

LAW OFFICES  
**ROSE, SUNDBSTROM & BENTLEY**  
A PARTNERSHIP INCLUDING PROFESSIONAL ASSOCIATIONS  
2548 BLAIRSTONE PINES DRIVE  
TALLAHASSEE, FLORIDA 32301  
(904) 877-6555

CHRIS H. BENTLEY, P.A.  
JENNIFER S. BRUBAKER  
F. MARSHALL DETERDING  
BRIAN L. DOSTER  
MARTIN S. FRIEDMAN, P.A.  
JOHN R. JENKINS, P.A.  
STEVEN T. MINDLIN, P.A.  
ROBERT M. C. ROSE, P.A.  
WILLIAM E. SUNDBSTROM, P.A.  
DAVE D. TREMPER, P.A.  
JOHN L. WHARTON

MAILING ADDRESS  
POST OFFICE BOX 1567  
TALLAHASSEE, FLORIDA 32302-1567  
TELECOPIER (904) 656-4029

February 23, 1996

VIA HAND DELIVERY

Blanca S. Bayo, Director  
Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399

ORIGINAL  
FILE COPY

960229-SU

Re: Forest Utilities, Inc.;  
Application for Extension of Service Territory  
Our File Nos. 25052.07

Dear Ms. Bayo:

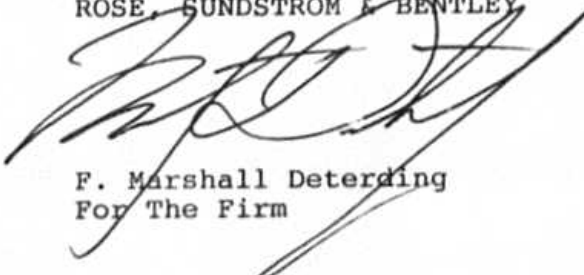
Attached hereto is the original and 15 copies of the Application for Amendment of Wastewater Certificate in Lee County for Forest Utilities, Inc.

Also attached is a check in the amount of \$500 for the filing fee.

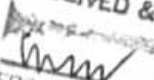
Should you or any members of the Commission staff have any questions in this regard, please do not hesitate to contact me.

Sincerely,

ROSE, SUNDBSTROM & BENTLEY

  
F. Marshall Deterding  
For The Firm

FMD/lts  
Enclosures  
cc: Ms. Judy Mallett

RECEIVED & FILED  
  
FPSC-BUREAU OF RECORDS

DOCUMENT NUMBER-DATE

02239 FEB 23 1996

FPSC-RECORDS/REPORTING

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of Forest  
Utilities, Inc. for amendment  
of wastewater certificates in  
in Lee County, Florida. )  
)  
)  
)  
)

Docket No. 960229-54

APPLICATION FOR AMENDMENT OF WASTEWATER CERTIFICATE

Applicant, FOREST UTILITIES, INC., ("Forest") by and through its undersigned attorneys, and pursuant to Section 367.045, Florida Statutes, applies to the Florida Public Service Commission for amendment of its wastewater certificate to include additional territory in Lee County, Florida, and in support thereof states:

I.

The full name and address of the Applicant is:

FOREST UTILITIES, INC.  
6385 Presidential Court  
Suite 104  
Fort Myers, Florida 33919

II.

The full name and address of the Applicant's attorney, to whom all Orders, notices, directives, correspondence and other communications shall be directed is:

ROSE, SUNDSTROM & BENTLEY  
2548 Blairstone Pines Drive  
Tallahassee, Florida 32301  
Attn: F. Marshall Deterding

DOCUMENT NUMBER-DATE

02239 FEB 23 1996

FPSC-RECORDS/REPORTING

### III.

Forest was originally organized and began providing sewer service on December 30, 1980. The names and addresses of any corporate officers and directors of Forest are as follows:

David Swor - President/Director  
George Hodak - Vice President/Secretary/Director  
Judy Mallett - Treasurer

The address for these officers and directors is the address given for the Utility in paragraph I.

### IV.

The Utility has the financial and technical ability to provide service to the proposed territory, and that territory is in need of the service from the Utility. The Utility's wastewater treatment plant has ample excess capacity, above current flows, to enable the Utility to provide service to its current service area and the proposed extension area at build-out. The Utility currently operates a 500,000 gallon per day capacity sewage treatment plant with average daily flows of approximately 228,000 GPD. The entire proposed territory is made up of commercial and light industrial uses and will add an anticipated additional flow of 64,000 GPD. An existing wastewater force main immediately adjacent to the proposed extension area has been constructed for the purpose of serving this new area and has adequate capacity to enable Forest to provide for the wastewater service needs in the proposed territory. The Utility's wastewater systems are well run and in fact have not been cited by any environmental authorities in

their 15 year history. The Utility's expansion of wastewater collection, treatment and disposal facilities has been planned in order to provide service in a timely manner to additional territories as that service is needed, while continuing to provide service as needed in its existing territory. This territorial expansion is undertaken in order to provide wastewater service to the area described in Exhibit "B" attached hereto. No other sewer utility facilities are in close enough proximity to the area to offer a reasonable economic alternative to wastewater service by the Applicant.

V.

Based upon a review of the water and wastewater sections of the Local Comprehension Plan approved by the Department of Community Affairs, the Utility and its representatives, have concluded that proposed service within the new territories is consistent with all sections of the Local Comprehensive Plan, specifically the water and wastewater sections.

VI.

Evidence that the Utility owns the land upon which the utility treatment plant facilities that will serve the proposed territory are located is attached hereto as Exhibit "A", in the form of a Warranty Deed.

VII.

A description of the territory proposed to be served, showing township, section and range references is attached hereto as Exhibit "B". Detailed system maps showing the proposed lines,

treatment facilities and territory proposed to be served, of a sufficient scale and detail to enable correlation with the description of the territory, have been marked as Exhibit "C".

#### VIII.

Although the Utility will not be required to undertake any plant expansion or effluent disposal expansion in order to provide service to the proposed extension service area, Forest has been providing reclaimed water to the Forest Golf Course for the past 12 years. It is the Applicant's intent to continue to utilize spray irrigation to golf courses.

#### IX.

The maps, included herewith as Exhibit "C" also depict the proposed territory plotted thereon.

#### X.

The existing sewer force main adjacent to the proposed service areas was constructed in order to provide service to the new areas and has sufficient capacity to provide the proposed areas with wastewater service.

The service territory proposed for wastewater service will include 280 equivalent residential connections with an estimated demand of approximately 64,000 GPD for wastewater service. Therefore, the existing wastewater treatment plant has ample capacity to provide wastewater service to the proposed areas. The DER construction and operating permits for the wastewater facilities are attached hereto as Exhibit "D".

## XI.

No significant additional investment capital will be needed at this time in order to provide service to the proposed territories. Construction of the extensions to the proposed developments and all on site facilities will be the responsibility of the developers. Those facilities will be required to be donated to the Utility in conformance with the existing approved service availability policy of Forest Utilities, Inc. Because no additional investment capital requirements are anticipated in order to provide service to this proposed area, there is no impact on the Utility's capital structure resulting from this extension.

No impact on monthly service charges or service availability charges is currently anticipated to result directly from this extension of the Utility's service territory. However, changes in the rates and service availability charges are possible as a result of changes in local, state and federal environmental requirements placed upon both the Utility's water source and treatment facilities, and wastewater treatment and disposal facilities. The Utility anticipates that as customers are added to fully utilize existing facilities, the effect on rates will be to stabilize or lower the average cost of service.

## XII.

The Utility currently anticipates the construction of 280 ERCs consisting entirely of various commercial and light

industrial businesses to which wastewater service will be provided.

XIII.

The original and two copies of proposed sample tariff sheets reflecting the additional service area are attached hereto as Exhibit "E."

XIV.

The original of the Applicant's current certificate is attached hereto as Exhibit "F," for amendment after approval of this extension application.

XV.

An affidavit showing compliance with the provisions of Section 367.045, Florida Statutes, and the necessary compliance with Rule 25-30.030, Florida Administrative Code, is attached hereto as Exhibit "G". In accordance with the requirements of Section 25-30.030(7) Fla. Adm. Code, the Utility is currently in the process of publishing Notice of this Application. Within 30 days of the date of filing this Application, the Applicant will submit proof of such publication to the Commission as Exhibit H.

XVI.

The numbers of the most recent Commission Orders establishing or amending the Applicant's rates and charges are as follows:

- Order No. 10430 - Application for Original Sewer Certificate
- Order No. 14557 - Application for Staff Assisted Rate Increase to Lee County Customers

XVII.

Attached hereto as Exhibit "I" is an affidavit that the Utility has tariffs and Annual Reports on file with the Commission.

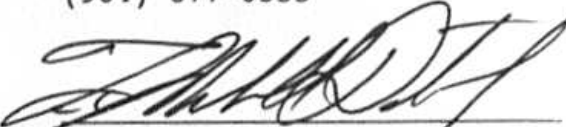
XVIII.

Between 201 and 500 persons will be served by the proposed water and sewer extensions. A check in the amount of \$500 is attached hereto in compliance with the provisions of Section 25-30.020, Florida Administrative Code.

WHEREFORE, the Applicant, Forest Utilities, Inc., requests that this Commission issue its Order amending the wastewater certificate of the applicant to include the additional territory to be served by the Utility and described herein.

Respectfully submitted this  
27<sup>th</sup> day of February, 1996,  
by:

ROSE, SUNDSTROM & BENTLEY  
2548 Blairstone Pines Drive  
Tallahassee, Florida 32301  
(904) 877-6555

  
F. MARSHALL DETERDING



FOREST UTILITIES, INC.  
Application for Amendment of  
Wastewater Certificate

Utility's Right to Serve Amended Territory

EXHIBIT A

# This Indenture

*Wherever used herein, the term "party" shall include the heirs, personal representatives, successors and/or assigns of the respective parties herein; the use of the singular number shall include the plural, and the plural the singular; the use of any gender shall include all genders; and, if used, the term "note" shall include all the notes herein described if more than one.*

Made this \_\_\_\_\_ day of \_\_\_\_\_ A. D. 19 \_\_\_\_\_

Between FOREST JOINT VENTURE

Lee and State of Florida, of the County of \_\_\_\_\_ party of the first part,

and FOREST UTILITIES, INC., a Florida corporation  
3525 Presidential Court, S.W., Fort Myers, Florida 33907

Lee and State of Florida, party of the second part,  
**Witnesseth**, that the said party of the first part, for and in consideration of the sum of  
TEN AND NO/100 (\$10.00) and O.G. & V.C. \_\_\_\_\_ Dollars,

in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has remised, released and quitclaimed, and by these presents does remise, release and quitclaim unto the said party of the second part all the right, title, interest claim and demand which the said party of the first part has in and to the following described lot, piece or parcel of land, situate lying and being in the County of Lee State of Florida, to wit:

Any and all lines, lifts, laterals, and supports located in, under and through the following described property, but without conveying the referenced real property or any interest therein:

Within the ten (10') foot easement dedicated on the plat for The Forest, Unit One, as recorded at Plat Book 33, Pages 85-88, The Forest, Unit Two, as recorded at Plat Book 34, Pages 20-22, and The Forest Unit Three, as recorded at Plat Book 35, Pages 34-37, all of the Public Records of Lee County, Florida.

**To Have and to Hold** the same, together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest and claim whatsoever of the said party of the first part, either in law or equity, to the only proper use, benefit and behoof of the said party of the second part.

**In Witness Whereof**, the said party of the first part has hereunto set his hand and seal the day and year first above written.

Signed, Sealed and Delivered in Our Presence:  
*[Signature]*  
*[Signature]*  
*[Signature]*  
*[Signature]*

FOREST JOINT VENTURE, by its General Partners  
GULF SHORE DEVELOPMENT AND CONSTRUCTION, INC.  
BY: *[Signature]* L.S.  
DAVID SWOR, President  
SUNDIAL GROUP, INC., L.S.  
BY: *[Signature]* L.S.  
Its SV, President

State of Florida  
County of LEE

I Hereby Certify That on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments,  
DAVID SWOR as President of GULF SHORE DEVELOPMENT AND CONSTRUCTION, INC., a General Partner of FOREST JOINT VENTURE to me well known to be the person described in and who executed the foregoing instrument and he acknowledged before me that he executed the same freely and voluntarily for the purposes therein expressed.

Witness my hand and official seal at City of Fort Myers County of Lee  
and State of Florida, this \_\_\_\_\_ day of \_\_\_\_\_  
*[Signature]*, A. D. 1986

*[Signature]*  
Notary Public  
My Commission Expires 10-23-88

P.O. Station 1217, Ft. Myers, Fla. 33902

BY

STATE OF FLORIDA  
COUNTY OF Pinellas

I HEREBY CERTIFY that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, Donald R. Feaster as Senior President of SUNDIAL GROUP, INC., a General Partner of Forest Joint Venture, to me well known to be the person described in and who executed the foregoing instrument and he acknowledged before me that he executed the same freely and voluntarily on behalf of said corporation for the purposes therein expressed.

WITNESS my hand and official seal at St. Petersburg, Pinellas County, Florida, this 24 day of December, 1986.

Honiguo Savio-Walton  
Notary Public

Notary Public, State of Florida at Large  
My Commission Expires: My Commission Expires April 29, 1990  
Bonded thru Agent's Notary Bonds

# This Indenture

Wherever used herein, the term "party" shall include the heirs, personal representatives, successors and/or assigns of the respective parties hereto; the use of the singular number shall include the plural, and the plural the singular; the use of any gender shall include all genders; and, if used, the term "note" shall include all the notes herein described if more than one.

Made this \_\_\_\_\_ day of \_\_\_\_\_ A. D. 19 \_\_\_\_\_

Between FOREST JOINT VENTURE

and Lee and State of Florida, of the County of \_\_\_\_\_, party of the first part,

FOREST UTILITIES, INC., a Florida corporation  
3525 Presidential Court, S.W., Fort Myers, Florida 33907

Lee and State of Florida, of the County of \_\_\_\_\_, party of the second part,

**Witnesseth**, that the said party of the first part, for and in consideration of the sum of TEN AND NO/100 (\$10.00) and O.G.&V.C. \_\_\_\_\_ Dollars, in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has remised, released and quitclaimed, and by these presents does remise, release and quitclaim unto the said party of the second part all the right, title, interest claim and demand which the said party of the first part has in and to the following described lot, piece or parcel of land, situate lying and being in the County of Lee State of Florida, to wit:

Any and all lines, lifts, laterals and supports located in, under and through the the following described property but without conveying the referenced real property or any interest therein:

Within the ten (10') foot easement dedicated on the plat for The Forest Oaks, as recorded in Plat Book 37, Pages 51-55, Public Records of Lee County, Florida.

**To Have and to Hold** the same, together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest and claim whatsoever of the said party of the first part, either in law or equity, to the only proper use, benefit and behoof of the said party of the second part.

**In Witness Whereof**, the said party of the first part has hereunto set his hand and seal the day and year first above written.

Signed, Sealed and Delivered in Our Presence:

*[Handwritten signatures]*  
\_\_\_\_\_  
\_\_\_\_\_  
Monique S. Walter  
Diane E. Richards

FOREST JOINT VENTURE, by its general Partner  
GULF SHORE DEVELOPMENT AND CONSTRUCTION, INC. L.S.  
BY: *[Signature]* L.S.  
David Swor, President  
SUNDIAL GROUP, INC. L.S.  
BY: *[Signature]* L.S.  
Its S.V. President

State of Florida

County of LEE

I Hereby Certify That on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments,

DAVID SWOR, as President of GULF SHORE DEVELOPMENT AND CONSTRUCTION, INC. A General Partner of FOREST JOINT VENTURE to me well known to be the person described in and who executed the foregoing instrument and he acknowledged before me that he executed the same freely and voluntarily for the purposes therein expressed.

Witness my hand and official seal at \_\_\_\_\_ City of Fort Myers \_\_\_\_\_ County of \_\_\_\_\_ and State of Florida, this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_, A. D. 1986

*[Signature]*  
Notary Public  
My Commission Expires 10-23-88

Printed and Bound at the Title Law Print Publishers, Fort Myers, FL 33901

BY

STATE OF FLORIDA  
COUNTY OF Pinellas

I HEREBY CERTIFY that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, Donald R. Foster as S. Vice President of SUNDIAL GROUP, INC., a General Partner of Forest Joint Venture, to me well known to be the person described in and who executed the foregoing instrument and he acknowledged before me that he executed the same freely and voluntarily on behalf of said corporation for the purposes therein expressed.

WITNESS my hand and official seal at St. Petersburg, Pinellas County, Florida, this 24 day of December, 1986.

Cherise Savino-Walker  
Notary Public

My Commission Expires Notary Public, State of Florida at Large  
My Commission Expires April 29, 1990  
Bonded thru Agent's Notary Brokerage

# Know All Men By These Presents,

Wherever used herein, the term "party" shall include the heirs, personal representatives, successors and/or assigns of the respective parties herein; the use of the singular number shall include the plural, and the plural the singular; the use of any gender shall include all genders; and, if used, the term "note" shall include all the notes herein described if more than one.

That FOREST JOINT VENTURE

of the City of Fort Myers, in the County of Lee and State of Florida, party of the first part, for and in consideration of the sum of TEN AND NO/100 (\$10.00) and O.G. & V.C. Dollars, lawful money of the United States, to him paid by FOREST UTILITIES, INC., a Florida corporation of County of Lee, State of Florida, party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained, sold, transferred and delivered, and by these presents does grant, bargain, sell, transfer and deliver unto the said party of the second part, the following goods and chattels,

Any and all lines, lifts, laterals and supports as might be located under and through The Forest Subdivision, Units One, Two and Three and The Forest Oaks, Lee County, Florida.

To Have and to Hold the same unto the said party of the second part forever.

And he does covenant to and with the said party of the second part that he is the lawful owner of the said goods and chattels; that they are free from all incumbrances; and that he has good right to sell the same as aforesaid, and that he will warrant and defend the sale of the said property, goods and chattels hereby made, unto the said party of the second part, against the lawful claims and demands of all persons whomsoever.

In Witness Whereof, he has hereunto set his hand and seal the

day of \_\_\_\_\_, in the year one thousand nine hundred and eighty-six.

Signed, Sealed and Delivered in Presence of: FOREST JOINT VENTURE, by its General Partner GULF SHORE DEVELOPMENT AND CONSTRUCTION, INC. L.S.

Witness to GSDC - witness to ESDC

Monique S. West of Dawn E. Richard BY: David Swor, President SUNDIAL GROUP, INC. L.S.

State of Florida

County of LEE

I Hereby Certify That on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, DAVID SWOR, President of GULF SHORE DEVELOPMENT AND CONSTRUCTION, INC., a General Partner of Forest Joint Venture

to me well known to be the person described in and who executed the foregoing Bill of Sale, and he acknowledged before me that he executed the same freely and voluntarily for the purposes therein expressed.

Witness my hand and official seal at City of Fort Myers, Florida, County of Lee, this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 1986

Notary Public My Commission Expires 12-23-88

Vertical text on the left margin: P.O. Box 10000, Tallahassee, Florida 32302

Bill of Sale  
ABSOLUTE

TO

Date

STATE OF FLORIDA  
COUNTY OF Pinellas

I HEREBY CERTIFY that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, Donald R. Foster as President of SUNDIAL GROUP, INC., a General Partner of Forest Joint Venture, to me well known to be the person described in and who executed the foregoing instrument and he acknowledged before me that he executed the same freely and voluntarily on behalf of said corporation for the purposes therein expressed.

Witness my hand and official seal at St. Petersburg, Pinellas County, Florida, this 24 day of December, 1986.

Monique S. Walker  
Notary Public

My Commission Expires: Notary Public; State of Florida at Large  
My Commission Expires April 29, 1990  
Bonded thru Agent's Notary Brokerage

NUTILE AD VALOREM AND NON AD VALOREM  
ASSESSMENTS DUE FOR YEAR 1995 REAL ESTATE  
COUNTY OF LEE 01-46-24-00-00001.0090  
TAXES AND ASSESSMENTS IF PAID IN

KEEP  
THIS PORTION  
FOR YOUR RECORDS

PAY IN U.S. FUNDS ON U.S. BANK TO LEE COUNTY TAX COLLECTOR  
P.O. BOX 1609 FT MYERS, FL 33902-1609  
\*\*\*TAXES BECOME DELINQUENT APRIL 1ST, AND REQUIRE  
CERTIFIED FUNDS\*\*\*

NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH	APRIL
14117.54	14264.60	14411.65	14558.71	14705.77	15153.95

AD VALOREM TAXES			EX TYPE CODE	ESCROW CODE	MILL CODE	ASSESSMENT CODE
MILL RATE	TAXES LEVIED	TAXING AUTHORITY	91	000	164	
4.5751	3,586.15	CO GEN REVENUE	ASSESS VAL	783840		
.2720	213.20	CO CAP OUTLAY	TAXABL VAL	783840		
.4766	373.58	LIBRARY				
6.6250	5,192.94	SCHOOL - STATE				
2.6460	2,074.04	SCHOOL - LOCAL				
.0192	15.05	WC INLAND WATWY				
.5470	428.76	SF WATER MGMT				
.1000	78.38	SFWM EVERGLADES				
.0396	31.04	HYACINTH				
.3970	311.18	LEE CO MOSQUITO				
1.9500	1,528.49	SAN CARLOS FIRE				
1.0604	831.18	CO UNINC - MSTU				
.0533	41.78	LEE ALL HAZARDS				

PARL IN SW 1/4 OF SW 1/4  
DESC OR 1723 PG 1712  
LESS OR 1886 PG 4439  
OR 1723/1712

7/4

NON-AD VALOREM ASSESSMENTS		
RATE/BASIS	AMOUNT	LEVYING AUTHORITY
	14,705.77	COMBINED TOTAL

IF YOU HAVE QUESTIONS CONCERNING THIS NOTICE CONTACT:  
PROPERTY APPRAISER: Questions relating to assessed owner's name and address, change of mailing address, legal description, assessed or taxable value, exemptions: (841) 338-8100 P.O. Box 1548, Ft. Myers, FL 33902.  
AD VALOREM TAXING AUTHORITY: Questions relating to millage or taxes levied: Lee County Commission (841) 338-2111, School Board (841) 337-8217, All other taxing authorities - Tax Collector (841) 338-8000.  
NON-AD VALOREM ASSESSMENT LEVYING AUTHORITY: Questions relating to rate/basis or amount of levy - Tax Collector (841) 338-8000.  
TAX COLLECTOR: Questions relating to escrow code, millage code or payment problems (841) 338-8000.

INSTRUCTIONS  
If you have sold any of the property assessed to you, please forward this notice to the new owners or return to the tax collector as soon as possible. IF YOU HAVE NOT RECEIVED NOTICES FOR ALL YOUR LEE COUNTY PROPERTIES, CONTACT THE LEE COUNTY TAX COLLECTOR'S OFFICE IMMEDIATELY. This tax notice covers taxes and non-advalorem assessments for the calendar year as indicated herein. Discounts for early payment have been computed for you on this notice. PLEASE PAY ONLY ONE AMOUNT.

SCHEDULE OF DISCOUNTS  
4% if paid in November 2% if paid in January  
3% if paid in December 1% if paid in February

PAYMENT OF TAXES MUST BE IN U.S. DOLLARS  
BY CHECK DRAWN ON U.S. BANK

DISCOUNTS AND PENALTY ARE DETERMINED BY POSTMARK OF PAYMENT.  
Checks credited subject to payment. If paying by mail, your check will serve as your receipt. Postdated and incorrect checks will be returned. Taxes and assessments are due November 1 and become delinquent April 1, of the following year, at which time the tax imposes the following interest rates:

REAL ESTATE - 3% minimum mandatory charge plus advertising.  
PERSONAL PROPERTY - 1 1/2 % per month plus advertising and fees.

TAX PAYMENTS MADE AFTER MARCH 31ST ARE DELINQUENT AND MUST BE PAID IN CERTIFIED U.S. FUNDS ONLY (CERTIFIED CHECK, CASHIER'S CHECK OR MONEY ORDER)

TAX SALE - Certificates will be sold on all unpaid real estate items on or before June 1st resulting in additional charges. Tax warrants will be issued on all unpaid personal property tax.

NOTICE OF RIGHT TO PREPAY NEXT YEAR'S TAX BY INSTALLMENT METHOD  
A taxpayer who elects to pay taxes by the installment method shall make payments based upon an estimated tax which shall be equal to the actual taxes levied upon the property in the preceding year. Florida law requires that your estimated tax must be more than \$100 per parcel in order to participate. Applications must be filed with the tax collector's office prior to May 1st of the taxable year. The first installment payment must be made NO LATER THAN JUNE 30th in order to participate in this plan. Reapplication is not necessary if you participate in the plan for the current tax year.

NOTICE TO TAXPAYERS ENTITLED TO EXEMPTION: Exemptions are available to Florida residents only. To qualify for homestead exemption you must be a legal resident of the State of Florida as of January 1st of the taxable year and reside on the property taxed. Your tax bill identifies exemptions you have been allowed.

SPECIAL NOTICE: Pursuant to Florida Statute 580.039 be advised the Florida Division of Forestry will be central burning selected parcels in the following townships to reduce fire hazard and establish fuel continuity breaks: 1425 R22E, 1425 R23E, 1445 R20E, 1445 R21E, 1445 R22E, 1445 R23E, 1445 R24E, 1445 R25E, 1445 R26E, 1445 R27E, 1445 R28E, 1445 R29E, 1445 R30E. For more information call the Division of Forestry (841) 888-2181.

RBB174346

PAY IN U.S. FUNDS DRAWN ON U.S. BANK AND RETURN PAYMENT MADE PAYABLE TO:  
LEE COUNTY TAX COLLECTOR, P. O. BOX 1609, FT MYERS, FL 33902-1609  
DISCOUNTS FOR EARLY PAYMENT HAVE BEEN COMPUTED FOR YOU. PLEASE PAY ONLY ONE AMOUNT.  
TAXES BECOME DELINQUENT APRIL 1ST.

NAME AND ADDRESS CHANGES CONTACT:  
LEE COUNTY PROPERTY APPRAISER, P. O. BOX 1546, FT MYERS, FL 33902-1546



FOREST UTILITIES, INC.

Application for Amendment of  
Wastewater Certificate

Legal Description of Territory  
Proposed to be Served

EXHIBIT B

## FOREST UTILITIES, INC.

Proposed Franchise Expansion Description  
Lee County, Florida

October, 2, 1995

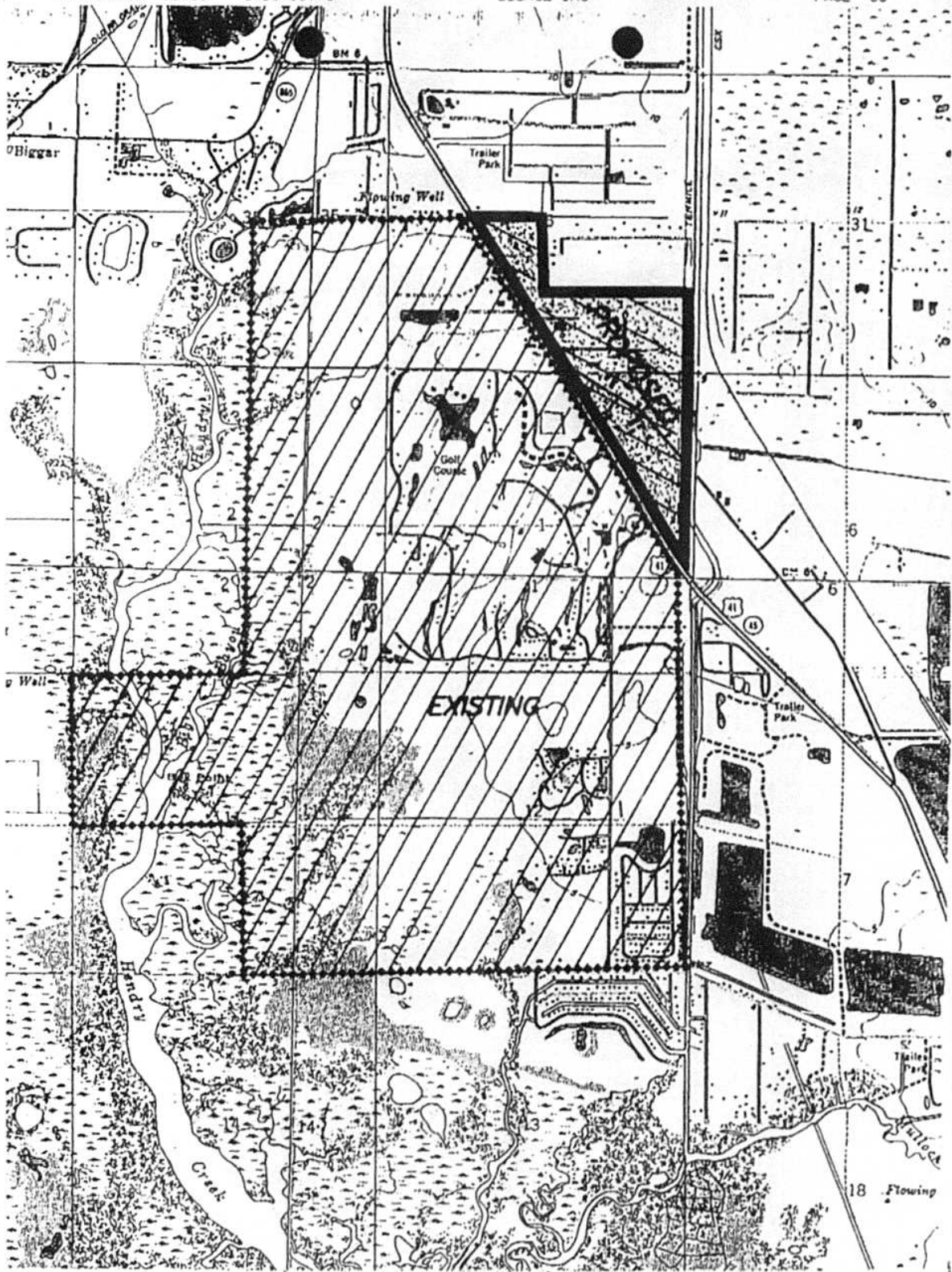
The northeast portion of Section 1 T46S, R24 East lying east of US 41 (S.R. 45)  
in Lee County Florida

and

The south half of the south half of Section 36, T45S, R24E, lying east of US 41  
(S.R. 45) in Lee County Florida

and

The northeast quarter of the southwest quarter of Section 36, T45S, R24E lying  
east of US 41 (S.R. 45) in Lee County Florida.



**EXISTING AND PROPOSED  
WASTEWATER FRANCHISE AREA  
FOREST UTILITIES, INC.  
LEE COUNTY, FLORIDA**

FURBER PROFESSIONAL SERVICES DATE _____	 <b>SOURCE, INC.</b> <small>ENGINEERS &amp; ARCHITECTS</small> 1000 W. US HWY 90, SUITE 100 TAMPA, FL 33606	SHEET NO. <b>1</b> OF <b>1</b> SCALE: AS SHOWN DATE: _____
--	---	---

FOREST UTILITIES, INC.

Application for Amendment of  
Wastewater Certificate

DEP Construction and Operating Permits

EXHIBIT D



# Department of Environmental Protection

Lawton Chiles  
Governor

South District  
2295 Victoria Avenue, Suite 364  
Fort Myers, Florida 33901  
(941) 332-6975

Virginia B. Wetherell  
Secretary

## STATE OF FLORIDA NOTICE OF PERMIT ISSUANCE

CERTIFIED MAIL NO. Z 128 052 183  
RETURN RECEIPT REQUESTED!

In the Matter of an Application  
for Permit by:

Lee County - DW  
Forest Utilities, Inc.

David W. Swor, President  
Forest Utilities, Inc.  
6385 Presidential Court, S.W.  
Fort Myers, FL 33919

Enclosed is Permit Number FLA014478-262211 to operate the subject sewage treatment facility, issued pursuant to Section 403.087, Florida Statutes.

A person whose substantial interests are affected by this permit may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within 14 days of receipt of this Permit. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, Florida Statutes. The Petition shall contain the following information:

- (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department Permit File Number and the county in which the project is proposed;
- (b) A statement of how and when each petitioner received notice of the Department's action or proposed action;
- (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action;
- (d) A statement of the material facts disputed by Petitioner, if any;
- (e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action;

(f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and

(g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

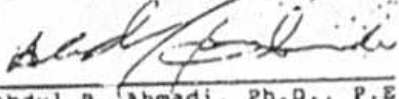
If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this permit. Persons whose substantial interests will be affected by any decision of the Department with regard to the application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of receipt of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, F.A.C.

This permit is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition and conforms to Rule 62-103.070, F.A.C. Upon timely filing of a petition or a request for an extension of time this permit will not be effective until further Order of the Department.

When the Order (Permit) is final, any party to the Order has the right to seek judicial review of the Order pursuant to Section 120.68, Florida Statutes, by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; 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 the Final Order is filed with the Clerk of the Department.

Executed in Fort Myers, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

  
Abdul B. Ahmadi, Ph.D., P.E.  
Water Facilities Administrator

## CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF PERMIT ISSUANCE and all copies were mailed by certified mail before the close of business on August 1, 1995 to the listed persons.

Clerk Stamp

## FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to s. 120.52(11), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Karen L. Maly 8-1-95  
(Clerk) (Date)

ABA/BTS/dd

Copies furnished to:

James P. Elliott, P.E.



# Department of Environmental Protection

Lawton Chiles  
Governor

South District  
2295 Victoria Avenue, Suite 364  
Fort Myers, Florida 33901  
(941) 332-6975

Virginia B. Wetherell  
Secretary

## STATE OF FLORIDA DOMESTIC WASTEWATER FACILITY PERMIT

### PERMITTEE:

Forest Utilities, Inc.  
David W. Swor, President  
6385 Presidential Court, S.W.  
Fort Myers, Florida 33919

PERMIT NUMBER: FLA014478-262211  
ISSUANCE DATE: August 1, 1995  
EXPIRATION DATE: August 1, 2000  
FACILITY I.D. NO.: FLA014478

### FACILITY:

Forest Wastewater Treatment Facility  
6341 Deer Run S.W.  
Fort Myers,  
Lee County, Florida  
Latitude: 26° 29' 13" N Longitude: 81° 52' 12" W

This permit is issued under the provisions of Chapter 403, Florida Statutes, and applicable rules of the Florida Administrative Code. The above named permittee is hereby authorized to operate the facilities shown on the application and other documents attached hereto or on file with the Department and made a part hereof and specifically described as follows:

### TREATMENT FACILITIES:

An existing 0.500 MGD Annual Average Daily Flow (AADF) complete mix activated sludge process domestic wastewater treatment facility consisting of four (4) aeration basins with a combined aeration volume of 0.393 MG, dual clarifier tanks, 5 compartment chlorine contact tank, four (4) digester tanks and two (2) residual holding tanks, an ABW Sand filter and a three (3) cell residual drying bed with:

### REUSE:

Land Application: An existing 1.0 MGD permitted capacity (limited to a 0.500 MGD plant capacity), Part III slow-rate public access golf course site. Land application system R001 consisting of irrigation of grass on a 280 acre public access golf course site, 500,000 gallon reclaimed water concrete storage tank and 400,000 gallon concrete sub-standard effluent storage tank which are located on the utility site.

Land application system R001 is located approximately at latitude 26° 29' 00" N, longitude 81° 52' 00" W.

At the following location:

Forest Utilities

1.0 MGD

280 Acres

IN ACCORDANCE WITH: The limitations, monitoring requirements and other conditions set forth in Pages 1 through 21 of this permit.



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**L Reclaimed Water and Effluent Limitations and Monitoring Requirements**

**A. Reuse and Land Application Systems**

1. During the period beginning on the issuance date and lasting through the expiration date of this permit, the permittee is authorized to land apply reclaimed water from Reuse System R001. Such reclaimed water shall be limited and monitored by the permittee as specified below:  
 [62-600, 6-8-93], [62-601, 5-31-93], [62-610, 4-2-90]

Parameter	Units	Max./Min.	Reclaimed Water Limitations				Monitoring Requirements			
			Annual Average	Monthly Average	Weekly Average	Single Sample	Monitoring Frequency	Sample Type	Monitoring Location Site Number	Notes
Flow	mgd	Maximum	0.500				Continuous	Flowmeter, Totalizer & Recorder	21301-EFF	SEE ITEMS I.A.3.&4.
Carbonaceous Biochemical Oxygen Demand (5 day)	mg/L	Maximum	20	30	45	60	Weekly	8 Hrs. Flow Proportioned Composite	21301-EFF	
Total Suspended Solids	mg/L	Maximum	-	-	-	5.0	7 day/week	Grab	24182-PP1	SEE ITEM I.A.5.
Fecal Coliform Bacteria			See Permit Condition I. A. 6.				7 day/week	Grab	21301-EFF	SEE ITEM I.A.5.
pH	std. units	Range	-	-	-	6.0-8.5	5 day/wk	Grab	21301-EFF	
Total Residual Chlorine (For Disinfection)	mg/L	Minimum	-	-	-	1.0	Continuous	Continuous Recorder	21301-EFF	SEE ITEM I.A.6.
Turbidity	NTU	Maximum	See Permit Condition I. A. 8.				Continuous	Continuous Recorder	24182-PP1	SEE ITEM I.A.7.

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2. Reclaimed water samples shall be taken at the monitoring site locations listed in Permit Condition I. A. 1. and as described below:

Monitoring Location Site Number	Description of Monitoring Location
21301-E1F	Outlet weir of chlorine contact chamber to stilling well prior to reuse storage or public access site. Reclaimed water (E1F) process point for sampling chlorine residual and Fecal Coliform for compliance with reuse at public access sites.
24182-PPI	Internal process point for sampling turbidity and TSS after filtration and prior to disinfection. This point is the weir overflow filter prior to inlet of chlorine contact chamber.

3. The annual average daily flow to Reuse System R001 shall not exceed 0.500 mgd.
4. Flowmeter with totalizer and recorder shall be utilized to measure flow. [62-601.200(17) and .500(6), 5-31-93]
5. Over a 30 day period, 75 percent of the fecal coliform values shall be below the detection limits. Any one sample shall not exceed 25 fecal coliform values per 100 mL of sample. Any one sample shall not exceed 50 milligrams per liter of total suspended solids (TSS) at a point before application of the disinfectant. [62-600.440(5)(d), 6-8-93]
6. The minimum total chlorine residual shall be limited as described in the approved operating protocol, such that the permit limitation for fecal coliform bacteria will be achieved. In no case shall the total chlorine residual be less than 1.0 mg/L. [62-600.440(5)(b) and (6)(b), 6-8-93]
7. The maximum turbidity shall be limited as described in the approved operating protocol, such that the permit limitations for total suspended solids and fecal coliforms will be achieved. [62-610.463, 4-2-90]

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B. Other Limitations and Monitoring and Reporting Requirements

1. During the period beginning on the issuance date and lasting through the expiration date of this permit, the treatment facility shall be limited and monitored by the permittee as specified below:

[17-601.300(1), 5-31-93]

Parameter	Units	Max/Min	Limitations				Monitoring Requirements			
			Annual Average	Monthly Average	Weekly Average	Single Sample	Monitoring Frequency	Sample Type	Monitoring Location Site Number	Notes
Flow	mgd	Maximum	0.500				Continuous	Flormeter, Totalizer & Recorder	21301-EFF	SEE ITEM I.B.5.
Carbonaceous Biochemical Oxygen Demand (5 day)	mg/L	-	-	-	-	-	Weekly	8 Hrs. Flow Proportion Composite	24181-INF	SEE ITEM I.B.4.
Total Suspended Solids	mg/L	-	-	-	-	-	Weekly	8 Hrs. Flow Proportion Composite	24181-INF	SEE ITEM I.B.4.

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2. Samples shall be taken at the monitoring site locations listed in Permit Condition I. B. 1. and as described below:

Monitoring Location Site Number	Description of Monitoring Location
24181-INF	Influent being pumped from lift station to surge tank prior to any side stream mixing.

3. The annual average daily flow to treatment plant shall not exceed 0.500 mgd.
4. Influent samples shall be collected so that they do not contain digester supernatant or return activated sludge, or any other plant process recycled waters. *[62-601.500(4), 5-31-93]*
5. Flow meter with totalizer and recorder shall be utilized to measure flow. *[62-601.200(17) and .500(6), 5-31-93]*
6. All flow measuring device(s) shall be calibrated at least annually. *[62-601.500(6) and 62-601.200(17), 5-31-93]*
7. Parameters which must be monitored as a result of a ground water discharge land application system shall be analyzed in accordance with Chapter 62-601, F.A.C. *[62-620.610(18), 11-29-94]*
8. The permittee shall provide safe access points for obtaining representative influent, reclaimed water, and effluent samples which are required by this permit. *[62-601.500(5), 5-31-93]*
9. During the period of operation authorized by this permit, the permittee shall complete and submit to the Department on a monthly basis a Discharge Monitoring Report (DMR), Form 62-620.910(10), for reuse system specified in Item 1 above. The DMR shall include the test results for the parameters required to be sampled on the attached DMR form. The DMR shall be submitted to the Department and received in the Department's office by the twenty-eighth (28th) of the month following the month of operation at the address specified below  
*[62-620.610(18), 11-29-94][62-601.300(1), (2), and (3), 5-31-93]*
10. Unless specified otherwise in this permit, all reports and notifications required by this permit, including 24-hour notifications, shall be submitted to or reported to the Department's South District Office at the address specified below:

Florida Department of Environmental Protection  
 South District Office  
 2295 Victoria Avenue, Suite 364  
 Fort Myers, Florida 33901  
 Phone Number - (941) 332-6975  
 FAX Number - (941) 332-6969

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## II. Residuals Management Requirements

## Basic Management Requirements

1. The method of residuals use or disposal by this facility is land application.
2. Land application of residuals shall be in accordance with the conditions of this permit and the requirements of Chapter 62-640, F.A.C. (62-640.3-1-91)
3. The domestic wastewater residuals for this facility are classified as stabilization Class B.
4. The wastewater treatment facility permittee shall be responsible for proper handling, use, and disposal of its residuals and will be held responsible for any disposal violations that occur unless the permittee can demonstrate that it has delivered residuals that meet the chemical criteria and appropriate stabilization requirements of this permit and that the disposer (e.g. hauler, contractor, or disposal/land application site owner) has legally agreed in writing to accept responsibility for proper disposal. (62-640.300(3), 3-1-91)
5. The permittee shall sample and analyze the residuals at least once every 3 months for Type I facilities. All samples shall be representative and shall be taken after final treatment of the residuals but before use or disposal. Sampling and analysis shall be in accordance with the U.S. Environmental Protection Agency publication - POTW Sludge Sampling and Analysis Guidance Document, 1989. The following parameters shall be sampled and analyzed:

Parameter	Maximum Concentration	Maximum Cumulative Loading
Total Nitrogen	(Report only) % dry weight	Not applicable
Total Phosphorus	(Report only) % dry weight	Not applicable
Total Potassium	(Report only) % dry weight	Not applicable
Cadmium	100 mg/kg dry weight	4.4 pounds/acre
Copper	3000 mg/kg dry weight	125 pounds/acre
Lead	1500 mg/kg dry weight	500 pounds/acre
Nickel	500 mg/kg dry weight	125 pounds/acre
Zinc	10,000 mg/kg dry weight	250 pounds/acre
pH	(Report only) standard units	Not applicable
Total Solids	(Report only) %	Not applicable

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6. Florida water quality criteria and standards shall not be violated as a result of land application of residuals. [62-640.700(3)(c), 3-1-91]

*Agricultural Sites*

7. Class B residuals shall not be used on unrestricted access areas. [62-640.600(6)(b), 3-1-91]
8. Class B residuals application shall be in accordance with the Agricultural Use Plan approved by the Department for this facility. [62-640.300(1), 3-1-91]
9. Root crops, and fruits and vegetables which touch the soil and which are to be consumed raw shall not be grown on the application site for 18 months after the last application of Class B residuals. [62-640.600(6)(c), 3-1-91]
10. Fruits and vegetables which do not touch the soil and which are to be consumed raw shall not be harvested from the application site for 30 days following the last application of Class B residuals. Orchard tree crops, which do not come in contact with the residuals due to the application method, are exempted. This exemption does not apply to orchard tree crops which have fallen to the ground before harvesting. [62-640.600(6)(d), 3-1-91]
11. Pasture vegetation on the application site shall not be cut or used for grazing by livestock for 30 days following the last application of Class B residuals. [62-640.600(6)(e), 3-1-91]
12. The public shall be restricted from the application area for 12 months after the last application of Class B residuals. [62-640.600(6)(f), 3-1-91]
13. The wastewater treatment facility permittee shall apply for a minor permit revision on Form 62-620.910(1) for new, modified, or expanded residuals land application sites. The facility's permit shall be revised to include the new or revised Agricultural Use Plan(s) prior to application of residuals to the new, modified, or expanded sites. The current Agricultural Use Plan identifies residuals landspreading on the Hudson Farms site, 4,550 acres, Route 3, Box 401-50, Arcadia, DeSoto and Charlotte County, Florida; W & R Colding site, 52.8 acres, 718 North 15th Street, Immokalee, Hendry County, Florida; Hollingsworth, Sr. site, 1,155 acres, S.R. 72, Arcadia, DeSoto County, Florida; Pritchett Spread site at Rich Road, 50 acres, Rich Road North, Fort Myers, Lee County, Florida. [62-640.300(2), 3-1-91]
14. Annual residuals application rates shall not exceed the agronomic rates based on the nitrogen requirements of the site vegetation in accordance with the approved Agricultural Use Plan. [62-640.700(3)(d), 3-1-91]

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15. Residuals shall be applied with techniques and equipment to assure uniform application over the site. *[62-640.700(3)(n), 3-1-91]*
16. The pH of the domestic wastewater residuals soil mixture shall be 6.5 or greater at the time domestic wastewater residuals are applied. At a minimum, testing shall be done annually. *[62-640.700(3)(n), 3-1-91]*
17. The permittee shall maintain records of application areas and application rates on DEP Form 62-640.900(3) and shall have these records available for inspection upon request by the Department or the appropriate Local Environmental Program. These records shall include:
  - a. Date of application of the residuals,
  - b. Location of the residuals application site,
  - c. Amount of residuals applied or delivered,
  - d. Identification of specific areas of the site where residuals were applied and acreage of that area,
  - e. Method of incorporation of residuals (if any),
  - f. Water table level at time of application, and
  - g. Concentration of nitrogen and heavy metals in the residuals, percent solids, and date of last analysis.

The permittee shall provide annual updates to the Agricultural Use Plan as required by Permit Condition II-13; summaries of the total residuals, nitrogen, and heavy metals applied on an annual basis, and annual summaries of the cumulative metals applied. Updates to the Agricultural Use Plan and annual summaries, including copies of the wastewater residuals analysis for that period, shall be submitted to the Department's South District Office by January 28 of each year. *[62-640.700(3)(e) and (p), 3-1-91]*

### III. Groundwater Monitoring Requirements

The ground water monitoring program for this facility is subject to the provisions of Chapters 62-4, 62-520, 62-522, 62-601, 62-620, and 62-610, Florida Administrative Code (F.A.C.), and the following provisions:

1. During the period of operation authorized by this permit, the permittee shall sample ground water in accordance with this permit and the approved ground water monitoring plan prepared in accordance with Rule 62-522.600, F.A.C.
2. The ground water monitoring wells shall be located as depicted on the attached plat.
3. Any new monitor well construction shall employ those methods and details as noted in the Department's "Guidelines for Monitor Well Design and Installation" and shall be constructed and installed such that adequate recharge is obtainable within the aquifer being monitored. Prior to construction of any new ground water monitoring wells, a soil boring shall be made at each new monitoring well location in order to properly size the well depth and screen interval. Upon completion of construction, a **MONITOR WELL COMPLETION REPORT (DEP Form 62-522.900(3))** shall be completed and submitted to the District Office for each new well.

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4. The monitoring wells for Forest Utilities WWTP are hereby designated as follows:

Well Name	Monitoring Location Site Number	Depth (Feet)	Aquifer Monitored	Well Type	New or Existing
F-1	21302		Surficial	Background	Existing
F-2	21303		"	Intermediate	"
F-3	21304		"	Compliance	"

5. All monitoring wells listed below shall be sampled and analyzed according to the following schedule:

<u>Sampling Period</u>	<u>Well</u>	<u>Report Due Date</u>
January-March	1,2,3	April 15
April-June	2	July 15
July-September	2	October 15
October-December	2	January 15

6. The following parameters shall be analyzed for each of the wells scheduled above in Item 111.5.:
- Water level (field measurement)
  - Nitrate (as N)
  - Total dissolved solids
  - Chloride
  - pH
  - Sulfate
7. During the January-March sampling period, the reclaimed water shall be sampled and the analyses reported on the Reclaimed Water or Effluent Analysis Report, Form 62-601.900(4). During subsequent years when an operation permit is not submitted or renewed, a certification stating that no new non-domestic wastewater dischargers have been added to collection system may be submitted in lieu of the report.
8. The sampling and analyses of the monitoring wells and reclaimed water shall be in accordance with Chapter 62-601 and 62-610, F.A.C.
9. Ground water sampling results shall be reported on the Ground Water Monitoring Report - Part D of Form 62-620.910(10) and submitted with the April, July, October and January DMR.



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10. A Zone of Discharge is hereby established and shall not areally extend further than one hundred (100) feet beyond the perimeters of the areas of wetted surface of reclaimed water spray irrigation and the wastewater holding ponds, nor shall it extend beyond the limits of the property boundaries should such distance be less than one hundred (100) feet. The vertical zone of discharge shall not extend below the semi-confining zone at the base of the water table aquifer. All ground water quality criteria specified in Chapter 62-520, F.A.C., shall be met at the edge of the zone of discharge and the minimum criteria for ground water as defined in Chapter 62-520, F.A.C. shall be met within the zone of discharge.
11. All existing monitoring wells which are not an active part of the monitoring program are to be maintained for possible future use. Should any of the inactive wells become damaged or inoperable, the well(s) must be plugged and abandoned in accordance with the provisions of Chapter 62-532.500(4), F.A.C., with the details of such plugging submitted to the Department within seven (7) days thereafter.
12. If an active monitoring well becomes damaged or inoperable, the permittee shall notify the Department immediately, and a detailed written report shall be submitted within seven (7) days thereafter. The report shall describe the nature of the problem and the remedial measures which have been taken to prevent a recurrence.
13. All monitoring wells shall be properly maintained, easily accessible, prominently marked, secured and kept free of vegetation at all times.

**IV. Additional Reuse and Land Application Requirements**

1. This reuse system includes the following major users (i.e., using 0.1 mgd or more of reclaimed water):

User Name	User Type	Capacity (mgd)
Forest Country Club	Golf Course Irrigation	1.0 MGD
Total		1.0 MGD

[62-610.820(1), 4/2/90]

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2. The treatment facilities shall be operated in accordance with the approved operating protocol. Only reclaimed water that meets the criteria established in the approved operating protocol may be released to system storage or to the reuse system. Reclaimed water that fails to meet the criteria in the approved operating protocol shall be directed to the 0.400 MGD concrete reject storage. The operating protocol shall be reviewed and updated periodically (at least once each year) to ensure continuous compliance with the minimum treatment and disinfection requirements. Updated operating protocols shall be submitted to the Department's South District Office for review and approval. [62-610.463(2), 4/2/90]
3. Cross-connections to the potable water system are prohibited. [62-610.470(1), 4/2/90]
4. A cross-connection control program shall be implemented within the areas where reclaimed water will be provided for use. [62-610.470(1), 4/2/90]
5. Maximum obtainable separation of reclaimed water lines and potable water lines shall be provided and the minimum separation distances specified in Rule 62-610.470(3), F.A.C., shall be provided. Reuse facilities shall be color coded or marked. [62-610.470(3) and (4), 4/2/90]
6. A setback distance of 75 feet shall be maintained between the edge of the wetted area and potable water supply wells, unless the utility adopts and enforces an ordinance prohibiting potable water supply wells within the reuse service area. No setback distances are required to any nonpotable water supply well, to any surface water, to any developed areas, or to any private swimming pools, hot tubs, spas, saunas, picnic tables, barbecue pits, or barbecue grills. [62-610.471(1), (2), (5), and (7), 4/2/90]
7. Reclaimed water shall not be used to fill swimming pools, hot tubs, or wading pools. [62-610.469(3), 4/2/90]
8. Low trajectory nozzles, or other means to minimize aerosol formation shall be used within 100 feet from outdoor public eating, drinking, or bathing facilities. [62-610.471(6), 4/2/90]
9. The public shall be notified of the use of reclaimed water. This shall be accomplished by posting of advisory signs in areas where reuse is practiced, notes on scorecards, or other methods. [62-610.468(2), 4/2/94]
10. Routine aquatic weed control and regular maintenance of storage pond embankments and access areas are required. [62-610.415(6), 4/2/90]
11. Overflows from emergency discharge facilities on storage ponds shall be reported as an abnormal event to Florida Department of Environmental Protection, South District Office, 2295 Victoria Avenue, Suite 364, Fort Myers, Florida 33901 within 24 hours of an occurrence as an abnormal event. The provisions of Rule 62-610.880, F.A.C., shall be met. [62-610.880, 62-610.415(5), and 62-610.465, 4/2/90]
12. Reclaimed water shall only be released to the system storage or reuse system during periods of operator attendance in compliance with the approved operating protocol. [62-610.462(2), 4/2/90]

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**FACILITY I.D. NO.:** FLA014478

**V. Operation and Maintenance Requirements***Staffing Requirements*

1. During the period of operation authorized by this permit, the wastewater facilities shall be operated under the supervision of an operators certified in accordance with Chapter 61E12-41, F.A.C. In accordance with Chapter 62-699, F.A.C., this facility is a Category II, Class C facility and, at a minimum, operators with appropriate certification must be on the site as follows:

*Part III Reuse Systems*

A Class C or higher operator 6 hours/day for 7 days/week. The lead operator must be a Class C operator or higher.

[62-610.462(2), 4-2-90]

2. A certified operator shall be on call during periods the plant is unattended. [62-699.311(1), 3-20-92]

*Capacity Analysis Report and Operation and Maintenance Performance Report Requirements*

3. An updated capacity analysis report shall be submitted to the Department by the expiration date of this permit. The updated capacity analysis report shall be prepared in accordance with Rule 62-600.405, F.A.C. [62-600.405(5), 6-8-93]
4. The application to renew this operation permit shall include a detailed operation and maintenance performance report prepared in accordance with Rule 62-600.735, F.A.C. [62-600.735(1), 6-8-93]

*Recordkeeping Requirements*

5. The permittee shall maintain the following records and make them available for inspection on the site of the permitted Forest Utility facility, at the following address: 6385 Presidential Court, S.W., Fort Myers, Florida 33919.
  - a. Records of all compliance monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation and a copy of the laboratory certification showing the certification number of the laboratory, for at least three years from the date the sample or measurement was taken;
  - b. Copies of all reports required by the permit for at least three years from the date the report was prepared.
  - c. Records of all data, including reports and documents, used to complete the application for the permit for at least three years from the date the application was filed;
  - d. Monitoring information, including a copy of the laboratory certification showing the laboratory certification number, related to the residuals use and disposal activities for the time period set forth in Chapter 62-640, F.A.C., for at least three years from the date of sampling or measurement;

**PERMITTEE:**

Forest Utilities, Inc.  
David W. Swor, President  
6385 Presidential Court, S.W.  
Fort Myers, Florida 33919

**PERMIT NUMBER:** FLA014478-262211  
**ISSUANCE DATE:** August 1, 1995  
**EXPIRATION DATE:** August 1, 2000  
**FACILITY I.D. NO.:** FLA014478

- c. A copy of the current permit;
- f. A copy of the current operation and maintenance manual as required by Chapter 62-600, F.A.C.;
- g. A copy of the facility record drawings;
- h. Copies of the licenses of the current certified operators; and
- i. Copies of the logs and schedules showing plant operations and equipment maintenance for three years from the date of the logs or schedules. The logs shall, at a minimum, include identification of the plant, the signature and certification number of the operator(s) and the signature of the person(s) making any entries, date and time in and out, specific operation and maintenance activities, tests performed and samples taken, and major repairs made. The logs shall be maintained on-site in a location accessible to 24-hour inspection, protected from weather damage, and current to the last operation and maintenance performed.

[62-620.350, 11-29-94][61E12-41.010(1)(e), 11-02-93]

#### VI. Compliance Schedules and Self-imposed Improvement Schedules

1. In accordance with the operation and maintenance performance report submitted as part of the permit application for this facility, dated May 15, 1995, Self Imposed Compliance Schedule, Forest Utilities, Inc. and prepared by James P. Elliott, P.E., Source, Inc., the following corrective actions shall be completed according the following schedule:

Corrective Action	Scheduled Completion Date
1. Initiate Preliminary Design Review to construct minimum Wet Weather Storage.	90 days from issuance of this permit
2. Submit Preliminary Design Review along with a Permit Application	120 days from issuance of this permit
3. Improvement construction with Certification of Completion	360 days from issuance of this permit

[62-600.735(1), 6-8-93]

## PERMITTEE:

Forest Utilities, Inc.  
David W. Swor, President  
6385 Presidential Court, S.W.  
Fort Myers, Florida 33919

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2. The following construction schedule for the existing Forest Utilities, Inc. facilities shall be followed, unless notification of a schedule revision is provided to the Department:

Implementation Step	Scheduled Completion Date
1. Complete detailed plans and specifications.	120 days from issuance of this permit
2. Start construction.	180 days from issuance of this permit
3. Place the Wet Weather Reclaimed Water Storage facilities in operation.	360 days from issuance of this permit
4. Comply with reclaimed water minimum Wet Weather Storage limitations.	62-610, Part III

[62-620.450(3)(a), 11-29-94]

VII. Industrial Pretreatment Program Requirements: N/A

VIII. Other Specific Conditions

1. If the permittee wishes to continue operation of this wastewater facility after the expiration date of this permit, the permittee shall submit an application for renewal, using Department Forms 62-620.910(1) and (2), no later than one-hundred and eighty days (180) prior to the expiration date of this permit. [62-620.410(5), 11-26-94].
2. The facilities shall comply with any conditions that the Secretary of the Army (United States Army Corps of Engineers) considers necessary to ensure that navigation and anchorage will not be substantially impaired. [62-620.620(1)(g), 11-29-94]
3. In the event that the treatment facilities or equipment no longer function as intended, are no longer safe in terms of public health and safety, or odor, noise, aerosol drift, or lighting adversely affects neighboring developed areas at the levels prohibited by Rule 62-600.400(2)(a), F.A.C., corrective action (which may include additional maintenance or modifications of the permitted facilities) shall be taken by the permittee. Other corrective action may be required to ensure compliance with rules of the Department. [62-600.410(8), 6-8-93]
4. The deliberate introduction of stormwater in any amount into collection/transmission is prohibited. [62-604.130(3), 5-31-93]

## PERMITTEE:

Forest Utilities, Inc.  
David W. Swor, President  
6385 Residential Court, S.W.  
Fort Myers, Florida 33919

PERMIT NUMBER: FLA014478-262211  
ISSUANCE DATE: August 1, 1995  
EXPIRATION DATE: August 1, 2000  
FACILITY ID. NO.: FLA014478

5. Collection/transmission system overflows shall be reported to the Department in accordance with Permit Condition IX, 20. [62-604.550, 5-31-93] [62-620.610(20), 11-29-94]
  6. The acceptance, by the operating authority of a collection/transmission system or by the permittee of a treatment plant, of connections of wastewater discharges which have not received necessary pretreatment or which contain materials or pollutants (other than normal domestic wastewater constituents):
    - a. Which may cause fire or explosion hazards; or
    - b. Which may cause excessive corrosion or other deterioration of wastewater facilities due to chemical action or pH levels; or
    - c. Which are solid or viscous and obstruct flow or otherwise interfere with wastewater facility operations or treatment; or
    - d. Which result in treatment plant discharges having temperatures above 40°C is prohibited.

[62-604.130(4), 5-31-93]
  7. The treatment facility shall be enclosed with a fence or otherwise provided with features to discourage the entry of animals and unauthorized persons. [62-600.400(2)(b), 6-8-93]
  8. Screenings and grit removed from the wastewater facilities shall be collected in suitable containers and hauled to a Department approved Class 1 landfill or to a landfill approved by the Department for receipt/disposal of screenings and grit. [62-7.540, 12-10-85]
  9. The permittee shall provide adequate notice to the Department of the following: Any new introduction of pollutants into the facility from an industrial discharger which would be subject to Chapter 403, F.S., and the requirements of Chapter 62-620, F.A.C., if it were directly discharging those pollutants. Adequate notice shall include information on the quality and quantity of effluent introduced into the facility and any anticipated impact of the change on the quantity or quality of effluent or reclaimed water to be discharged from the facility.
- [62-620.625(2), 11-29-94]

PERMITTEE:

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David W. Swor, President  
6385 Presidential Court, S.W.  
Fort Myers, Florida 33919

PERMIT NUMBER: FLA014478-262211  
ISSUANCE DATE: August 1, 1995  
EXPIRATION DATE: August 1, 2000  
FACILITY I.D. NO.: FLA014478

IX. General Conditions

1. The terms, conditions, requirements, limitations and restrictions set forth in this permit are binding and enforceable pursuant to Chapter 403, Florida Statutes. Any permit noncompliance constitutes a violation of Chapter 403, Florida Statutes, and is grounds for enforcement action, permit termination, permit revocation and reissuance, or permit revision. [62-620.610(1), 11-29-94]
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviations from the approved drawings, exhibits, specifications or conditions of this permit constitutes grounds for revocation and enforcement action by the Department. [62-620.610(2), 11-29-94]
3. As provided in Subsection 403.087(6), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor authorize any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit or authorization that may be required for other aspects of the total project which are not addressed in this permit. [62-620.610(3), 11-29-94]
4. This permit conveys no title to land or water, does not constitute state recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title. [62-620.610(4), 11-29-94]
5. This permit does not relieve the permittee from liability and penalties for harm or injury to human health or welfare, animal or plant life, or property caused by the construction or operation of this permitted source, nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department. The permittee shall take all reasonable steps to minimize or prevent any discharge, reuse of reclaimed water, or residuals use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. [62-620.610(5), 11-29-94]
6. If the permittee wishes to continue an activity regulated by this permit after its expiration date, the permittee shall apply for and obtain a new permit. [62-620.610(6), 11-29-94]
7. The permittee shall at all times properly operate and maintain the facility and systems of treatment and control, and related appurtenances, that are installed and used by the permittee to achieve compliance with the conditions of this permit. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to maintain or achieve compliance with the conditions of the permit. [62-620.610(7), 11-29-94]

## PERMITTEE:

Forest Utilities, Inc.  
 David W. Swor, President  
 6385 Presidential Court, S.W.  
 Fort Myers, Florida 33919

PERMIT NUMBER: FLA014478-262211  
 ISSUANCE DATE: August 1, 1995  
 EXPIRATION DATE: August 1, 2000  
 FACILITY I.D. NO.: FLA014478

8. This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit revision, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition. [62-620.610(8), 11-29-94]
9. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, including an authorized representative of the Department and authorized EPA personnel, when applicable, upon presentation of credentials or other documents as may be required by law, and at reasonable times, depending upon the nature of the concern being investigated, to:
- Enter upon the permittee's premises where a regulated facility, system, or activity is located or conducted, or where records shall be kept under the conditions of this permit;
  - Have access to and copy any records that shall be kept under the conditions of this permit;
  - Inspect the facilities, equipment, practices, or operations regulated or required under this permit; and
  - Sample or monitor any substances or parameters at any location necessary to assure compliance with this permit or Department rules.
- [62-620.610(9), 11-29-94]
10. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data, and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except as such use is proscribed by Section 403.111, Florida Statutes, or Rule 62-620.302, Florida Administrative Code. Such evidence shall only be used to the extent that it is consistent with the Florida Rules of Civil Procedure and applicable evidentiary rules. [62-620.610(10), 11-29-94]
11. When requested by the Department, the permittee shall within a reasonable time provide any information required by law which is needed to determine whether there is cause for revising, revoking and reissuing, or terminating this permit, or to determine compliance with the permit. The permittee shall also provide to the Department upon request copies of records required by this permit to be kept. If the permittee becomes aware of relevant facts that were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be promptly submitted or corrections promptly reported to the Department. [62-620.610(11), 11-29-94]
12. Unless specifically stated otherwise in Department rules, the permittee, in accepting this permit, agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules. A reasonable time for compliance with a new or amended surface water quality standard, other than those standards addressed in Rule 62-302.500, F.A.C., shall include a reasonable time to obtain or be denied a mixing zone for the new or amended standard. [62-620.610(12), 11-29-94]



PERMITTEE:

Forest Utilities, Inc.  
David W Swor, President  
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PERMIT NUMBER: FLA014478-262211  
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EXPIRATION DATE: August 1, 2000  
FACILITY I.D. NO.: FLA014478

13. The permittee, in accepting this permit, agrees to pay the applicable regulatory program and surveillance fee in accordance with Rule 62-4.052, F.A.C. [62-620.610(13), 11-29-94]
14. This permit is transferable only upon Department approval in accordance with Rule 62-620.340, F.A.C. The permittee shall be liable for any noncompliance of the permitted activity until the transfer is approved by the Department. [62-620.610(14), 11-29-94]
15. The permittee shall give the Department written notice at least 60 days before inactivation or abandonment of a wastewater facility and shall specify what steps will be taken to safeguard public health and safety during and following inactivation or abandonment. [62-620.610(15), 11-29-94]
16. The permittee shall apply for a revision to the Department permit in accordance with Rules 62-620.300, 62-620.420 or 62-620.450, F.A.C., as applicable, at least 90 days before construction of any planned substantial modifications to the permitted facility is to commence or with Rule 62-620.300 for minor modifications to the permitted facility. A revised permit shall be obtained before construction begins except as provided in Rule 62-620.300, F.A.C. [62-620.610(16), 11-29-94]
17. The permittee shall give advance notice to the Department of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. The permittee shall be responsible for any and all damages which may result from the changes and may be subject to enforcement action by the Department for penalties or revocation of this permit. The notice shall include the following information:
  - a. A description of the anticipated noncompliance;
  - b. The period of the anticipated noncompliance, including dates and times; and
  - c. Steps being taken to prevent future occurrence of the noncompliance.[62-620.610(17), 11-29-94]
18. Sampling and monitoring data shall be collected and analyzed in accordance with Rule 62-4.246, Chapters 62-160 and 62-601, F.A.C., and 40 CFR 136, as appropriate.
  - a. Monitoring results shall be reported at the intervals specified elsewhere in this permit and shall be reported on a Discharge Monitoring Report (DMR), DEP Form 62-620.910(10).
  - b. If the permittee monitors any contaminate more frequently than required by the permit, using Department approved test procedures, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR.
  - c. Calculations for all limitations which require averaging of measurements shall use an arithmetic mean unless otherwise specified in this permit.

PERMITTEE:

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ISSUANCE DATE: August 1, 1995  
EXPIRATION DATE: August 1, 2000  
FACILITY LD. NO.: FLA014478

- d. Any laboratory test required by this permit for domestic wastewater facilities shall be performed by a laboratory that has been certified by the Department of Health and Rehabilitative Services (DHRS) under Chapter 10D41, F.A.C., to perform the test. On-site tests for dissolved oxygen, pH, and total chlorine residual shall be performed by a laboratory certified to test for those parameters or under the direction of an operator certified under Chapter 61E12-41, F.A.C.
- e. Under Chapter 62-160, F.A.C., sample collection shall be performed by following the protocols outlined in "DER Standard Operating Procedures for Laboratory Operations and Sample Collection Activities" (DER-QA-001/92). Alternatively, sample collection may be performed by an organization who has an approved Comprehensive Quality Assurance Plan (CompQAP) on file with the Department. The CompQAP shall be approved for collection of samples from the required matrices and for the required tests.

[62-620.610(18), 11-29-94]

- 19. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule detailed elsewhere in this permit shall be submitted no later than 14 days following each schedule date. [62-620.610(19), 11-29-94]
- 20. The permittee shall report to the Department any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within five days of the time the permittee becomes aware of the circumstances. The written submission shall contain: a description of the noncompliance and its cause; the period of noncompliance including exact dates and time, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.
  - a. The following shall be included as information which must be reported within 24 hours under this condition:
    - 1. Any unanticipated bypass which causes any reclaimed water or effluent to exceed any permit limitation or results in an unpermitted discharge.
    - 2. Any upset which causes any reclaimed water or the effluent to exceed any limitation in the permit.
    - 3. Violation of a maximum daily discharge limitation for any of the pollutants specifically listed in the permit for such notice; and
    - 4. Any unauthorized discharge to surface or ground waters.
  - b. If the oral report has been received within 24 hours, the noncompliance has been corrected, and the noncompliance did not endanger health or the environment, the Department shall waive the written report.

[62-620.610(20), 11-29-94]

## PERMITTEE:

Forest Utilities, Inc.  
David W. Swor, President  
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ISSUANCE DATE: August 1, 1995  
EXPIRATION DATE: August 1, 2000  
FACILITY I.D. NO.: FLA014478

21. The permittee shall report all instances of noncompliance not reported under Permit Conditions IX. 18. and 19. of this permit at the time monitoring reports are submitted. This report shall contain the same information required by Permit Condition IX. 20 of this permit. [62-620.610(21), 11-29-94]

## 22. Bypass Provisions.

- a. Bypass is prohibited, and the Department may take enforcement action against a permittee for bypass, unless the permittee affirmatively demonstrates that:
  1. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage; and
  2. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
  3. The permittee submitted notices as required under Permit Condition IX. 22. b. of this permit.
- b. If the permittee knows in advance of the need for a bypass, it shall submit prior notice to the Department, if possible at least 10 days before the date of the bypass. The permittee shall submit notice of an unanticipated bypass within 24 hours of learning about the bypass as required in Permit Condition IX. 20. of this permit. A notice shall include a description of the bypass and its cause; the period of the bypass, including exact dates and times; if the bypass has not been corrected, the anticipated time it is expected to continue; and the steps taken or planned to reduce, eliminate, and prevent recurrence of the bypass.
- c. The Department shall approve an anticipated bypass, after considering its adverse effect, if the permittee demonstrates that it will meet the three conditions listed in Permit Condition IX. 22. a. 1. through 3. of this permit.
- d. A permittee may allow any bypass to occur which does not cause reclaimed water or effluent limitations to be exceeded if it is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Permit Condition IX. 22. a. through c. of this permit.

[62-620.610(22), 11-29-94]

## 23. Upset Provisions

- a. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed contemporaneous operating logs, or other relevant evidence that:
  1. An upset occurred and that the permittee can identify the cause(s) of the upset;
  2. The permitted facility was at the time being properly operated;

## PERMITTEE:

Forest Utilities, Inc.  
David W. Swor, President  
6385 Presidential Court, S.W.  
Fort Myers, Florida 33919


PERMIT NUMBER: FLA014478-262211  
ISSUANCE DATE: August 1, 1995  
EXPIRATION DATE: August 1, 2000  
FACILITY I.D. NO.: FLA014478

3. The permittee submitted notice of the upset as required in Permit Condition IX. 20. of this permit, and
  4. The permittee complied with any remedial measures required under Permit Condition IX. 5. of this permit.
- b. In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof.
  - c. Before an enforcement proceeding is instituted, no representation made during the Department review of a claim that noncompliance was caused by an upset is final agency action subject to judicial review.

(62-620 610(23), 11-29-94)

Executed in Fort Myers, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

  
Abdul B. Alfordi, Ph.D., P.E.  
Water Facilities Administrator

DATE: 08-01-95

ABA/BTS/dd

cc: James P. Elliott, P.E.



BOARD OF COUNTY COMMISSIONERS

P.O. Box 398  
Fort Myers, Florida 33902-0398  
(941) 335-2111  
335-2235

*Writer's Direct Dial Number*

John E. Manning  
*District One*

October 31, 1995

Douglas R. St. Cemy  
*District Two*

Ray Judah  
*District Three*

Andrew W. Coy  
*District Four*

John E. Albion  
*District Five*

Donald D. Stilwell  
*County Manager*

James G. Yaeger  
*County Attorney*

Diana M. Parker  
*County Hearing Examiner*

Mr. James P. Elliott, P.E.  
Source Engineering, Inc.  
1334 Lafayette Street  
Cape Coral, FL 33904

Re: David Swor Utility Lines  
D.O. #95-10-188.11L  
Present Strap #01-46-24-00-00001.0090  
Location - Deer Run S.W.

Dear Mr. Elliott:

Your application for a Land Development Code Type 11 Limited Review has been approved for a Development Order for installation of new utility lines in existing rights-of-way with the following stipulations (see attached plan):

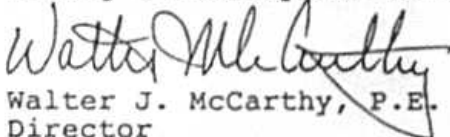
1. Prior to the start of any construction, provide the F.D.E.P. permit for the sanitary sewer main extension.
2. Prior to the start of any construction, a right-of-way permit is required to be submitted to Development Services. This approval in no way allows for the open cutting of any Lee County Department of Transportation maintained roadway.

This approval does not relieve the development from the responsibility to obtain all necessary State and local permits.

If you have any questions concerning this matter, please contact this office.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT  
Zoning & Development Services Division

  
Walter J. McCarthy, P.E.  
Director

WJM/AS/rc

Attachments: Six (6) Sets of Plans



BOARD OF COUNTY COMMISSIONERS

John E. Manning  
District One

Douglas R. St. Cerny  
District Two

Ray Judah  
District Three

Andrew W. Coy  
District Four

John E. Albion  
District Five

Donald D. Stillwell  
County Manager

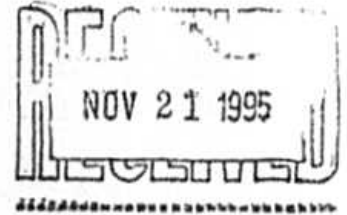
James G. Yaeger  
County Attorney

Diana M. Parker  
County Hearing  
Examiner

P.O. Box 398  
Fort Myers, Florida 33902-0398  
(941) 335-2111

335-2235

Writer's Direct Dial Number



November 16, 1995

Mr. James P. Elliott, P.E.  
Source Engineering, Inc.  
1334 Lafayette Street  
Cape Coral, FL 33904

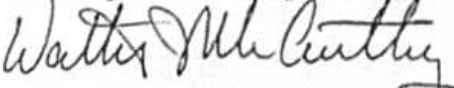
Re: David Swor Utility Lines  
D.O. #95-10-188.11L, Removal of Stipulation Submittal

Dear Mr. Elliott:

The above-referenced Development Order was approved on October 31, 1995, with stipulations. This letter authorizes the removal of stipulation numbers 1 and 2 from this Development Order. If you have any questions regarding this matter, please feel free to contact me.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT  
Zoning & Development Services Division

  
Walter J. McCarthy, P.E.  
Director

WJM/AS/rc



# Department of Environmental Protection

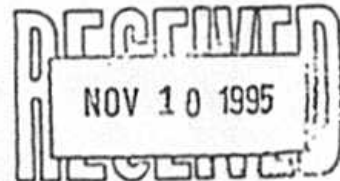
Lawton Chiles  
Governor

South District  
2295 Victoria Avenue, Suite 364  
Fort Myers, Florida 33901-3881

Virginia B. Wetherell  
Secretary

November 9, 1995

David W. Swor, President  
Forest Utilities, Inc.  
6385 Presidential Court, S.W.  
Fort Myers, FL 33919



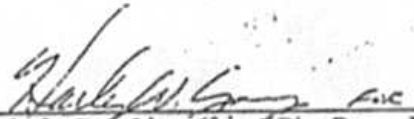
Re: Lee County - DW/CS  
Notification of Use of  
General Permit  
Notice No. CS36-279379  
U.S. Hwy. 41 Business Park  
Connected to: Forest  
Utilities WWTP

Dear Mr. Swor:

In response to your request, this letter is to advise you that the Department has received your notice of intent to use a general permit as provided in Rule 62-604, Florida Administrative Code, to construct a sewer collection/transmission system and does not object to your use of such general permit.

Please be advised that you are required to abide by all conditions in Rules 62-4.510 through 62-4.540 and Rules 62-620.700 through 62-620.715, Florida Administrative Code, the general requirements for general permits, and Rule 62-604.400, Florida Administrative Code. Please note that a collection system addressed under Rule 62-604 shall not be placed into operation without prior approval by the Department per Rule 62-604.500(1), Florida Administrative Code.

Sincerely,

  
Abdul B. Ahmadi, Ph.D., P.E.  
Water Facilities Administrator

ABA/RJE/klm

cc: James P. Elliot, P.E.

STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION  
UTILITY PERMIT  
(In compliance with Chapter 237, Florida Statutes)

FORM 132-03  
UTILITIES  
06/90

DATE October 20, 1995 PERMIT NO. 41208195  
SUBJECT: Section 12010 State Road 45 County Lee  
PERMITTEE Forest Utilities, Inc.  
ADDRESS 6341 Deer Run S.W., Fort Myers, FL 33908 Telephone Number \_\_\_\_\_

Requesting permission from the State of Florida Department of Transportation, hereinafter called the Department, to construct, operate and maintain wastewater force main crossing

From MP/Station 14.366 to MP/Station \_\_\_\_\_

- Proposed work is within corporate limits of a municipality. Yes ( ) No (X)  
Name of Municipality \_\_\_\_\_
- Applicant declares that prior to filing this application he has ascertained the location of all existing utilities, both aerial and underground and the accurate locations are shown on the plans.  
A letter of notification was mailed on 10/24/95 to the following utilities/municipalities:  
United Telephone of Florida, Florida Power & Light, Florida Cities Water Company
- The office of the local Maintenance or Resident Engineer shall be notified twenty-four (24) hours prior to starting work and again immediately upon completion of work. The Engineer is T.T. Garcia, located at Ft. Myers, Telephone Number 941-656-7800
- All work, materials, and equipment shall be subject to inspection by the local Maintenance or Resident Engineer and shall meet Department standards.
- All Department property shall be restored to its original condition as far as practical, in keeping with Department specifications, and in a manner satisfactory to the Department.
- All installations shall conform to the Department's Utility Accommodations Guide in effect the date permit is approved.
- Plans of this installation shall conform to the Department's Utility Accommodations Guide and shall be made a part of this permit.
- This permittee shall commence actual construction in good faith within 90 days from the day of said permit approval and shall be completed within 90 days. If the beginning date is more than 60 days from date of permit approval, then permittee must review the permit with the D.O.T. Maintenance Engineer to make sure no changes have occurred in the highway that would affect the permitted construction.
- The construction and maintenance of such utility shall not interfere with the property and rights of a prior permittee.
- It is expressly stipulated that this permit is a license for permissive use only and that the placing of facilities upon public property pursuant to this permit shall not operate to create or vest any property right in said holder.
- Whenever necessary for the construction, repair, improvement, maintenance, safe and efficient operation, alteration or relocation of all, or any portion of said highway as determined by the District Director of Operations, any or all of facilities and appurtenances authorized hereunder, shall be immediately removed from said highway or reset or relocated thereon as required by the District Director of Operations and at the expense of the permittee unless reimbursement is authorized by separate agreement.
- It is agreed that in the event the relocation of said utility facilities are scheduled to be done simultaneously with the Department's construction work, the permittee will coordinate with the Department before proceeding, shall cooperate with the Department's contractor to arrange the sequence of work so as not to unnecessarily delay the work of the Department's contractor, defend any legal claims of the Department's contractor due to delays caused by the permittee's failure to comply with the approved schedule, and shall comply with all provisions of the law and Rule 14-46, Florida Administrative Code. The Permittee shall not be responsible for delays beyond its normal control. **SEE ATTACHMENT**
- Special conditions:  
~~THIS PERMIT IS APPROVED UNDER THE ASSUMPTION THAT ANY OTHER PERMITS REQUIRED BY LAW FOR THE CONSTRUCTION OF SUCH FACILITIES AND ISSUED BY OTHER DEPARTMENTS OR AGENCIES, WILL BE ACQUIRED BY THE PERMITTEE OR HIS AGENT PRIOR TO STARTING ANY WORK ON F.D.O.T. R/W.~~ **All construction and maintenance on the Department's Right of Way shall conform to the Federal Highway Administration's Manual for Uniform Traffic Control Devices (MUTCD) and Department's Road and Bridge Construction Standards and the Department's Specifications for Road and Bridge Construction.**
- It is understood and agreed that the rights and privileges herein set out are granted only to the extent of the State's right, title and interest in the land to be entered upon and used by the permittee, and the permittee will, at all times, assume all risk of and indemnify, defend, and save harmless the State of Florida and the Department from and against any and all loss, damage, cost or expense arising in any manner on account of the exercise or attempted exercises by said permittee of the aforesaid rights and privileges.
- During construction, all safety regulations of the Department shall be observed and the holder must take measures, including placing and display of safety devices, that may be necessary in order to safely conduct the public through the project area in accordance with the Federal manual on Uniform Traffic Control Devices (MUTCD), as amended, and the Department's latest Roadway and Traffic Design standards.
- In case of non-compliance with the Department's requirements in effect as of the approved date of this permit, this permit is void and the facility will have to be brought into compliance or removed from the R/W at no cost to the Department.

Submitted by: David Swor Permittee Place Corporate Seal  
David Swor Signature and Title President  
Judy [Signature] Attested

"Waiver of Corporate Seal on File with the State of Florida Department of Transportation, Tallahassee, Florida.  
Yes ( ) No ( )  
Roadway construction is proposed or underway. No ( ) Yes (X) W.P.I. No 1114382, 1114620

Recommended for approval \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_  
Approved by: T.T. Garcia / R/W District Permit Engineer or Authorized Representative Date 10-30-95



## DATA FOR D.O.T. PERMIT APPLICATION

A DEPARTMENT OF TRANSPORTATION PERMIT IS REQUIRED BEFORE ANY FACILITY IS INSTALLED ON THE RIGHT OF WAY, WHETHER IT IS FOR AERIAL OR UNDERGROUND INSTALLATIONS, SPECIAL PROVISIONS FOR EXCEPTIONS ARE OUTLINED IN THE UTILITY ACCOMMODATION GUIDE.

PERMITTEE: Forest Utilities, Inc.

William Harrop

COMPANY ENGINEER: Source, Inc.

PHONE: (941) 549-2345

1. S.R.# 45 U.S.# 41 S.R. SECTION 12010

LOCAL NAME OF ROAD OR STREET Cleveland Ave

2. PROPOSED: Electric main TO, PARALLEL, CROSS, OR BOTH  
IN R/W OF A STATE ROAD WITHIN CITY LIMITS OF  
OR BETWEEN CITIES OF Fort Myers AND Bonita Springs  
IN THE COUNTY OF Lee

3. SUBMIT A PLAN AND CROSS SECTION VIEW OF PROPOSED CONSTRUCTION. SEPARATE CROSS SECTIONS ARE REQUIRED AT EACH CHANGE IN LATERAL ALIGNMENT.

4. PROPOSED UTILITY TO BE IN R/W FOR DISTANCE OF 90 L.F. FEET, STARTING AT 160' S. of Yarnquist ENDING AT 200' S. of Yarnquist (GIVE LOCATION, SUCH AS: DEDICATED STREETS OR CROSSROADS; NUMBER OF FEET TO SUCH LOCATION).

5. DISTANCE FROM PROPOSED UTILITY TO THE EDGE OF PAVEMENT 40'

6. DISTANCE FROM PROPOSED UTILITY TO THE R/W LINE 24'

7. WIDTH OF R/W ON EACH SIDE OF C/L OF PAVEMENT 68' FT.  
N, S, E, W, AND 68' FT. N, S, E, W.

8. WIDTH OF PAVEMENT 32' FEET.

9. WIDTH OF MEDIAN (TYPICAL, IF APPLICABLE) 23'

10. WIDTH OF SIDEWALK N/A FEET.

11. DOES THE PROPOSED INSTALLATION INCLUDE ABOVE GROUND APPURTENANCE?  
YES OR NO X CU. FT.

12. IS THE APPURTENANCE LOCATED AT THE R/W LINE YES NO N/A

13. WILL CONDUIT OR CASING BE UTILIZED IN PLACEMENT OF PROPOSED UTILITY?  
LENGTH 125' (PAVEMENT WIDTH + 16 FT. MIN.) WALL THICKNESS 1"

14. WILL EXISTING UTILITY BE REMOVED? No IF SO, WHAT AND HOW MUCH?

15. WILL ANY EXISTING FACILITIES BE USED TO PLACE THE PROPOSED UTILITY?  
YES X OR NO WHAT Existing MI (see plans, Sh. 2)

16. IF UTILITY IS A NATURAL GAS LINE GIVE MAXIMUM OPERATING PRESSURE P.S.I., PROVISIONS FOR VENTING

17. SUBMIT ALL OTHER UTILITIES ON CROSS SECTION MAPS. MAKE SEPARATE CROSS SECTION DETAILS FOR EACH CHANGE IN LOCATION, AND REPEAT ITEMS 5 AND 10.

18. WILL ANY HIGHWAY PAVEMENT BE CUT? No

19. INDICATE APPROXIMATE LOCATION, DEPTH AND SIZES OF ALL UTILITIES WITHIN R/W LIMITS. SUBMIT NAME OF OWNERS AND CITY OR TOWN FROM WHICH THEY ARE OPERATED.

United Telephone of Florida

Fort Myers, FL

Florida Power & Light

Fort Myers, FL

Florida Cities Water Company

Fort Myers, FL

(See Sh. 2  
of plans  
for locations)

SUBMITTED BY: William Harrop

PERMITTEE REPRESENTATIVE / DATE 10/21/95

ATTACHMENT FOR PERMIT # 41208195

A portion of the below listed requirements are in addition to those outlined in the Department's Utility Accommodation Manual, adopted June 19, 1993. The requirements are subject to change without notice and in no way do they relieve the permittee of the liability for any damage which may occur as a result of the utility installation and maintenance of same.

1. A copy of the permit package shall be on the jobsite at all times.
  2. The Florida Department of Transportation Permit Department shall be notified 48 hours in advance of starting work. Phone no. 813-656-7727 or Fax no. 656-7742.
  3. During the construction and/or maintenance of the utility as approved by this permit, the permittee's certified maintenance of traffic (MOT) person shall insure that all safety regulations of the Florida Department of Transportation and other authorities are complied with, including the placement of warning devices, signs, and flagmen where applicable.
  4. No part of the pavement is to be obstructed during the construction/maintenance of this utility unless specifically allowed by an approved MOT plan.
  5. All above ground appurtenances shall be located at the right-of-way line.
  6. Temporary storage on the Department's right-of-way of materials (pipe, poles, cable, etc.) to be used in the construction of the utility will not be permitted prior to issuance of a permit and will be limited to 30 days. The materials must be stored such that they do not create a sight restriction and the off set distance as specified in the "Roadway and Traffic Design Standards" is met.
  7. Temporary storage (not to exceed 7 calendar days) of trench excavations will not be permitted within 12' of the edge of pavement. These excavations are to be stored in such a manner that the sight distances on horizontal curves or intersecting side roads are not restricted.
  8. No excavation within 8' of the edge of pavement will be permitted.
  9. If the permitted utility includes mechanical boring an FDOT inspector must be present. The jack and bore must be performed as specified in the Utility Accommodation Manual. When placing concrete and/or asphalt the Department must be notified a minimum of 24 hours in advance. An inspector representing the permittee may be required by the Department.
  10. Any poles to be installed as part of this permit are not to exceed 24" in diameter.
  11. All trenches will be back filled in accordance with FDOT specifications.
  12. All portions of the right-of-way disturbed in the construction or maintenance of the utility will be seeded, mulched and fertilized in accordance with the most recent FDOT specifications. Sodding may be required in specific areas.
  13. All driveway connections, sidewalk, curb & gutter, etc. disturbed during the construction of the facility must be replaced to current FDOT specifications.
  14. If the utility is installed by contract, it shall be the responsibility of the permittee to certify in writing to the Department that the utility has been installed in the permitted location and that the right-of-way has been restored to FDOT specifications.
  15. Open pavement cuts are not authorized unless indicated below.
  16. All dimensions and requirements are to be verified in the field and may be changed as necessary to fit the conditions at the time of construction and as directed by the Department.
  17. N.P.D.E.S. requires that storm water control measures be implemented on any project on public transportation right-of-way including but not limited to measures described in FDOT indexes 102, 103 and 104.
  18. If construction, reconstruction, repair or maintenance activity necessitates the closing of one or more travel lanes of any road on the State Primary, County Road or City Street system, for a period of time exceeding two hours, the party performing the work will be responsible to give notice to the appropriate local law enforcement agency which has jurisdiction where such road is located prior to commencing work on this project. 335.15 F.S. 7/86; 336.07 P.S. 7/86.
- 
-

EROSION CONTROL PLANPURPOSE

To establish work practices that will control erosion on Maintenance projects so as to prevent pollution of water, detrimental effects on public or private property adjacent to the project right-of-way and damage to work on the project.

GENERAL

It is the District's intent that all Maintenance activities are to be conducted so as to avoid or otherwise minimize pollution or siltation of streams, canals, lakes, reservoirs and other water impoundments. Operations in rivers, streams, lakes, tidal waters, reservoirs, canals and other impoundments shall be restricted to those areas where it is necessary to perform filling or excavation to accomplish the Maintenance function. Where pumps are used to remove highly turbid waters from enclosed areas such as coffer dams or forms, the water shall be treated by one or more of the following methods prior to discharge into the State waters: pumping into grassed swales or appropriate vegetated areas, sediment basins, or confined by an appropriate enclosure such as siltation curtains when other methods are considered impractical.

Crew working on slopes adjacent to or ditches contributory to State waters will limit the surface areas of erodible earth exposed to the smallest amount practicable before taking either permanent or temporary erosion control measures. These are to include sodding, grassing and mulching or staked hay bales. The measures are to conform to the requirements of the "Erosion Control and Water Quality" section of the Roadway Design Standards, "A Guide to Turf Management" (Topic 850-060-004a) and "A Guide to Non-paved Shoulder Repair" (Topic 850-050-001a) and are to be left in place until vegetation is established that will minimize erosion potential.

FOREST UTILITIES, INC.  
Application for Amendment of  
Wastewater Certificate

Proposed Tariff Sheets

EXHIBIT E

FOREST UTILITIES, INC.  
WASTEWATER TARIFF

FIRST REVISED SHEET NO. 3.0  
CANCELS ORIGINAL SHEET NO. 3.0

**TERRITORY SERVED**

Order No. 10430

The Southeast Quarter (SE 1/4) of Section 35, R24E, T45S; and that part of the Southwest Quarter (SW 1/4) of Section 36; R24E, T45S lying Southwesterly of U.S. 41;

and the East half (E 1/2) of Section 2, R24E, T46S; and that part of Section 1, R24E, T46S lying Southwesterly of U.S. 41;

and the Northwest Quarter (NW 1/4) of Section 11, R24E, T46S;

and the North half (N 1/2) of Section 12, R24E, T46S.

Order No. \_\_\_\_\_

The northeast portion of Section 1 T46S, R24 East lying east of US 41 (S.R. 45) in Lee County, Florida

and

The south half of the south half of Section 36, T45S, R24E, lying east of US 41 (S.R. 45) in Lee County, Florida

and

The northeast quarter of the southwest quarter of Section 36, T45S, R24E lying east of east of US 41 (S.R. 45) in Lee County, Florida.

EFFECTIVE DATE:

TYPE OF FILING:

DAVID W. SWOR  
ISSUING OFFICER

PRESIDENT  
TITLE

TERRITORY SERVED

Order No. 10430

The Southeast Quarter (SE 1/4) of Section 35, R24E, T45S; and that part of the Southwest Quarter (SW 1/4) of Section 36; R24E, T45S lying Southwesterly of U.S. 41;

and the East half (E 1/2) of Section 2, R24E, T46S; and that part of Section 1, R24E, T46S lying Southwesterly of U.S. 41;

and the Northwest Quarter (NW 1/4) of Section 11, R24E, T46S;

and the North half (N 1/2) of Section 12, R24E, T46S.

Order No. \_\_\_\_\_

The northeast portion of Section 1 T46S, R24 East lying east of US 41 (S.R. 45) in Lee County, Florida

and

The south half of the south half of Section 36, T45S, R24E, lying east of US 41 (S.R. 45) in Lee County, Florida

and

The northeast quarter of the southwest quarter of Section 36, T45S, R24E lying east of east of US 41 (S.R. 45) in Lee County, Florida.

EFFECTIVE DATE:

DAVID W. SWOR  
ISSUING OFFICER

TYPE OF FILING:

PRESIDENT  
TITLE

FOREST UTILITIES, INC.

Application for Amendment of  
Wastewater Certificate

Original Wastewater Certificate

EXHIBIT F



# FLORIDA PUBLIC SERVICE COMMISSION

## CERTIFICATE NUMBER

300-S

Upon consideration of the record it is hereby ORDERED that authority be and is hereby granted to

Forest Utilities, Inc.

Whose principal address is

Deer Run, Route 37, Box 6230

Ft. Myers, Florida 33908 (Lee County)

to provide sewer service in accordance with the provisions of Chapter 367, Florida Statutes, the Rules, Regulations and Orders of this Commission in the territory described by the Orders of this Commission.

This Certificate shall remain in force and effect until suspended, cancelled or revoked by Orders of this Commission.

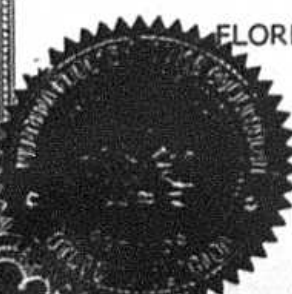
ORDER 10430 DATED 12/02/81 DOCKET 810006-S

ORDER 15382 DATED 11/21/85 DOCKET 850789-SU

ORDER \_\_\_\_\_ DATED \_\_\_\_\_ DOCKET \_\_\_\_\_

ORDER \_\_\_\_\_ DATED \_\_\_\_\_ DOCKET \_\_\_\_\_

BY ORDER OF THE  
FLORIDA PUBLIC SERVICE COMMISSION



[Signature]  
Commission Clerk

[Signature]  
Executive Director



FOREST UTILITIES, INC.  
Application for Amendment of  
Wastewater Certificate

Affidavit of Noticing

EXHIBIT G

AFFIDAVIT

STATE OF FLORIDA

COUNTY OF LEON

Before me, the undersigned authority, authorized to administer oaths and take acknowledgements, personally appeared LYNN T. SALMON, who, after being duly sworn on oath, did depose on oath and say that she is the secretary of F. Marshall Deterding, attorney for Forest Utilities, Inc. and that on February 23, 1996, she did send by certified mail, return receipt requested, a copy of the notice attached hereto to each of the utilities, governmental bodies, agencies, or municipalities, in accordance with the list provided by the Florida Public Service Commission, which is also attached hereto.

FURTHER AFFIANT SAYETH NAUGHT.

  
Lynn T. Salmon

Sworn to and subscribed before me this 23<sup>rd</sup> day of February, 1996, by Lynn T. Salmon, who is personally known to me and who did ~~(did not)~~ take an oath.

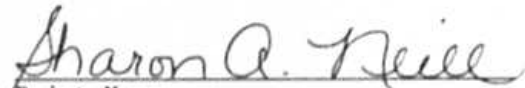
  
Print Name  
NOTARY PUBLIC  
My Commission Expires:

EXHIBIT G



SHARON A. NEILL  
MY COMMISSION # CC420152 EXPIRES  
November 14, 1998  
BONDED THRU TROY FAIR INSURANCE, INC.

NOTICE OF APPLICATION FOR EXTENSION OF SERVICE AREA

Pursuant to the provisions of Section 367.045, Florida Statutes, and the provisions of Florida Public Service Commission Rule 25-30.030, Notice is hereby given by Forest Utilities, Inc., 6385 Presidential Court, Suite 104, Fort Myers, Florida 33919, of its Application to extend its service area to provide sewer service to the following described lands in Lee County, Florida:

The northeast portion of Section 1 T46S, R24 East lying east of US 41 (S.R. 45) in Lee County, Florida

and

The south half of the south half of Section 36, T45S, R24E, lying east of US 41 (S.R. 45) in Lee County, Florida

and

The northeast quarter of the southwest quarter of Section 36, T45S, R24E lying east of east of US 41 (S.R. 45) in Lee County, Florida.

Written objections of the above noted extension must be filed with the Director of the Division of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0870, and a copy provided to F. Marshall Deterding, ROSE, SUNDSTROM & BENTLEY, 2548 Blairstone Pines Drive, Tallahassee, Florida 32301, no later than 30 days after the last date this notice was mailed or published whichever is later.

Regulated Utility List for Lee County

As of 02/21/96

~~Bayshore Utilities, Inc. WU013  
2259 Clubhouse Road  
North Ft. Myers, FL 33917-2523  
Liaison: Wayne Carson Wampler  
Phone: (813) 482-4024~~

Bonita 75 Corporation SU683  
28090 Quail's Nest Lane  
Bonita Springs, FL 33923-6999  
Liaison: Plant  
Phone: (813) 947-3366  
FAX: (305) 423-4200

Bonita Center Treatment Plant, Inc. SU609  
10323 Southern Blvd.  
Royal Palm Beach, FL 33411-4338  
Liaison: Bruce Kravitz  
Phone: (407) 790-1414  
FAX: (407) 790-1653

Bonita Country Club Utilities, Inc. SU285  
10200 Maddox Lane  
Bonita Springs, FL 33923-7639  
Liaison: Michael J. Miceli  
Phone: (813) 992-2800  
FAX: (813) 992-0822

~~Buccapeer Water Service WU730  
2 North Riverside Plaza, Suite 1515  
Chicago, IL 60606  
Liaison: Darrell Custer  
Phone: (813) 995-3337  
FAX: (813) 995-1769~~

Capital Sunbelt/Fund '84, Ltd. SU424  
P. O. Box 5318  
Lakeland, FL 33807-5318  
Liaison: Raymond Moats  
Phone: (813) 647-1581

Regulated Utility List for Lee County

As of 02/21/96

Del Vera Limited Partnership SU612  
2250 Avenida Del Vera  
North Ft. Myers, FL 33917-6700  
Liaison: Robert G. Peters  
Phone: (813) 543-6200  
FAX: (813) 731-4511

Eagle Ridge Utilities, Inc SU398  
14589 Eagle Ridge Dr., S.E.  
Ft. Myers, FL 33912-1804  
Liaison: Frederick Quinn  
Phone: (813) 489-0998  
FAX: (813) 768-0615

Environmental Protection Systems of Pine Island, Inc. SU287  
3039 York Road  
St. James City, FL 33956-2303  
Liaison: Kevin J. Cherry  
Phone: (813) 283-1144  
FAX: (813) 283-1144

Mr. Paul H. Bradtmiller  
Florida Cities Water Company - Lee County Division WS076  
P. O. Box 21119  
Sarasota, FL 34276-4119  
Liaison: Larry E. Griggs  
Phone: (813) 936-0247  
FAX: (813) 936-0549

Forest Park Property Owner's Association SU645  
5200 Forest Park Drive  
North Ft. Myers, FL 33917-5404  
Liaison: Joseph N. Symons  
Phone: (813) 543-1155

Forest Utilities, Inc. SU293  
6385 Presidential Court, Suite 104  
Ft. Myers, FL 33919-3576  
Liaison: David Swor  
Phone: (813) 481-0111  
FAX: (813) 482-3633

Regulated Utility List for Lee County

As of 02/21/96

Fountain Lakes Sewer Corporation SU572  
523 South Eighth Street  
Minneapolis, MN 55404-1078  
Liaison: Tore Wistrom  
Phone: (612) 305-2927  
FAX: (612) 305-2932

Gulf Utility Company WS096  
P. O. Box 350  
Estero, FL 33928-0350  
Liaison: Carolyn B. Andrews  
Phone: (813) 267-1000  
FAX: (813) 267-7997

Mr. Fred Partin (Receiver)  
Hacienda Treatment Plant, Inc. SU431  
% Bonita Springs Utilities, Inc.  
P. O. Box 2368  
Bonita Springs, FL 33959-2368  
Liaison: Fred Partin  
Phone: (941) 992-0711

Harbor Utilities Company, Inc. WS101  
P. O. Box 2368  
Bonita Springs, FL 33959-2368  
Liaison: Fred Partin  
Phone: (813) 992-0711  
FAX: (813) 992-9223

Hunter's Ridge Utility Co. of Lee County SU674  
12500 Hunters Ridge Drive  
Bonita Springs, FL 33923-3401  
Liaison: Don Huprich  
Phone: (813) 992-4900  
FAX: (813) 992-6279

Imperial Bonita Estates SU665  
3801 Bee Ridge Road, Suite 12  
Sarasota, FL 34233-1104  
Liaison: Martin Newby  
Phone: (813) 923-1456

Regulated Utility List for Lee County

As of 02/21/96

MHC Systems, Inc. WS743  
2 North Riverside Plaza  
Chicago, IL 60606  
Liaison: Utility  
Phone: (813) 474-1122

~~Mobile Manor, Inc. W0167  
150 Lantern Lane  
North Fort Myers, FL 33917-6515  
Liaison: Carol Julius  
Phone: (813) 543-1414~~

North Fort Myers Utility, Inc. SU317  
P. O. Box 2547  
Fort Myers, FL 33902-2547  
Liaison: Jack Schenkman  
Phone: (813) 543-4000  
FAX: (813) 543-2226

North Trail Utilities SU315  
14205 East Colonial Drive  
Orlando, FL 32826-5111  
Liaison: Michael V. Campbell  
Phone: (407) 823-7266  
FAX: (813) 731-1331

Pine Island Cove Homeowners Association, Inc. SU724  
7290 Ladyfish Drive  
St. James City, FL 33956-2723  
Liaison: Shirley Becker  
Phone: (813) 283-3100  
FAX: (813) 283-3031

Sanibel Bayou Utility Corporation SU331  
1681 Kennedy Causeway, #100E  
North Bay Village, FL 33141-4132  
Liaison: Field Supervisors  
Phone: (813) 597-6059  
FAX: (305) 482-3440

Regulated Utility List for Lee County

As of 02/21/96

South Seas Utility Company SU408  
12800 University Drive, Suite 260  
Ft. Myers, FL 33907-5335  
Liaison: Joe K. Blacketer  
Phone: (813) 481-2011  
FAX: (813) 481-8252

Southern States Utilities, Inc. WS565  
1000 Color Place  
Apopka, FL 32703-7753  
Liaison: Brian P. Armstrong  
Phone: (407) 880-0058  
FAX: (407) 880-1395

Spring Creek Village Utilities, Ltd. WS234  
4501 Spring Creek Road, Box 1  
Bonita Springs, FL 33923-7133  
Liaison: Dennis M. Waltchack  
Phone: (813) 992-3800  
FAX: (813) 992-2804

~~Mr. John J. Ustica  
Tampabay Village Water Company, Inc. WU740  
9280-5 College Parkway  
Ft. Myers, FL 33919-4848  
Liaison: John J. Ustica  
Phone: (813) 488-3933~~

Useppa Island Utility, Inc. WS249  
P. O. Box 640  
Bokeelia, FL 33922-0640  
Liaison: Vincent Formosa  
Phone: (813) 283-1061  
FAX: (813) 283-0290



WATER AND WASTEWATER GOVERNMENTAL AGENCIES / WATER MANAGEMENT DISTRICTS

LEE COUNTY

CITY OF CAPE CORAL  
P.O. BOX 150027  
CAPE CORAL, FL 33915-0027

CITY OF FORT MYERS  
2200 SECOND STREET  
FORT MYERS, FL 33902

CITY OF SANIBEL  
800 DUNLOP ROAD  
SANIBEL, FL 33981-0750

DEP SOUTH DISTRICT  
2295 VICTORIA AVE., SUITE 364  
FORT MYERS, FL 33901

LEE COUNTY BOARD OF COMMISSIONERS  
P.O. BOX 398  
FT MYERS, FL 33902

S.W. FLORIDA REGIONAL PLANNING COUNCIL  
P.O. BOX 3455  
NORTH FT. MYERS, FL 33918-3455

SO. FLORIDA WATER MANAGEMENT DISTRICT  
P.O. BOX 24680  
WEST PALM BEACH, FL 33416-4680

All Local Government Officials for Lee County

As of 02/13/96

Chairman, Board of County Commissioners, Lee County  
P. O. Box 398  
Ft. Myers, FL 33902-0398

Minutes Department  
Clerk of Circuit Court, Lee County  
P. O. Box 2469  
Fort Myers, FL 33902-2469

Mayor, City of Cape Coral  
P. O. Box 150027  
Cape Coral, FL 33915-0027

Mayor, City of Ft. Myers  
P. O. Box 2217  
Fort Myers, FL 33902-2217  
FAX: (813) 332-6131

Mayor, City of Sanibel  
800 Dunlop Road  
Sanibel, FL 33957-4096  
Phone: (941) 472-4135  
FAX: (941) 472-3065

FOREST UTILITIES, INC.  
Application for Amendment of  
Wastewater Certificate

Proof of Publication

LATE FILED  
EXHIBIT H

FOREST UTILITIES, INC.  
Application for Amendment of  
Wastewater Certificate

Affidavit

EXHIBIT I

A F F I D A V I T

STATE OF FLORIDA )  
COUNTY OF Dee )

BEFORE ME, the undersigned authority, authorized to administer oaths and take acknowledgements, personally appeared Judy Mallett, ~~Vice President~~ <sup>TREASURER</sup> of FOREST UTILITIES, INC., who after being duly sworn, did depose on oath and say that FOREST UTILITIES, INC. does currently have tariffs and annual reports on file with the Florida Public Service Commission.

FURTHER AFFIANT SAYETH NOT.

Judy Mallett  
Judy Mallett

STATE OF FLORIDA )  
COUNTY OF Dee )

The foregoing instrument was acknowledged before me this 1st day of February, 1996, by Judy Mallett, who is personally known to me ~~or who has produced~~ n/a as ~~identification~~ and who ~~did~~ (did not) take an oath.

Peri Robyns  
Print Name Peri Robyns  
Notary Public  
State of Florida at Large  
My Commission Expires: 10-23-96



PERI ROBYNS  
My Comm Exp. 10-23-96  
Bonded By Service Ins  
No. CC269841  
110m1.0