ON 12/23 FOR 01/01/15

Kathy Cicala

LEGAL ADVERTISING SPECIALIST

FLORIDA TODAY, THE EAGLE, THE REPORTER

FLORIDATODAY

P.O. Box 419000, Melbourne, FL 32941-9000

321 242-3832

[legals@floridatoday.com](mailto:legals@floridatoday.com)

[thereporter@gannett.com](mailto:thereporter@gannett.com)

[theeagle@gannett.com](mailto:theeagle@gannett.com)

[kcicala@floridatoday.com](mailto:kcicala@floridatoday.com)

Please visit us online at [www.floridatoday.com](http://www.floridatoday.com)

**THIS EMAIL IS NOT A BILL.**

---

**From:** Lewis, Sally A [<mailto:Sally.Lewis@brevardcounty.us>]

**Sent:** Wednesday, December 17, 2014 4:47 PM

**To:** Cicala, Kathy

**Cc:** McGarry, Michael J; Christine Mulligan; Donna Scott; John Lynch; Kelly; Tammy Etheridge ([tammy.etheridge@brevardclerk.us](mailto:tammy.etheridge@brevardclerk.us))

**Subject:** Legal Ad for 1-8-15

Kathy,

Please place the attached ad in the legal section of the Florida Today on Thursday, January 8, 2015..

Thank you,  
Sally

Sally Lewis  
County Manager's Office  
321-633-2010  
[Sally.lewis@brevardcounty.us](mailto:Sally.lewis@brevardcounty.us)

---

**Under Florida Law, email addresses are Public Records. If you do not want your e-mail address released in response to public record requests, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.**

LEGAL NOTICE OF PUBLIC MEETINGS  
From 12/18/2014 to 01/02/2015

**Thursday, December 18, 2014**

4:00 AM MEETING: Affordable Housing Council. Affordable Housing Council;  
Government Center - 2725 Judge Fran Jamieson Way, Viera. Building C,  
2nd Floor, Space Coast Room. Contact: (321) 633-2007

9:00 AM MEETING: Code Enforcement Special Magistrate Hearing. Government  
Center - 2725 Judge Fran Jamieson Way, Viera. Building C, 2nd Floor,  
Space Coast Room. Contact: (321) 633-2086

1:00 PM MEETING: Brevard County Legislative Delegation Meeting. This meeting  
provides an opportunity for the community to present to the entire  
delegation membership and prior to the 2015 Legislative Session.;  
Brevard County Government Center - Viera - 2725 Judge Fran Jamieson  
Way, Viera, Fl. Building C, 1st Floor, Commission Chambers. Contact:  
(321) 752-3138

6:00 PM MEETING: Brevard Marine Advisory Council. Government Center - 2725  
Judge Fran Jamieson Way, Viera. Building C, 3rd Floor, Florida Room.  
Contact: (321) 633-2016

**Friday, December 26, 2014**

11:00 AM MEETING: No. Brevard Hospital District Board of Directors. Parrish  
Medical Center - 951 No. Washington Ave., Titusville, Fl. 1st Floor,  
Conf Rm 2/3/4/5. Contact: (321) 268-6111

**Tuesday, January 6, 2015**

9:00 AM Brevard County Board of County Commissioners; Governing Board of the  
Brevard Mosquito Control District; Governing Board of the Barefoot Bay  
Water and Sewer District Regular meeting, Government Center Viera,  
Commission Chambers, 2725 Judge Fran Jamieson Way, Viera, Fl. Contact  
633-2010.

*If a person desires to appeal any decision made by this commission with respect to any matter considered at this meeting or hearing, such a person will need a record of this proceeding and that, for such purposes, such person may need to ensure that a verbatim record of this proceeding is made, at his/her own expense, which record includes testimony and evidence upon which any such appeal is to be based.*

*The needs of the hearing and/or visually impaired persons shall be met if the department sponsoring the meeting/hearing is presented with such a request no later than 48 hours prior to the meeting.*