



Waiver of 90-Day Time Limit Under Section 120.60(1), Florida Statutes

Send to: Bureau of Beaches and Coastal Systems
Division of Water Resource Management
Florida Department of Environmental Protection
3900 Commonwealth Boulevard, Mail Station 300
Tallahassee, Florida 32399-3000
Phone: (850) 488-7708 Fax: (850) 488-5257

File Application Number: CO-922
Applicant Name: Collier County Board of County Commissioners (Vanderbilt Beach Road Park)

Section 120.60(1), Florida Statutes, reads as follows:

(1) Upon receipt of an application for a license, an agency shall examine the application and, within 30 days after such receipt, notify the applicant of any apparent errors or omissions and request any additional information the agency is permitted by law to require. An agency shall not deny a license for failure to correct an error or omission or to supply additional information unless the agency timely notified the applicant within this 30-day period. An application shall be considered complete upon receipt of all requested information and correction of any error or omission for which the applicant was timely notified or when the time for such notification has expired. Every application for a license shall be approved or denied within 90 days after receipt of a completed application unless a shorter period of time for agency action is provided by law. The 90-day time period shall be tolled by the initiation of a proceeding under ss. 120.569 and 120.57. Any application for a license that is not approved or denied within the 90-day or shorter time period, within 15 days after conclusion of a public hearing held on the application, or within 45 days after a recommended order is submitted to the agency and the parties, whichever action and timeframe is latest and applicable, is considered approved unless the recommended order recommends that the agency deny the license. Subject to the satisfactory completion of an examination if required as a prerequisite to licensure, any license that is considered approved shall be issued and may include such reasonable conditions as are authorized by law. Any applicant for licensure seeking to claim licensure by default under this subsection shall notify the agency clerk of the licensing agency, in writing, of the intent to rely upon the default license provision of this subsection, and shall not take any action based upon the default license until after receipt of such notice by the agency clerk.

I, the undersigned, have read Section 120.60(1), Florida Statutes, provided above, and fully understand the applicant's rights under that section. By signing below, I waive the right to have the above referenced application approved or denied by the Department of Environmental Protection within the 90-day time period prescribed by law. I make this waiver freely and voluntarily, with full knowledge and without any pressure or coercion by anyone employed by the Department of Environmental Protection.

Date waiver expires: Indefinite

J. Barry McAlpin PE
Signature of Applicant (Property Owner or Authorized Agent)

2/3/2012
Date

Kris W. Thoemke, PhD, CEP, Agent
Coastal Engineering Consultants, Inc.
Typed or Printed Name of Applicant (include title and name of corporation or other business entity, if applicable)