

# Holland & Knight

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D. Bruce May, Jr.  
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bruce.may@hklaw.com

RECEIVED-FPSC  
11 MAR -8 AM 11:09

COMMISSION  
CLERK

March 8, 2011

*Via Hand-Delivery*

Ms. Ann Cole  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Betty Easley Conference Center, Room 110  
Tallahassee, FL 32399-0850

Re: Docket No. 110019-WS

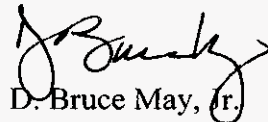
Dear Ms. Cole:

On behalf of Aqua Utilities Florida, Inc. ("AUF"), enclosed is a copy of AUF's letter to Ms. Patti Daniel, Public Utilities Supervisor with the Commission. The letter was hand-delivered to Ms. Daniel on March 4, 2011.

Please acknowledge receipt by stamping the extra copy of this letter "filed" and returning the copy to me. Thank you for your assistance.

Sincerely,

HOLLAND & KNIGHT LLP



D. Bruce May, Jr.

DBM:kjg  
Encls.

cc: Kimberly A. Joyce, Esq.  
Troy Rendell

DOCUMENT NUMBER - DATE  
01512 MAR -8 =  
FPSC-COMMISSION CLERK

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D. Bruce May, Jr.  
(850) 425-5607  
bruce.may@hklaw.com

March 4, 2011

*Via Hand Delivery*

Patti Daniel  
Public Utilities Supervisor  
Bureau of Certification, Economics & Tariffs  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

Re: Docket No. 110019-WS

Dear Ms. Daniel:

On behalf of Aqua Utilities Florida, Inc. ("AUF" or "Company"), set forth below is AUF's response to the Staff's letter dated February 4, 2011, wherein Staff identified certain deficiencies and requested additional information related to the water and wastewater applications in the referenced docket.

## **Water Application Rule 25-30.037(2), F.A.C.**

### **Deficiencies**

1. **Noticing Affidavits.** Pursuant to Rule 25-30.030(8), Florida Administrative Code (F.A.C.), a copy of the notice is to accompany the noticing affidavits required by Sections 367.045(1)(e) and (2)(f), Florida Statutes (F.S.). The affidavits in Late Filed Exhibits L and M to the water application were not accompanied by a copy of the notice. Please resubmit the affidavits with the required notice attached.

### **RESPONSE:**

Copies of the notices (a) mailed to the chief executive officer of the counties and cities and (b) mailed to the existing water customers of Harbor Hills Utilities, L.P. water system are

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FPSC-COMMISSION CLERK

appended as Composite Attachment "1". AUF acknowledges that the notices contained a typographical error and listed the application date as January 7, 2010, instead of January 7, 2011. AUF will re-notice with all revised notices containing the corrected date.

2. **Contractual Obligations.** Pursuant to Rule 25-30.037(2)(g)(3), F.A.C., the purchase contract is to include a description of all considerations between the parties, including assumption of obligations. In Item 1.4 on page 3 of the Asset Purchase Agreement, Aqua Utilities Florida, Inc. (AUF or buyer) assumed the contractual duties described in Schedule 1.4 attached to the Asset Purchase Agreement, but the schedule was omitted from the filing. Please provide a copy of Schedule 1.4 as attached to the Asset Purchase Agreement.

**RESPONSE:**

Schedule 1.4 does not exist. The reference to Schedule 1.4 was inadvertently left in the agreement from a prior draft.

**Additional Information**

3. **Proof of ownership.** Pursuant to Rule 25-30.037(2)(q), F.A.C., evidence is required that the utility owns the land on which the utility treatment facilities are located, or a copy of an agreement which provides for the continued use of the land, such as a 99-year lease. Proof that the seller owns the land under the water treatment facilities was provided in Exhibit O to the water application.

- a. If ownership of the land has transferred from Harbor Hills Utilities, L.P. (Harbor Hills, utility, or seller) to AUF, please provide a copy of the recorded warranty deed.
- b. If ownership of the land is pending Commission approval of the transfer, please provide an unexecuted copy of the document intended to convey ownership, or long-term use, of the land under the water treatment facilities from the seller to the buyer.
- c. Also, if ownership of the land is pending Commission approval of the transfer, please estimate how long it will take the parties to execute and record the document conveying ownership, or long-term use, of the land under the water treatment facilities from the seller to the buyer.

**RESPONSE:**

- a. The land is currently owned by the present owners of Harbor Hills Utilities, L.P. The transfer of all utility assets has not taken place and is contingent upon final approval of the Public Service Commission. See Paragraph 1 – SALE AND PURCHASE OF THE SELLER'S WATER SYSTEM ASSETS. There is no recorded warranty deed for AUF.

- b. Currently, there is not an unexecuted copy of the conveyance document. This will be drafted once approval is received from the Commission.
- c. The terms of the Asset Purchase Agreement provide that the closing will occur not later than forty five (45) days after the receipt of final regulatory approvals.

4. **Consumptive Use Permit.** The Asset Purchase Agreement lists as excluded assets, "the water lines and facilities providing water to the golf course, including the portion of the Consumptive Use Permit ("CUP") for golf course irrigation as assigned by the St. John's [River] Water Management District." (See Item 1.2(b), on page 2 of the Asset Purchase Agreement.) Also, under Item 5.5 on page 6 of the Asset Purchase Agreement, the governmental approvals specifically include an apportionment of the CUP, so that the seller can continue providing irrigation to the golf course without adversely impacting Aqua's acquisition of the system.

- a. Please provide a copy of the utility's CUP.
- b. Please provide documentation detailing the parties' agreement with respect to the apportionment of the CUP.

**RESPONSE:**

- a. The utility's CUP is appended as Attachment "2".
- b. The CUPs have been separated for (i) utility usage and (ii) golf course irrigation. Separate CUPs have now been issued. The CUP for utility usage is provided in Attachment "2".

5. **Customer Deposits.** Rule 25-30.037(2)(h)(1), F.A.C., requires that the contract for sale provide for the disposition of customer deposits and interest. Harbor Hills' 2009 Annual Report reflects customer deposits in the amount of \$3,103.43.

- a. Please explain why the application indicates there were no customer deposits to be disposed of in connection with the transfer of the water system.
- b. Please provide a revised water tariff sheet showing AUF's intentions with regard to the collection of initial customer deposits for water service.

**RESPONSE:**

- a. AUF submitted the original information concerning customer deposits based on information provided by the current owner. That information was incorrect. The current owner has indicated that the deposits currently held will be refunded back to the existing customers by Harbor Hills Utilities, L.P. Any refunds will be made subsequent to the closing of the transfer

once all outstanding water bills are settled and paid by the customers. AUF will not receive any customer deposits currently held by Harbor Hills Utilities, L.P.

b. AUF's proposed customer deposit tariff is appended as Attachment "3".

6. **Allowance for Funds Prudently Invested (AFPI).** Please explain why AUF's proposed water tariff does not reflect Harbor Hills' approved AFPI charges.

**RESPONSE:**

AUF is requesting the AFPI charges currently approved in Harbor Hills Utilities, L.P. tariffs. AUF's proposed AFPI Tariff Sheet No. 22.0 for the Harbor Hills water system is appended as Attachment "4".

In addition, AUF inadvertently omitted the approved "Tap Fee" in its proposed water service availability tariff – Original Sheet No. 40. The revised proposed water service availability charge tariff is appended as Attachment "5".

7. **Billing Cycle.** Harbor Hills' existing water service rates are bi-monthly. AUF's proposed water service rates are monthly. Is AUF billing Harbor Hills water customers monthly and, if so, why?

**RESPONSE:**

AUF is not billing any customers of Harbor Hills Utilities, L.P. The current owners still operate the facilities and handle billing, collections, and customer service. This function will not transfer to AUF until after the time of closing.

For consistency and conservation purposes, AUF requests that billing be performed on a monthly basis after the transfer of ownership, in accordance with its existing tariff for its other systems.

**Wastewater Application**  
**Rules 25-30.033(1) and 25-30.036(3), F.A.C.**

**Deficiencies**

8. **Noticing Affidavits.** Pursuant to Rule 25-30.030(8), F.A.C., a copy of the notice is to accompany the noticing affidavits required by Sections 367.045(1)(e) and (2)(f), F.S. The affidavits in Late Filed Exhibits M and N to the wastewater application were not accompanied by a copy of the notice. Please resubmit the affidavits with the required notice attached.

**RESPONSE:**

Copies of the notices (a) mailed to the chief executive officer of the counties and cities and (b) mailed to the existing wastewater customers of Harbor Hills Utilities, L.P. water system are appended as Attachment "6".

AUF acknowledges that the notices inadvertently contained a typographical error and listed the application date as January 7, 2010, instead of January 7, 2011. AUF will re-notice with all revised notices containing the corrected date.

9. **Proof of ownership.** Pursuant to Rules 25-30.033(1)(j) and 25-30.036(3)(d), F.A.C., evidence is required that the utility owns the land upon which the utility treatment facilities are located, or a copy of an agreement which provides for the continued use of the land, such as a 99-year lease. The legal description shown in Exhibit F to the wastewater application does not appear to describe the land under the wastewater treatment facilities. Please provide the proof of ownership, or long-term use of the land under the wastewater treatment facilities as required by the rules.

**RESPONSE:**

The ownership of land is currently with the current owners of Harbor Hills Utilities, L.P. The transfer of all utility assets has not taken place and is contingent upon final approval of the Commission. See Paragraph 1 – SALE AND PURCHASE OF THE SELLER'S WATER SYSTEM ASSETS. There is no recorded warranty deed for AUF.

Harbor Hills Utilities, L.P. has indicated that the proof of ownership of the wastewater land is set forth in the "Trustee's Deed" dated February 21, 1995 filed with AUF's application.

**Additional Information**

10. **Proposed Customers.** Rule 25-30.033(1)(h), F.A.C., requires the number of equivalent residential connections (ERCs) proposed to be served by meter size and customer class. Exhibit D to the wastewater application provided the breakdown of ERCs by meter size and customer class for the existing 78 ERCs, only. Please provide the breakdown by meter size and customer class of anticipated ERCs for each year until design capacity.

**RESPONSE:**

All anticipated wastewater customers will be residential customers with 5/8 X 3/4" meters.

11. **Wastewater Service.**

- a. Please indicate how water customers that are not in AUF's proposed wastewater service territory are receiving wastewater service.
- b. Please indicate whether all the plant and lines necessary to service AUF's proposed wastewater service area have been constructed.
- c. Please describe the assumptions used for the calculation of 7,195,490 gallons for wastewater service in year 2014.

**RESPONSE:**

- a. Harbor Hills Utilities, L.P. currently has 622 water customers and 55 wastewater customers. The water customers not receiving wastewater service all have private septic tank systems.
- b. The existing wastewater treatment plant is permitted at 0.040 million gallons per day (MGD). During the historic 12 month period ending April 2010, the max month occurred in February 2010. During this max month, the WWTP treated 470,000 gallons of wastewater. The existing wastewater collection lines have been constructed and installed to serve only the existing wastewater customers. There are no wastewater collection lines that have been installed on vacant land to serve future customers.
- c. In accordance with Rule 25-30.033(v) and (w), Florida Administrative Code, AUF calculated the proposed wastewater rates at 80% build out. In order to perform this required calculation AUF used the following assumptions:
  1. For the historic 12 month period ending April 2010, the treated wastewater gallons for this 12 month period were calculated utilizing the monthly operating reports.
  2. This 12 month treated wastewater volume was then divided by the existing number of customers times 12, to obtain the average number of wastewater gallons per customer for this period. This equated to an average of approximately 4,052 gallons per month.
  3. This average gallon per customer was then applied to the projected number of customers.
  4. The projected number of additional residential customers is 88.
  5. The 80% of build out was assumed to be in 5 years or in 2014. AUF projected the number of ERCs in the year 2014 to be 148 ERCs. This was calculated by taking the existing number of ERCs of 78 and adding 70 ERCs for the projected residential customers.

6. To calculate the projected number of total gallons for 12 months at 80% build out, AUF multiplied the average number of gallons per customer of 4,052 per month, times 148 ERC, times 12 months. (4,052 X 148 X 12).
7. If the Commission Staff were to consider the average gallons per ERC, this would equate to 2,857. The result would be an annual projected gallons of 5,073,744 and would result in a gallonage charge of \$6.42.

12. **Wastewater Tariff.**

- a. Please verify that AUF's proposed wastewater billing cycle is monthly.
- b. Please provide a revised wastewater tariff for residential service which shows AUF's proposed 5,000 gallon cap.
- c. Please indicate whether AUF intends to propose initial wastewater customer deposits and, if so, please provide a revised customer deposit sheet for AUF's wastewater tariff.

**RESPONSE:**

- a. Yes, AUF is proposing a monthly billing cycle consistent with its existing tariffs for its current wastewater systems.
- b. AUF's existing residential gallonage cap in its current approved wastewater tariffs is 6,000 gallons. AUF is proposing a residential gallonage cap of 6,000 gallons, consistent with its existing approved tariffs.
- c. AUF is proposing a customer deposit equal to two months average bill. The proposed wastewater deposit tariff is appended as Attachment "7".

13. **Wastewater Plant Operating Permit.** Please provide a copy of the wastewater plant operating permit for the Harbor Hills system, as issued by the Florida Department of Environmental Protection.

**RESPONSE:**

The wastewater operating permit is appended as Attachment "8".



### **Additional Water and Wastewater Information**

14. **Future Expansion.** The Asset Purchase Agreement that was provided in the water application contained a provision on page 9 in Item 7.1(d) of AUF's representations and warranties regarding future expansion, whereby AUF acknowledges that the seller has additional property to be developed. Under this provision of the Asset Purchase Agreement, AUF agrees to expand the water and wastewater assets upon mutually agreeable terms and conditions to be negotiated at a time requested by the seller, but which are to include reimbursements AUF has agreed to pay the seller. How does AUF intend to book these reimbursements on its records

**RESPONSE:**

There is no intention or expectation for AUF to reimburse the developer for any future expansion of wastewater collection lines. The language you reference was inadvertently included in the Asset Purchase Agreement from a prior draft agreement. This paragraph is simply intended to ensure that wastewater service would be available and provided to the developer (current utility owner) for the future growth in projected customers.

AUF will only reimburse the current owner of Harbor Hills Utilities, L.P. for any required upgrades or replacements to the existing systems. Harbor Hills Utilities, L.P. is currently installing additional required water plant to the existing plant, which will be purchased by AUF at closing. This addition to the existing water plant is not for expansion. This will be booked as plant in service upon the closing of the transaction.

15. **System Maps.** While the system maps provided with the application meet the requirements of applicable rules, please provide water and wastewater system maps which show which lots have existing connections and which lots are future connections.

**RESPONSE:**

Since this is not a requirement of Rule 25-30.033, this request will require additional time and resources. Therefore, the requested maps will be submitted to staff at a later date upon completion.

16. Please provide an electronic file of the water and wastewater legal descriptions.

**RESPONSE:**

A CD labeled "Harbor Hills Water and Wastewater Transfer" containing the water and wastewater legal descriptions is appended as Attachment "9".

Patti Daniel  
March 4, 2011  
Page 9

17. Please provide electronic file of the data file which shows the calculations of the numbers provided in Exhibit H to the water and Exhibit J to the wastewater application.

**RESPONSE:**

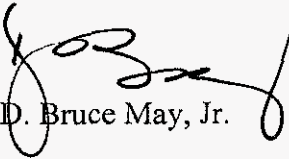
A CD labeled "Harbor Hills Water and Wastewater Transfer," which contains the data files showing the calculations of the numbers provided in Exhibit H to the water application and Exhibit J to the wastewater application is appended as Attachment "9".

\* \* \*

Please let me know if you have any questions. Thank you.

Sincerely,

HOLLAND & KNIGHT LLP



D. Bruce May, Jr.

DBM:kjg

cc: Office of Commission Clerk  
Kimberly A. Joyce, Esq.  
Troy Rendell

# **ATTACHMENT 1**

Notice of Application Approval Of Transfer Of Harbor Hills Utility, LP Utilities, L.P. Water System And Amendment Of Certificate In Lake County, Florida

Notice is hereby given on the January 7, 2010 pursuant to Section 367.071, Florida Statutes of the Application for Approval of Transfer of the Water System of Harbor Hills Utility, LP., in Lake County Florida to Aqua Utilities Florida, Inc., (AUF) and Amendment of AUF's Certificate No. 106W. Aqua does not propose to change rates pursuant to this Application. The Harbor Hills Utility, LP. water system provides service to the following described territory in Lake County, Florida:

LEGAL DESCRIPTION

The following described lands located in portions of Sections 13 & 14, Township 18 South, Range 24 East, and Sections 7 & 18, Township 18 South, Range 25 East, Lake County, Florida:

Begin at the Southeast corner of Section 12, Township 18 South, Range 24 East, for the POB; thence run North 00°07'21" West, along the East boundary of said Section 12 a distance of 66.62 feet to the centerline of Lake Griffin Road and a point on a curve having a radial bearing of North 27°13'16" West, said curve being concave Northwesterly having a radius of 615.63 feet; thence run Easterly along said centerline an arc distance of 228.02 feet, said arc having a delta of 21°13'18", a tangent distance of 115.33 feet, a chord bearing of North 52°10'04" East and a chord distance of 226.72 feet to a point of tangency; thence run North 41°33'27" East along said centerline a distance of 403.94 feet to a point of curvature, said curve being concave Northwesterly having a radius of 1730.29 feet; thence run Northeasterly along said centerline an arc distance of 240.35 feet, said arc having a delta of 07°57'32", a tangent distance of 120.37 feet, a chord bearing of North 37°34'41" East and a chord distance of 240.16 feet to a point of tangency; thence run North 33°35'55" East along said centerline a distance of 88.27 feet to a point of curvature, said curve being concave Southeasterly having a radius of 234.54 feet; thence run Easterly along said centerline an arc distance of 307.05 feet, said arc having a delta of 75°00'30", a tangent distance of 180.00 feet, a chord bearing of North 71°06'10" East and a chord distance of 285.59 feet to a point of tangency; thence run South 71°23'35" East along said centerline a distance of 606.85 feet to a point of curvature, said curve being concave Northeasterly having a radius of 919.44 feet; thence run Easterly along said centerline an arc distance of 249.03 feet, said arc having a delta of 15°31'06", a tangent distance of 125.28 feet, a chord bearing of South 79°09'08" East and a chord distance of 248.27 feet to a point of tangency; thence run South 86°54'41" East along said centerline of Lake Griffin Road a distance of 1406.31 feet to the intersection of the East line of the Southwest 1/4 of the Southwest 1/4 of Section 7, Township 18 South, Range 25 East; thence run South 00°08'17" West along said East line a distance of 72.64 feet to a point on the North boundary of the Northwest 1/4 of Section 18, Township 18 South, Range 25 East, thence run North 89°14'04" East along the North boundary of said Section 18 a distance of 207.76 feet, thence run South 09°02'54" West a distance of 1000 feet, thence run Easterly to the waters edge of Lake Griffin to point, said point to be known as Point "A"; return to the Southeast corner of said Section 12 and the point of reference, thence run South 89°40'50" West along the North

boundary of the Northeast 1/4 of said Section 13 a distance of 278.32 feet; thence continue South 89°40'50" West along said line a distance of 2374.36 feet to the North 1/4 corner of said Section 13; thence run South 89°50'32" West along the North boundary of the Northwest 1/4 of said Section 13, a distance of 1959.26 feet; thence run South 01°05'13" East along the West line of the East 1/2 of the Northwest 1/4 of the Northwest 1/4 of said Section 13 a distance of 1324.76 feet; thence run South 89°50'18" West along the South line of said Northwest 1/4 of the Northwest 1/4 of said Section 13 a distance of 329.42 feet; thence run South 01°15'47" East along the West line of the East 30 acres of the Southwest 1/4 of the Northwest 1/4 of said Section 13 a distance of 1324.85 feet; thence run North 89°50'05" East along the South line of said Southwest 1/4 of the Northwest 1/4 of said Section 13, a distance of 986.58 feet to the Southeast corner of said Southwest 1/4 of the Northwest 1/4 of said Section 13; thence run South 01°07'54" East along the West line of the East 1/2 of the Southwest 1/4 of said Section 13 a distance of 2426.57 feet; thence run South 89°54'49" East a distance of 210.00 feet; thence run South 01°07'54" East a distance of 210.00 feet to the South boundary of said Section 13; thence run North 89°54'49" West along said Southerly boundary a distance of 210.00 feet; thence run South 00°18'48" East along the West line of the East 1/2 of the Northwest 1/4 of Section 24, Township 18 South, Range 24 East, a distance of 2676.64 feet to a point on the East-West mid-section line of said Section 24; thence run South 89°55'50" East along said mid-section line a distance of 663.16 feet; thence run North 00°06'52" West a distance of 669.10 feet; thence run South 89°55'35" East a distance of 665.48 feet; thence run North 00°05'03" East a distance of 9.04 feet; thence run South 89°55'19" East a distance of 660 feet; thence run North 00°05'03" East a distance of 1997.99 feet to a point on the North boundary of said Section 24; thence run South 89°54'49" East along said North boundary line a distance of 613.85 feet; thence continue Easterly along said line to the waters edge of Lake Griffin; thence Northeasterly along the waters edge to said Point "A".

Any objections to the Application must be made in writing and filed with the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, with a copy to D. Bruce May Jr. Holland & Knight, 315 South Calhoun Street, Suite 600, Tallahassee, FL 32301 within 30 days from the date of this Notice. The objection must state the grounds for the objection with particularity.

Aqua Utilities Florida, Inc.  
510 Highway 466  
Lady Lake, FL 32159

## **ATTACHMENT 2**



# St. Johns River

## Water Management District

Kirby B. Green III, Director • David W. Fisk, Assistant Executive Director

4049 Reid Street • P.O. Box 1429 • Palatka, FL 32178-1429 • (386) 329-4500  
On the Internet at [floridaswater.com](http://floridaswater.com).

June 24, 2010

Harbor Hills Utilities Ltd  
6538 Lake Griffin Rd  
Lady Lake, FL 32159

**SUBJECT:** Consumptive Use Permit Number 279  
Harbor Hills

Dear Sir/Madam:

Enclosed is your permit as authorized by the Executive Director of St. Johns River Water Management District on June 24, 2010.

Please be advised that the period of time within which a third party may request an administrative hearing on this permit may not have expired by the date of issuance. A potential petitioner has twenty-six (26) days from the date on which the actual notice is deposited in the mail, or twenty-one (21) days from publication of this notice when actual notice is not provided, within which to file a petition for an administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes. Receipt of such a petition by the District may result in this permit becoming null and void.

Permit issuance does not relieve you from the responsibility of obtaining permits from any federal, state and/or local agencies asserting concurrent jurisdiction over this work.

The enclosed permit is a legal document and should be kept with your other important records. Please read the permit and conditions carefully since the referenced conditions may require submittal of additional information. All information submitted as compliance with permit conditions must be submitted to the nearest District Service Center and should include the above referenced permit number.

Sincerely,

A handwritten signature in cursive script that reads "Robert Presley".

Robert Presley, Director  
Division of Regulatory Information Management

Enclosures: Permit, Conditions for Issuance, Compliance Forms, Map, Well Tags

cc: District Permit File

**Agent:** SMW GeoSciences Inc  
Sarah M Whitaker PG  
1411 Edgewater Dr Ste 103  
Orlando, FL 32804

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**GOVERNING BOARD**

W. Leonard Wood, CHAIRMAN FERMANDINA BEACH	Hersey "Herky" Huffman, SECRETARY ENTERPRISE	Hans G. Tanzler III, TREASURER JACKSONVILLE	Douglas C. Bourmique VERO BEACH	
Michael Ertel OVEDO	Maryam H. Ghyabi ORMOND BEACH	Richard G. Hamann GAINESVILLE	Arien N. Jumper FORT MCCOY	John A. Miklos ORLANDO

PERMIT NO. 279  
PROJECT NAME: Harbor Hills

DATE ISSUED: June 24, 2010

**A PERMIT AUTHORIZING:**

The District authorizes, as limited by the attached conditions, the use of 253.51 million gallons per year of ground water from the Floridan aquifer and 43.93 million gallons per year of surface water from Lake Griffin for household, commercial/industrial, urban landscape irrigation, water utility, and essential (fire protection) types of use to supply a projected population of 1,523 in 2013.

**LOCATION:**

Site: Harbor Hills  
Lake County

Section(s): 1, 12, 13, 24 Township(s): 18S Range(s): 24E  
6, 7, 8, 18 18S 25E

**ISSUED TO:**

Harbor Hills Utilities Ltd  
6538 Lake Griffin Rd  
Lady Lake, FL 32159

Permittee agrees to hold and save the St. Johns River Water Management District and its successors harmless from any and all damages, claims, or liabilities which may arise from permit issuance. Said application, including all maps and specifications attached thereto, is by reference made a part hereof.

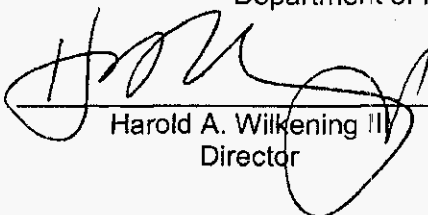
This permit does not convey to permittee any property rights nor any rights or privileges other than those specified herein, nor relieve the permittee from complying with any law, regulation or requirement affecting the rights of other bodies or agencies. All structures and works installed by permittee hereunder shall remain the property of the permittee.


This permit may be revoked, modified or transferred at any time pursuant to the appropriate provisions of Chapter 373, Florida Statutes and 40C-1, Florida Administrative Code.

**PERMIT IS CONDITIONED UPON:**

See conditions on attached "Exhibit A", dated June 24, 2010

**AUTHORIZED BY:** St. Johns River Water Management District  
Department of Resource Management

By:   
Harold A. Wilkening III  
Director

By:   
Kirby B. Green, III  
Executive Director



**"EXHIBIT A"**  
**CONDITIONS FOR ISSUANCE OF PERMIT NUMBER 279**  
**HARBOR HILLS UTILITIES LTD**  
**DATED JUNE 24, 2010**

1. District authorized staff, upon proper identification, will have permission to enter, inspect, and observe permitted and related facilities in order to determine compliance with the approved plans, specifications, and conditions of this permit.
2. Nothing in this permit should be construed to limit the authority of the St. Johns River Water Management District to declare a water shortage and issue orders pursuant to Section 373.175, Florida Statutes, or to formulate a plan for implementation during periods of water shortage, pursuant to Section 373.246, Florida Statutes. In the event a water shortage is declared by the District Governing Board, the permittee must adhere to the water shortage restrictions as specified by the District, even though the specified water shortage restrictions may be inconsistent with the terms and conditions of this permit.
3. Prior to the construction, modification, or abandonment of a well, the permittee must obtain a Water Well Construction Permit from the St. Johns River Water Management District, or the appropriate local government pursuant to Chapter 40C-3, Florida Administrative Code. Construction, modification, or abandonment of a well will require modification of the consumptive use permit when such construction, modification, or abandonment is other than that specified and described on the consumptive use permit application form.
4. Leaking or inoperative well casings, valves, or controls must be repaired or replaced as required to eliminate the leak or make the system fully operational.
5. The District must be notified, in writing, within 30 days of any sale, conveyance, or other transfer of a well or facility from which the permitted consumptive use is made or within 30 days of any transfer of ownership or control of the real property at which the permitted consumptive use is located. All transfers of ownership or transfers of permits are subject to the provisions of section 40C-1.612.
6. A District issued identification tag shall be prominently displayed at each withdrawal site by permanently affixing such tag to the pump, headgate, valve, or other withdrawal facility as provided by Section 40C-2.401, Florida Administrative Code. Permittee shall notify the District in the event that a replacement tag is needed.
7. The permittee's use of water as authorized by this permit shall not cause an interference with an existing legal use of water as defined in District rules. If interference occurs, the District may revoke the permit in whole or in part to abate the adverse impact unless otherwise mitigated by the permittee. In those cases where other permit holders are identified by the District as also contributing to the interference, the permittee may choose to mitigate in a cooperative effort with these other permittees. The permittee shall submit a mitigation plan to the District, and obtain District approval, prior to implementing any mitigation.
8. All submittals made to demonstrate compliance with this permit must include the CUP number 279 plainly labeled on the submittal.
9. This permit shall expire 3-years from the date of issuance.
10. The lowest acceptable quality water source, including reclaimed water, storm water and surface water, must be used for each consumptive use supplied by the Permittee when

available, except when the Permittee demonstrates that the use of the lower quality water source is not economically, environmentally, or technologically feasible.

11. The permittee's consumptive use shall not adversely impact wetlands, lakes, rivers, and spring flows or cause or contribute to a violation of minimum flows and levels adopted in Chapter 40C-8, F.A.C., except as authorized by an SJRWMD-approved minimum flow or level (MFL) recovery strategy. If unanticipated significant adverse impacts occur, the SJRWMD shall revoke the permit in whole or in part to curtail or abate the adverse impacts, unless the impacts are mitigated by the permittee pursuant to a District-approved plan.
12. Well No. 1, GRS Station No. 9000 and Well No. 2, GRS Station No. 9001, must each be monitored with an in-line, totalizing flowmeter. Each meter must maintain 95% accuracy, be verifiable and be installed according to the manufacturer's specifications.
13. Surface water pumps P5 (GRS Id. No. 242740), P6 (GRS Id. No. 242741), and P7 (GRS Id. No. 242742) shall be installed and made operational no later than six months following the sale of 50 homes in phase 6A. The permittee shall submit an annual report documenting the number of homes sold in each year no later than January 31 of the following year.
14. Upon the surface water pumps becoming operational, surface water pumps P5 (GRS Id. No. 242740), P6 (GRS Id. No. 242741), and P7 (GRS Id. No. 242742) pumps shall provide surface water as the sole source of irrigation of residential areas and common areas in Phases 6 and 7 of Harbor Hills, where Phases 6 and 7 of Harbor Hills are as shown on Figure 2 of the materials submitted to the District on December 20, 2007.
15. Surface water pumps P5 (GRS Id. No. 242740), P6 (GRS Id. No. 242741), and P7 (GRS Id. No. 242742) shall operate in series and be monitored with an in-line, totalizing flowmeter prior to use. Each meter must maintain 95% accuracy, be verifiable and be installed according to the manufacturer's specifications.
16. Total withdrawals of water from the withdrawal points authorized by this permit Well No. 1 (GRS Station No. 9000), and Well No. 2 (GRS Station No. 9001) and Surface water pumps P5 (GRS Id. No. 242740), P6 (GRS Id. No. 242741), and P7 (GRS Id. No. 242742) must be recorded continuously, totaled monthly, and reported to the District, using Form EN-50, at least every six months from the initiation of withdrawal. The reporting dates each year will be as follows for the duration of the permit:

<u>Reporting Period</u>	<u>Report Due Date</u>
January-June	July 31
July - December	January 31

17. The permittee shall document proper installation of flow meters by submitting a copy of the manufacturer's specifications and photographs of the installed flow meters, or by a site visit by District staff, within 30 days of meter installation.
18. The permittee must maintain all flow meters. In case of failure or breakdown of any meter, the District must be notified in writing within 5 days of discovery. A defective meter must be repaired or replaced within 30 days of discovery.
19. The permittee must have all flowmeters checked for accuracy at least once every 3 years within 30 days of the anniversary date of permit issuance, and recalibrated if the difference between the actual flow and the meter reading is greater than 5%. District Form No. EN-51 must be submitted to the District within 10 days of the inspection/calibration.

20. Maximum annual groundwater withdrawals (combined total) from Well No. 1 (GRS Station No. 9000) and Well No. 2 (GRS Station No. 9001) for household, urban landscape irrigation, commercial/industrial, and water utility types of use must not exceed 258.68 million gallons (0.709 million gallons per day).
21. Maximum annual surface water withdrawals (combined total) from Surface water pumps P5 (GRS Id. No. 242740), P6 (GRS Id. No. 242741), and P7 (GRS Id. No. 242742) for household, urban landscape irrigation, commercial/industrial, and water utility types of use must not exceed as follows:
  - 12.29 million gallons (0.034 million gallons per day, average) in 2011,
  - 12.50 million gallons (0.034 million gallons per day, average) in 2012, and
  - 43.93 million gallons (0.120 million gallons per day, average) in 2013.
22. Maximum daily groundwater withdrawals from the Floridan aquifer for fire protection from Well No. 1 (GRS Station No. 9000) and Well No. 2 (GRS Station No. 9001) shall not exceed 3.46 million gallons as a combined daily total. The permittee shall maintain a separate accounting of all water used for fire protection. The permittee shall submit documentation of water used for fire protection to the District within 30 days of each occurrence on which water is withdrawn for fire protection (essential) type use.
23. The permittee shall ensure that all development agreements entered into for Phases 5, 6, and 7 limit all landscaping, residential, commercial and common areas, to irrigated turf grass not more than 40% of the pervious area of each parcel and sixty percent (60%) or more of the pervious area of each parcel shall be planted in beds with micro-irrigation or with landscaping that requires no irrigation and that plant selection shall be limited to the "plant List" submitted to the District on August 14, 2008. Phases 5, 6, and 7 of Harbor Hills are as shown on Figure 2 of the materials submitted to the District on December 20, 2007.
24. The permittee shall install dual distribution lines to provide separate water lines for potable water and surface water (or reclaimed water, if available) in Phases 6 and 7 of Harbor Hills, where Phases 6 and 7 of Harbor Hills are as shown on Figure 2 of the materials submitted to the District on December 20, 2007.
25. The permittee shall propose and implement a water conservation rate structure as follows:
  - (a) The permittee shall propose a water conservation rate structure for the District's review and conceptual approval no later than March 31, 2011. A water conservation rate structure shall be designed to encourage the utility's water customers to reduce discretionary use by providing financial incentives to the customers to conserve water. The water conservation rate structure shall be based on the additional costs of water conservation incurred by the permittee as required by the District under this permit. The permittee's proposal must contain a water rate study that includes billing/financial analysis, customer demographics, cost of implementation, the appropriateness of the permittee's particular circumstances, and other relevant factors. Upon request, the District will assist the applicant by providing available demographic data, computer models, and literature.
  - (b) Within 30 days of the District's approval of the permittee's proposed water conservation rate structure, the permittee shall present that same proposed water conservation rate structure to the Florida Public Service Commission for approval under a formal rate making procedure such as a limited proceeding for rate restructuring or a formal rate case.

(c) The permittee shall satisfy and correct any and all deficiencies in its filing identified by the Florida Public Service Commission within 3 months of the date of the utility's first deficiency letter (if any).

(d) The permittee shall provide the District, on the 15<sup>th</sup> of each month, monthly updates on the status of the rate case.

(e) Within 90 days after the date of approval of the rate structure from the Florida Public Service Commission, the permittee shall implement the approved water conservation rate structure.

26. Beginning the next full billing cycle after permit issuance, the Permittee shall perform a review of water usage concurrent with billing cycles, for all residential accounts served under this permit to identify the highest water use accounts (top 10%). The Permittee shall contact each residential account identified within ten (10) days following the end of the billing cycle. The Permittee shall inform the customer via US Mail of its high water usage, the District rules for irrigation, the penalties under the Lake County ordinance, and offer a free indoor and outdoor water audit. The Permittee shall submit an annual report of its actions to comply with this permit condition to the District by January 31<sup>st</sup> for each preceding calendar year. The annual report shall provide a summary for each billing cycle of the water usage of those accounts identified in the top 10%, with copies of correspondence provided to the affected accounts.
27. The bi-monthly invoices generated for each account shall provide a summary of the prior year's water use for the same time period for each account.
28. The permittee shall ensure that each new home constructed with an automatic irrigation system within the permittee's service area is equipped with a functioning rain sensor and is in compliance with the requirements of section 373.62, F.S.
29. The permittee shall perform an audit of the amount of water used in the utility production and treatment facilities, transmission lines and distribution system for calendar year 2012, and report the results of the audit to the District for review and approval using District Water Audit Form No. 40C-22-0590-3 by March 31, 2013.
30. The permittee shall include conservation information mailings with utility bills on a quarterly basis.
31. If, in any year, the actual volume of water withdrawn by the permittee equals 95 percent or more of any of the amounts of water allocated for use by this permit, then the permittee shall submit a report to the District that explains why the withdrawal of water by the permittee equals 95 percent or more of the amounts allocated in this permit. The report shall evaluate the effect of the following on the volume of water withdrawn by the permittee:
  - o a. Climatic shortfalls (drought);
  - o b. Greater than anticipated growth in the permittee's service area;
  - o c. Inefficient usage within the service area
  - o d. Other factors that account for the withdrawal volume equaling 95 percent or more of the allocation.

The report must include a breakdown of the population currently being served by the permittee, an updated projection of anticipated population that will be served for the following year, an evaluation as to whether the permittee anticipates whether it will be able to meet the water needs of the revised projected population without violating the

allocations set forth in this permit, and a corrective action plan setting actions that the permittee intends to take if the evaluation indicates that allocations will be exceeded during the following year. The report must be submitted to the District by February 15 of the year following the year during which the permittee experienced withdrawals of water that equals 95 percent or more of the amount of water allocated for use by this permit.

32. The permittee must submit tabulated water usage data for the previous calendar year by March 31<sup>st</sup> of each year. This data must be submitted in an electronic format through the District's e-permitting site at [www.sirwmd.com](http://www.sirwmd.com) or an excel spreadsheet that can be obtained from the District.

The following information must be submitted for each calendar year:

Residential Population, Number of Residential Dwelling Units, Uniform Residential Per Capita Water Use (gpcpd), Household Average Day (mgd), Commercial/Industrial Average Day (mgd), Irrigation Average Day (mgd), Water Utility (mgd), Unaccounted for Water (mgd), Water Treatment Reject Water (mgd) (if applicable), Total Water Use Average Day (mgd), Total Water Use Maximum day (mgd), and Total Annual Water Use (mgd).

Definitions of these items can be found in the District's Applicant's Handbook: Consumptive Uses of Water March 8, 2009, Permit Application for Consumptive Uses of Water. Total annual water use must be consistent with the data submitted to the District using Forms EN-50.

# **ATTACHMENT 3**

## CUSTOMER DEPOSITS

**APPLICABILITY:**

For service to all customers within the certificated service areas of the Company.

**CHARGES:**

Sheet Nos. 3.1 through 3.3 indicate which utilities have been approved to charge initial customer deposits and the amounts approved. Pursuant to Rule 25-30.311(7), Florida Administrative Code, utilities may also require new or additional customer deposits which do not exceed an amount equal to the customer's average, actual charge for water or wastewater service for two billing periods within the prior 12 month period.

*(Continued to Section VII Sheet No. 3.1)*

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**Jack Lihvarcik**  
**Chief Operating Officer**

**CUSTOMER DEPOSITS**

*(Continued from Section VII Sheet No. 3.0)*

<u>SYSTEM NAME</u>	<u>COUNTY</u>	<u>METER SIZE</u>	<u>DEPOSIT</u>
Arredondo	Alachua		\$20.00
Beecher's Point	Putnam		\$20.00
Breeze Hill	Polk		
Carlton Village	Lake		
Chuluota	Seminole		
East Lake Harris Estates	Lake		
Fairways	Lake		\$25.00
Fern Terrace	Lake		
Forty-Eight Estates	Lake		
Friendly Center	Lake		
Gibsonia Estates	Polk		\$20.00
Grand Terrace	Lake		\$40.00
Haines Creek	Lake	5/8" x 3/4"	\$20.00
Haines Creek	Lake	1"	\$50.00
Haines Creek	Lake	1-1/2"	\$100.00
Haines Creek	Lake	Over 2"	\$160.00
Harbor Hills	Lake	5/8" x 3/4"	\$40.00
Harbor Hills	Lake	1"	\$75.00
Harbor Hills	Lake	1 1/2"	\$150.00
Harbor Hills	Lake	Over 2"	\$235.00
Harmony Homes	Seminole		
Hermits Cove	Putnam		
Hobby Hills	Lake		
Holiday Haven	Lake		
Imperial Mobile Terrace	Lake		\$35.00
Interlachen Lakes Estates	Putnam		
Jasmine Lakes	Pasco		
Jungle Den	Volusia		\$25.00
King's Cove	Lake		\$40.00
Kingswood	Brevard		\$15.00
Lake Gibson Estates	Polk		\$25.00
Lake Josephine	Highlands		
Lake Osborne	Palm Beach	5/8" x 3/4"	\$20.00
Lake Osborne	Palm Beach	1"	\$50.00
Lake Osborne	Palm Beach	1-1/2"	\$100.00
Lake Osborne	Palm Beach	Over 2"	\$160.00
Lake Suzy	DeSoto/Charlotte		\$25.00
Leisure Lakes	Highlands		\$30.00
Morningview	Lake		

**TYPE OF FILING**      Transfer of System

**EFFECTIVE DATE**

*(Continued to Section VII Sheet No. 3.2)*

**Jack Lihvarcik**  
**Chief Operating Officer**



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**Jack Lihvarcik**  
**Chief Operating Officer**

# **ATTACHMENT 4**

ALLOWANCE FOR FUNDS PRUDENTLY INVESTED

(AFPI)

AVAILABILITY:

Harbor Hills in Lake County, Florida

AFPI CHARGES:

\$560.92

The AFPI charge is capped at \$560.92 and shall be collected on all future connections until the water system is serving 813 ERC's, at which time the charge will cease.

TYPE OF FILING

Transfer Application

EFFECTIVE DATE

# **ATTACHMENT 5**

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**SERVICE AVAILABILITY CHARGES**

**AVAILABILITY:**

Harbor Hills in Lake County, Florida

**CHARGES:**

**Main Extension Charges:**

Residential - per ERC	\$457.00
All Others – per gallon	\$ 1.3058
Or	
Residential – per lot (140 ft. frontage)	\$457.00

**Meter Installation Charges:**

5/8" x 3/4"	\$ 85.00
1"	\$ 85.00
All other meter sizes	Actual Cost

**Plant Capacity Charges:**

Residential - per ERC	\$263.00
All Others – per gallon	\$ 0.75

**Tap Fee**

Up to 1"	\$100.00
Over 1"	Actual Cost

**Stand Alone Backflow Prevention Device:**

All Types	Owner Installed
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**TYPE OF FILING**      Transfer Application

**EFFECTIVE DATE**

# **ATTACHMENT 6**

**Notice of Application for Approval of Transfer and Application for Original Certificate for an Existing Wastewater System Requesting Initial Rates and Charges**

Notice is hereby given on the January 7, 2010 pursuant to Section 367.071, Florida Statutes of the Application for Approval of Application for Approval of Transfer Harbor Hills Utility, LP in Lake County Florida to Aqua Utilities Florida, Inc., (Aqua); Application for Original Certificate for an Existing Wastewater System Requesting Initial Rates and Charges and Amendments of Certificates. AUF is proposing the Commission approve initial wastewater service rates as follows:

Wastewater Rates:

Residential

Base Facility Charge:

All meter sizes \$ 19.88 |

Gallorage Charge:

Per thousand gallons \$ 4.91  
(gallorage cap of 6,000)

General Service

5/8" X 3/4"	\$ 19.88
3/4"	\$ 29.83
1"	\$ 49.71
1-1/2"	\$ 99.42
2"	\$ 159.08
3"	\$ 318.16
4"	\$ 497.12
6"	\$ 994.24
8"	\$ 1,590.79
10"	\$ 2,286.76

Gallorage Charge:

Per thousand gallons \$ 5.89

The Harbor Hills wastewater system provides service to the following described territory in Lake County, Florida:

LEGAL DESCRIPTION:

THE FOLLOWING DESCRIBED LANDS LOCATED IN PORTIONS OF SECTION 13, TOWNSHIP 18 SOUTH, RANGE 24 EAST, AND SECTIONS 7 & 18, TOWNSHIP 18 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA:

BEGIN AT THE SOUTHEAST CORNER OF SECTION 12, TOWNSHIP 18 SOUTH, RANGE 24 EAST, FOR THE POB; THENCE RUN NORTH 00°07'21" WEST, ALONG THE EAST BOUNDARY OF SAID SECTION 12 A DISTANCE OF 66.62 FEET TO THE CENTERLINE OF LAKE GRIFFIN ROAD AND A POINT ON A CURVE HAVING A RADIAL BEARING OF NORTH 27°13'16" WEST, SAID CURVE BEING CONCAVE NORTHWESTERLY HAVING A RADIUS OF 615.63 FEET; THENCE RUN EASTERLY ALONG SAID CENTERLINE AN ARC DISTANCE OF 228.02 FEET, SAID ARC HAVING A DELTA OF 2113'18", A TANGENT DISTANCE OF 115.33 FEET, A CHORD BEARING OF NORTH 52°10'04" EAST AND A CHORD DISTANCE OF 226.72 FEET TO A POINT OF TANGENCY; THENCE RUN NORTH 4133'27" EAST ALONG SAID CENTERLINE A DISTANCE OF 403.94 FEET TO A POINT OF CURVATURE, SAID CURVE BEING CONCAVE NORTHWESTERLY HAVING A RADIUS OF 1730.29 FEET; THENCE RUN NORTHEASTERLY ALONG SAID CENTERLINE AN ARC DISTANCE OF 240.35 FEET, SAID ARC HAVING A DELTA OF 07°57'32", A TANGENT DISTANCE OF 120.37 FEET, A CHORD BEARING OF NORTH 37°34'41" EAST AND A CHORD DISTANCE OF 240.16 FEET TO A POINT OF TANGENCY; THENCE RUN NORTH 33°35'55" EAST ALONG SAID CENTERLINE A DISTANCE OF 88.27 FEET TO A POINT OF CURVATURE, SAID CURVE BEING CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 234.54 FEET; THENCE RUN EASTERLY ALONG SAID CENTERLINE AN ARC DISTANCE OF 307.05 FEET, SAID ARC HAVING A DELTA OF 75°00'30", A TANGENT DISTANCE OF 180.00 FEET, A CHORD BEARING OF NORTH 71°06'10" EAST AND A CHORD DISTANCE OF 285.59 FEET TO A POINT OF TANGENCY; THENCE RUN SOUTH 71°23'35" EAST ALONG SAID CENTERLINE A DISTANCE OF 606.85 FEET TO A POINT OF CURVATURE, SAID CURVE BEING CONCAVE NORTHEASTERLY HAVING A RADIUS OF 919.44 FEET; THENCE RUN EASTERLY ALONG SAID CENTERLINE AN ARC DISTANCE OF 249.03 FEET, SAID ARC HAVING A DELTA OF 15°31'06", A TANGENT DISTANCE OF 125.28 FEET, A CHORD BEARING OF SOUTH 79°09'08" EAST AND A CHORD DISTANCE OF 248.27 FEET TO A POINT OF TANGENCY; THENCE RUN SOUTH 54°48'39" EAST A DISTANCE OF 221.30'; THENCE RUN SOUTH 35°11'21" WEST A DISTANCE OF 2009.33'; THENCE RUN NORTH 51°43'05" WEST A DISTANCE OF 422.00'; THENCE RUN SOUTH 89°55'26" WEST A DISTANCE OF 400.37' TO A POINT ON THE EAST BOUNDARY OF SECTION 13; THENCE RUN NORTH 00°04'34" WEST ALONG THE EAST BOUNDARY OF SECTION 13 A DISTANCE OF 165.41'; THENCE RUN NORTH 89°58'35" WEST A DISTANCE OF 526.35'; THENCE RUN NORTH 66°26'23" WEST A DISTANCE OF 357.90'; THENCE RUN NORTH 00°01'25" EAST A DISTANCE OF 634.92' TO A POINT ON THE SOUTH BOUNDARY OF SECTION 12; THENCE RUN NORTH 89°40'50" EAST ALONG THE SOUTH BOUNDARY OF SECTION 12 TO THE POINT OF BEGINNING.

Any objections to the Application must be made in writing and filed with the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850,



with a copy to D. Bruce May Jr. Holland & Knight, 315 South Calhoun Street, Suite 600, Tallahassee, FL 32301 within 30 days from the date of this Notice. The objection must state the grounds for the objection with particularity.

Aqua Utilities Florida, Inc.  
510 Highway 466  
Lady Lake, FL 32159

# **ATTACHMENT 7**

## CUSTOMER DEPOSITS

**APPLICABILITY:**

For service to all customers within the certificated service areas of the Company.

**CHARGES:**

Sheet No. 3.1 indicates which utilities have been approved to charge initial customers deposits and the amounts approved. Pursuant to Rule 25-30.311(7), Florida Administrative Code, utilities may also require new or additional customer deposits which do not exceed an amount of deposit equal to the Customer's average, actual charge for water or wastewater service for two billing periods within the prior 12 month period.

*(Continued to Section VII Sheet No. 3.1)*

**CUSTOMER DEPOSITS (Cont.)**

<b><u>SYSTEM NAME</u></b>	<b><u>COUNTY</u></b>	<b><u>DEPOSIT</u></b>
Arredondo	Alachua	
Beecher's Point	Putnam	\$ 30.00
Breeze Hill	Polk	
Chuluota	Seminole	
Fairways	Lake	\$ 50.00
Florida Central Commerce Park	Seminole	
Harbor Hills	Lake	\$ 73.00
Holiday Haven	Lake	\$ 25.00
Jasmine Lakes	Pasco	
Jungle Den	Volusia	\$ 25.00
King's Cove	Lake	\$ 45.00
Lake Gibson Estates	Polk	\$ 35.00
Lake Suzy	DeSoto & Charlotte	\$ 70.00
Leisure Lakes	Highlands	\$ 30.00
Morningview	Lake	
Palm Port	Putnam	
Palm Terrace	Pasco	\$ 10.00
Park Manor	Putnam	
Rosalie Oaks	Polk	\$ 20.00 (5/8"x3/4")
Rosalie Oaks	Polk	\$ 50.00 (1")
Rosalie Oaks	Polk	\$100.00 (1 1/2")
Rosalie Oaks	Polk	\$160.00 (over 2")
Silver Lake Oaks	Putnam	\$ 30.00
South Seas	Lee	
Summit Chase	Lake	\$ 40.00
Sunny Hills	Washington	\$ 25.00
The Woods	Sumter	\$ 20.00 (5/8"x3/4")
The Woods	Sumter	\$ 50.00 (1" Gen)
The Woods	Sumter	\$100.00 (1 1/2" Gen)
The Woods	Sumter	\$160.00 (2" Gen)
Valencia Terrace	Lake	\$ 10.00
Venetian Village	Lake	
Village Water (General)	Polk	\$ 50.00 (5/8"x3/4")
Village Water (General)	Polk	\$100.00 (1")
Village Water (General)	Polk	\$150.00 (1 1/2")
Village Water (General)	Polk	\$200.00 (2")
Village Water (General)	Polk	\$400.00 (4")
Village Water (General)	Polk	\$900.00 (8")
Zephyr Shores	Pasco	

**TYPE OF FILING**      Transfer of System

**EFFECTIVE DATE**

**Jack Lihvarcik  
Chief Operating Officer**

# **ATTACHMENT 8**



Jeb Bush  
Governor

# Department of Environmental Protection

Central District  
3319 Maguire Boulevard, Suite 232  
Orlando, Florida 32803-3767

Colleen Castille  
Secretary

## NOTICE OF PERMIT ISSUANCE

### CERTIFIED MAIL

7005 0390 0002 0084 3722

HARBOR HILLS DEVELOPMENT LP  
6538 LAKE GRIFFIN ROAD  
LADY LAKE FL 32159

ATTENTION MARY HUEY  
GENERAL MANAGER

Lake County - DW  
Harbor Hills WWTF

Enclosed is Permit Number FLA010608 to operate a domestic wastewater facility issued under Section(s) 403.087 and 403.0885 of the Florida Statutes.

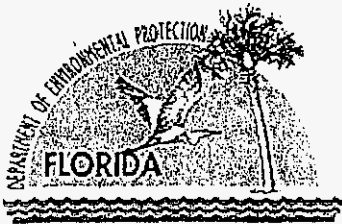
The Department's proposed agency action shall become final unless a timely petition for an administrative hearing is filed under sections 120.569 and 120.57 of the Florida Statutes before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below.

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

Petitions by the applicant or any of the parties listed below must be filed within fourteen days of receipt of this written notice. Petitions filed by any persons other than those entitled to written notice under section 120.60(3) of the Florida Statutes must be filed within fourteen days of publication of the notice or within fourteen days of receipt of the written notice, whichever occurs first.

Under section 120.60(3) of the Florida Statutes, however, any person who has asked the Department for notice of agency action may file a petition within fourteen days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under sections 120.569 and 120.57 of the Florida Statutes. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with rule 28-106.205 of the Florida Administrative Code.



Jeb Bush  
Governor

# Department of Environmental Protection

Central District  
3319 Maguire Boulevard, Suite 232  
Orlando, Florida 32803-3767

Colleen Castille  
Secretary

## STATE OF FLORIDA DOMESTIC WASTEWATER FACILITY PERMIT

**PERMITTEE:**

Harbor Hills Development, L.P.

**PERMIT NUMBER:** FLA010608  
**PA FILE NUMBER:** FLA010608-002-DW3P  
**ISSUANCE DATE:** August 31, 2006  
**EXPIRATION DATE:** August 30, 2011

**RESPONSIBLE AUTHORITY:**

Ms. Mary Huey  
General Manager  
6538 Lake Griffin Road  
Lady Lake, FL 32159

(352) 753-7000

**FACILITY:**

Harbor Hills WWTF  
38505 Harbor Hills Boulevard  
Lady Lake, FL 32159  
Lake County  
Latitude: 28° 56' 00" N Longitude: 81° 51' 00" W

This permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and applicable rules of the Florida Administrative Code (F.A.C.). 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 0.04 million gallon per day (mgd) annual average daily flow (AADF) permitted capacity extended aeration domestic wastewater treatment plant consisting of flow equalization, aeration, secondary clarification, chlorination and aerobic digestion of residuals.

**REUSE:**

**Land Application:** An existing 0.04 mgd AADF permitted capacity rapid infiltration basin system (R-001). R-001 consists of two rapid infiltration basins with a total wetted area of 0.351 acres (15,289 square feet) located approximately at latitude 28° 56' 00" N, longitude 81° 51' 00" W.

**IN ACCORDANCE WITH:** The limitations, monitoring requirements and other conditions set forth in Pages 1 through 13 of this permit.

FACILITY: Harbor Hills WWTF  
 PERMITTEE: Harbor Hills Development, L.P.

PERMIT NUMBER: FLA010608  
 EXPIRATION DATE: August 30, 2011

**I. 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 direct reclaimed water to Reuse System R-001 (Two RIB's). Such reclaimed water shall be limited and monitored by the permittee as specified below and reported in accordance with condition I.B.6:

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	0.04	-	-	-	5 Days/Week	Meter	FI.W-1	See Cond. I.A.3.
BOD, Carbonaceous 5 day, 20C	MG/L	Maximum	20.0	30.0	45.0	60.0	Monthly	Grab	EFA-1	
Solids, Total Suspended	MG/L	Maximum	20.0	30.0	45.0	60.0	Monthly	Grab	EFA-1	
pH	SU	Range	-	-	-	6.0 to 8.5	5 Days/Week	Grab	EFA-1	
Coliform, Fecal	#/100 ML	Maximum	See Permit Condition I.A.4.				Monthly	Grab	EFA-1	
Total Residual Chlorine (For Disinfection)	MG/L	Minimum	-	-	-	0.5	5 Days/Week	Grab	EFA-1	See Cond. I.A.5.
Nitrogen, Nitrate, Total (as N)	MG/L	Maximum	-	-	-	12.0	Annually	Grab	EFA-1	See Cond. I.A.6.



FACILITY: Harbor Hills WWTF  
 PERMITTEE: Harbor Hills Development, L.P.

PERMIT NUMBER: FLA010608  
 EXPIRATION DATE: August 30, 2011

**I. RECLAIMED WATER AND EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (cont.)**

**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 and reported in accordance with condition I.B.6:

Parameter	Unit	Maximum	Limitations				Monitoring Requirements			Notes
			Annual Average	Monthly Average	Weekly Average	Single Sample	Monitoring Frequency	Sample Type	Monitoring Location Site Number	
BOD, Carbonaceous 5 day, 20C	MG/L	Maximum	Report	-	-	-	Annually	Grab	INF-1	See Cond. I.B.3.
Solids, Total Suspended	MG/L	Maximum	Report	-	-	-	Annually	Grab	INF-1	See Cond. I.B.3.
Percent Capacity, (TMADF/Permitted Capacity) x 100	PER CENT	Maximum	-	Report	-	-	Monthly	Calculated	CAL-1	

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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
CAL-1	Calculated from daily flow
INF-1	Raw influent to surge tank

3. 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)]
4. Parameters which must be monitored as a result of a surface water discharge shall be analyzed using a sufficiently sensitive method to assure compliance with applicable water quality standards and effluent limitations in accordance with 40 CFR (Code of Federal Regulations) Part 136. All monitoring shall be representative of the monitored activity. [62-620.320(6)]
5. 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)]
6. Monitoring requirements under this permit are effective on the first day of the second month following permit issuance. Until such time, the permittee shall continue to monitor and report in accordance with previously effective permit requirements, if any. During the period of operation authorized by this permit, the permittee shall complete and submit to the Department's Central District Office Discharge Monitoring Reports (DMRs) in accordance with the frequencies specified by the REPORT type (i.e., monthly, toxicity, quarterly, semiannual, annual, etc.) indicated on the DMR forms attached to this permit. Monitoring results for each monitoring period shall be submitted in accordance with the associated DMR due dates below.

REPORT Type	Monitoring Period	Due Date
Monthly or Toxicity	first day of month – last day of month	28 <sup>th</sup> day of following month
Quarterly	January 1 – March 31	April 28
	April 1 – June 30	July 28
	July 1 – September 30	October 28
	October 1 – December 31	January 28
Semiannual	January 1 – June 30	July 28
	July 1 – December 31	January 28
Annual	January 1 – December 31	January 28

DMRs shall be submitted for each required monitoring period including months of no discharge. The permittee shall make copies of the attached DMR form(s) and shall submit the completed DMR form(s) to the Department's Central District Office at the address specified in Permit Condition I.B. 7 by the twenty-eighth (28th) of the month following the month of operation.

[62-620.610(18)][62-601.300(1), (2), and (3)]

7. Unless specified otherwise in this permit, all reports and other information required by this permit, including 24-hour notifications, shall be submitted to or reported to, as appropriate, Lake County Water Resource Management and the Department's Central District Office at the address specified below:

Central District Office  
 3319 Maguire Boulevard Suite 232  
 Orlando, Florida 32803-3767

Phone Number - (407) 894-7555  
 FAX Number - (407) 897-2966

All FAX copies shall be followed by original copies. All reports and other information shall be signed in accordance with the requirements of Rule 62-620.305, F.A.C. [62-620.305]

## II. RESIDUALS MANAGEMENT REQUIREMENTS

1. The method of residuals use or disposal by this facility is transport to Roto-Rooter Residuals Management Facility (RMF) or disposal in a Class I or II solid waste landfill.
2. The permittee shall be responsible for proper treatment, management, use, and land application or disposal of its residuals. [62-640.300(5)]
3. The permittee shall not be held responsible for treatment, management, use, or land application violations that occur after its residuals have been accepted by a permitted residuals management facility with which the source facility has an agreement in accordance with Rule 62-640.880(1)(c), F.A.C., for further treatment, management, use or land application. [62-640.300(5)]
4. Disposal of residuals, septage, and other solids in a solid waste landfill, or disposal by placement on land for purposes other than soil conditioning or fertilization, such as at a monofill, surface impoundment, waste pile, or dedicated site, shall be in accordance with Chapter 62-701, F.A.C. [62-640.100(6)(k)3 & 4]
5. If the permittee intends to accept residuals from other facilities, a permit revision is required pursuant to Rule 62-640.880(2)(d), F.A.C. [62-640.880(2)(d)]
6. The permittee shall keep hauling records to track the transport of residuals between facilities. The hauling records shall contain the following information:

Source Facility	Residuals Management Facility or Treatment Facility
1. Date and Time Shipped	1. Date and Time Received
2. Amount of Residuals Shipped	2. Amount of Residuals Received
3. Degree of Treatment (if applicable)	3. Name and ID Number of Source Facility
4. Name and ID Number of Residuals Management Facility or Treatment Facility	4. Signature of Hauler
5. Signature of Responsible Party at Source Facility	5. Signature of Responsible Party at Residuals Management Facility or Treatment Facility
6. Signature of Hauler and Name of Hauling Firm	

These records shall be kept for five years and shall be made available for inspection upon request by the Department. A copy of the hauling records information maintained by the source facility shall be provided upon delivery of the residuals to the residuals management facility or treatment facility. The permittee shall report to the Department within 24 hours of discovery any discrepancy in the quantity of residuals leaving the source facility and arriving at the residuals management facility or treatment facility. [62-640.880(4)]

7. Storage of residuals or other solids at the permitted facility shall require prior written notification to the Department. [62-640.300(4)]

## III. GROUND WATER REQUIREMENTS

Piezometer wells are in-place but not utilized. Section III is not applicable to this facility.

## IV. ADDITIONAL REUSE AND LAND APPLICATION REQUIREMENTS

### Part IV Rapid Infiltration Basins (R-001)

1. Advisory signs shall be posted around the site boundaries to designate the nature of the project area. [62-610.518]
2. The annual average hydraulic loading rate to the two rapid infiltration basins with a total wetted area of 0.351 acres shall be limited to a maximum of 4.2 inches per day (as applied to the entire bottom area). [62-610.523(3)]

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3. The two rapid infiltration basins with a total wetted area of 0.351 acres normally shall be loaded for 7 days and shall be rested for 7 days. Infiltration ponds, basins, or trenches shall be allowed to dry during the resting portion of the cycle. *[62-610.523(4)]*
4. Rapid infiltration basins shall be routinely maintained to control vegetation growth and to maintain percolation capability by scarification or removal of deposited solids. Basin bottoms shall be maintained to be level. *[62-610.523(6) and (7)]*
5. Routine aquatic weed control and regular maintenance of storage pond embankments and access areas are required. *[62-610.514 and 62-610.414]*
6. Overflows from emergency discharge facilities on storage ponds or on infiltration ponds, basins, or trenches shall be reported as an abnormal event to the Department's Central District Office within 24 hours of an occurrence. The provisions of Rule 62-610.800(9), F.A.C., shall be met. *[62-610.800(9)]*

#### V. OPERATION AND MAINTENANCE REQUIREMENTS

1. During the period of operation authorized by this permit, the wastewater facilities shall be operated under the supervision of a(n) operator(s) certified in accordance with Chapter 62-602, F.A.C. In accordance with Chapter 62-699, F.A.C., this facility is a Category III, Class C facility and, at a minimum, operators with appropriate certification must be on the site as follows:

A Class C or higher operator 1/2 hour/day for 5 days/week and one visit each weekend. The lead operator must be a Class C operator, or higher.

*[62-620.630(3)] [62-699.310] [62-610.462]*

2. An operator meeting the lead operator classification level of the plant shall be available during all periods of plant operation. "Available" means able to be contacted as needed to initiate the appropriate action in a timely manner. *[62-699.311(1)]*.
3. The application to renew this permit shall include an updated capacity analysis report prepared in accordance with Rule 62-600.405, F.A.C. *[62-600.405(5)]*
4. The application to renew this 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)]*
5. The permittee shall maintain the following records and make them available for inspection on the site of the permitted facility:
  - 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;
  - e. 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

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- 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]*

## VI. SCHEDULES

Section VI is not applicable to this facility.

## VII. INDUSTRIAL PRETREATMENT PROGRAM REQUIREMENTS

This facility is not required to have a pretreatment program at this time. *[62-625.500]*

## VIII. OTHER SPECIFIC CONDITIONS

1. The permittee shall apply for renewal of this permit at least 180 days before the expiration date of the permit using the appropriate forms listed in Rule 62-620.910, F.A.C., including submittal of the appropriate processing fee set forth in Rule 62-4.050, F.A.C. The existing permit shall not expire until the Department has taken final action on the application renewal in accordance with the provisions of 62-620.335(3) and (4), F.A.C. *[62-620.335(1)-(4)]*
2. Florida water quality criteria and standards shall not be violated as a result of any discharge or land application of reclaimed water or residuals from this facility. *[62-610.850(1)(a) and (2)(a)]*
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. Additionally, the treatment, management, use or land application of residuals shall not cause a violation of the odor prohibition in Rule 62-296.320(2), F.A.C. *[62-600.410(8) and 62-640.400(6)]*
4. The deliberate introduction of stormwater in any amount into collection/transmission systems designed solely for the introduction (and conveyance) of domestic/industrial wastewater; or the deliberate introduction of stormwater into collection/transmission systems designed for the introduction or conveyance of combinations of storm and domestic/industrial wastewater in amounts which may reduce the efficiency of pollutant removal by the treatment plant is prohibited, except as provided by Rule 62-610.472, F.A.C. *[62-604.130(3)]*
5. Collection/transmission system overflows shall be reported to the Department in accordance with Permit Condition IX. 20. *[62-604.550] [62-620.610(20)]*
6. The operating authority of a collection/transmission system and the permittee of a treatment plant are prohibited from accepting 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 the wastewater temperature at the introduction of the treatment plant exceeding 40°C or otherwise inhibiting treatment; or
  - e. Which result in the presence of toxic gases, vapors, or fumes that may cause worker health or safety problems.

*[62-604.130(5)]*

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7. The treatment facility, storage ponds, rapid infiltration basins, and/or infiltration trenches shall be enclosed with a fence or otherwise provided with features to discourage the entry of animals and unauthorized persons. *[62-610.518(1)] [and 62-600.400(2)(b)]*.
8. Screenings and grit removed from the wastewater facilities shall be collected in suitable containers and hauled to a Department approved Class I landfill or to a landfill approved by the Department for receipt/disposal of screenings and grit. *[62-701.300(1)(a)]*
9. The Permittee shall provide verbal notice to the Department as soon as practical after discovery of a sinkhole within an area for the management or application of wastewater, wastewater residuals (sludges), or reclaimed water. The Permittee shall immediately implement measures appropriate to control the entry of contaminants, and shall detail these measures to the Department in a written report within 7 days of the sinkhole discovery. *[62-4.070(3)]*
10. The permittee shall provide adequate notice to the Department of the following:
  - a. 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; and
  - b. Any substantial change in the volume or character of pollutants being introduced into that facility by a source which was identified in the permit application and known to be discharging at the time the permit was issued.

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)]*

#### 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)]*
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)]*
3. As provided in subsection 403.087(7), 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)]*
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)]*
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)]*

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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)]*
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)]*
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)]*
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:
  - a. 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;
  - b. Have access to and copy any records that shall be kept under the conditions of this permit;
  - c. Inspect the facilities, equipment, practices, or operations regulated or required under this permit; and
  - d. Sample or monitor any substances or parameters at any location necessary to assure compliance with this permit or Department rules.*[62-620.610(9)]*
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. 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)]*
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)]*
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)]*
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)]*

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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)]
16. The permittee shall apply for a revision to the Department permit in accordance with Rules 62-620.300 and the Department of Environmental Protection Guide to Wastewater Permitting at least 90 days before construction of any planned substantial modifications to the permitted facility is to commence or with Rule 62-620.325(2) 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)]
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 description of the anticipated noncompliance;
  - The period of the anticipated noncompliance, including dates and times; and
  - Steps being taken to prevent future occurrence of the noncompliance.

[62-620.610(17)]

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.
- 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), or as specified elsewhere in the permit.
  - If the permittee monitors any contaminant 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.
  - Calculations for all limitations which require averaging of measurements shall use an arithmetic mean unless otherwise specified in this permit.
  - Except as specifically provided in Rule 62-160.300, F.A.C., any laboratory test required by this permit shall be performed by a laboratory that has been certified by the Department of Health Environmental Laboratory Certification Program (DOH ELCP). Such certification shall be for the matrix, test method and analyte(s) being measured to comply with this permit. For domestic wastewater facilities, testing for parameters listed in Rule 62-160.300(4), F.A.C., shall be conducted under the direction of a certified operator.
  - Field activities including on-site tests and sample collection shall follow the applicable standard operating procedures described in DEP-SOP-001/01 adopted by reference in Chapter 62-160, F.A.C.
  - Alternate field procedures and laboratory methods may be used where they have been approved in accordance with Rules 62-160.220 and 62-160.330, F.A.C.

[62-620.610(18)]

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)]
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.
- The following shall be included as information which must be reported within 24 hours under this condition:



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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. Oral reports as required by this subsection shall be provided as follows:
1. For unauthorized releases or spills of treated or untreated wastewater reported pursuant to subparagraph a.4 that are in excess of 1,000 gallons per incident, or where information indicates that public health or the environment will be endangered, oral reports shall be provided to the Department by calling the STATE WARNING POINT TOLL FREE NUMBER (800) 320-0519, as soon as practical, but no later than 24 hours from the time the permittee becomes aware of the discharge. The permittee, to the extent known, shall provide the following information to the State Warning Point:
    - a) Name, address, and telephone number of person reporting;
    - b) Name, address, and telephone number of permittee or responsible person for the discharge;
    - c) Date and time of the discharge and status of discharge (ongoing or ceased);
    - d) Characteristics of the wastewater spilled or released (untreated or treated, industrial or domestic wastewater);
    - e) Estimated amount of the discharge;
    - f) Location or address of the discharge;
    - g) Source and cause of the discharge;
    - h) Whether the discharge was contained on-site, and cleanup actions taken to date;
    - i) Description of area affected by the discharge, including name of water body affected, if any; and
    - j) Other persons or agencies contacted.
  2. Oral reports, not otherwise required to be provided pursuant to subparagraph b.1 above, shall be provided to the Department within 24 hours from the time the permittee becomes aware of the circumstances.
- c. 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)]

21. The permittee shall report all instances of noncompliance not reported under Permit Conditions IX. 17., 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)]
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

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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)]

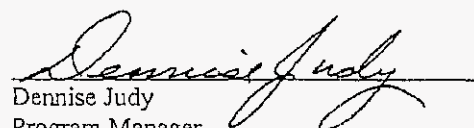
### 23. Upset Provisions

- 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;
  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 burden of proof for establishing the occurrence of an upset rests with the permittee.
- 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)]

Executed in Orlando, Florida.

STATE OF FLORIDA DEPARTMENT OF  
ENVIRONMENTAL PROTECTION

  
Dennise Judy  
Program Manager  
Domestic Waste

DATE: August 31, 2006

**DEPARTMENT OF ENVIRONMENTAL PROTECTION DISCHARGE MONITORING REPORT - PART A**

When Completed mail this report to: Department of Environmental Protection, Central District, 3319 Maguire Boulevard Suite 232, Orlando, FL, 32803-3767

PERMITTEE NAME: Harbor Hills Development, L.P.  
 MAILING ADDRESS: 6538 Lake Griffin Road  
 Lady Lake, FL 32159

PERMIT NUMBER: FLA010608  
 LIMIT: Final  
 CLASS SIZE: N/A

Expiration Date: August 30, 2011  
 REPORT GROUP: Monthly Domestic

FACILITY: Harbor Hills WWTF  
 LOCATION: 38505 Harbor Hills Boulevard  
 Lady Lake, FL 32159

MONITORING GROUP NUMBER: R-001  
 MONITORING GROUP DESC: Two RIB's, including Influent

COUNTY: Lake

NO DISCHARGE FROM SITE:   
 MONITORING PERIOD From: \_\_\_\_\_ To \_\_\_\_\_

Parameter		Quantity or Loading	Units	Quality or Concentration	Units	No. Ex.	Frequency of Analysis	Sample Type
Flow	Sample Measurement							
PARM Code 50050 Y Mon.Site No. FLW-1	Permit Requirement	0.04 (An.Avg.)	MGD				5 Days/Week	Meter
Flow	Sample Measurement							
PARM Code 50050 I Mon.Site No. FLW-1	Permit Requirement	Report (Mo.Avg.)	MGD				5 Days/Week	Meter
BOD, Carbonaceous 5 day, 20C	Sample Measurement							
PARM Code 80082 Y Mon.Site No. EFA-1	Permit Requirement			20.0 (An.Avg.)	MG/L		Monthly	Grab
BOD, Carbonaceous 5 day, 20C	Sample Measurement							
PARM Code 80082 A Mon.Site No. EFA-1	Permit Requirement			Report (Mo.Avg.)	60.0 (Max.)	MG/L	Monthly	Grab
Solids, Total Suspended	Sample Measurement							
PARM Code 00530 Y Mon.Site No. EFA-1	Permit Requirement			20.0 (An.Avg.)	MG/L		Monthly	Grab
Solids, Total Suspended	Sample Measurement							
PARM Code 00530 A Mon.Site No. EFA-1	Permit Requirement			Report (Mo.Avg.)	60.0 (Max.)	MG/L	Monthly	Grab

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

NAME/TITLE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT	TELEPHONE NO	DATE (YY/MM/DD)

COMMENT AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here):

**DISCHARGE MONITORING REPORT - PART A (Continued)**

FACILITY: Harbor Hills WWTF

MONITORING GROUP NUMBER: R-001  
 MONITORING PERIOD From: \_\_\_\_\_ To: \_\_\_\_\_

PERMIT NUMBER: FLA010608

Parameter		Quantity or Loading	Units	Quality or Concentration		Units	No. Ex.	Frequency of Analysis	Sample Type
pH	Sample Measurement								
PARM Code 00400 A Mon.Site No. EFA-1	Permit Requirement			6.0 (Min.)	8.5 (Max.)	SU		5 Days/Week	Grab
Coliform, Fccal	Sample Measurement								
PARM Code 74055 Y Mon.Site No. EFA-1	Permit Requirement			200 (An.Avg.)		#/100ML		Monthly	Grab
Coliform, Fecal	Sample Measurement								
PARM Code 74055 A Mon.Site No. EFA-1	Permit Requirement			Report (Mo.Geo.Mean)	800 (Max.)	#/100ML		Monthly	Grab
Total Residual Chlorine (For Disinfection)	Sample Measurement								
PARM Code 50060 A Mon.Site No. EFA-1	Permit Requirement			0.5 (Min.)		MG/L		5 Days/Week	Grab
Percent Capacity, (TMADF/ Permitted Capacity) x 100	Sample Measurement								
PARM Code 00180 P Mon.Site No. CAL-1	Permit Requirement			Report		PER-CENT		Monthly	Calculated
Nitrogen, Nitrate, Total (as N)	Sample Measurement								
PARM Code 00620 A Mon.Site No. EFA-1	Permit Requirement			12.0 (Max.)		MG/L		Annually	Grab
BOD, Carbonaceous 5 day, 20C	Sample Measurement								
PARM Code 80082 Y Mon.Site No. INF-1	Permit Requirement			Report (An.Avg.)		MG/L		Annually	Grab
Solids, Total Suspended	Sample Measurement								
PARM Code 00530 Y Mon.Site No. INF-1	Permit Requirement			Report (An.Avg.)		MG/L		Annually	Grab
	Sample Measurement								
	Permit Requirement								
	Sample Measurement								
	Permit Requirement								

**DAILY SAMPLE RESULTS - PART B**

Permit Number: FLA010608  
 Monitoring Period From: \_\_\_\_\_ To: \_\_\_\_\_

Facility: Harbor Hills WWTF

	CBOD5 (MG/L)	Fecal Coliform Bacteria (#/100ML)	pH (SU)	TSS (MG/L)	TRC (For Disinfect.) (MG/L)	Flow (MGD)				
Code	80082	74055	00400	00530	50060	50050				
Mon. Site	EFA-1	EFA-1	EFA-1	EFA-1	EFA-1	FLW-1				
1										
2										
3										
4										
5										
6										
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21										
22										
23										
24										
25										
26										
27										
28										
29										
30										
31										
Total										
Mo. Avg.										

**PLANT STAFFING:**

Day Shift Operator      Class: \_\_\_\_\_ Certificate No: \_\_\_\_\_ Name: \_\_\_\_\_

Evening Shift Operator      Class: \_\_\_\_\_ Certificate No: \_\_\_\_\_ Name: \_\_\_\_\_

Night Shift Operator      Class: \_\_\_\_\_ Certificate No: \_\_\_\_\_ Name: \_\_\_\_\_

Lead Operator      Class: \_\_\_\_\_ Certificate No: \_\_\_\_\_ Name: \_\_\_\_\_

## INSTRUCTIONS FOR COMPLETING THE WASTEWATER DISCHARGE MONITORING REPORT

Read these instructions as well as the SUPPLEMENTAL INSTRUCTIONS FOR COMPLETING THE WASTEWATER DISCHARGE MONITORING REPORT before completing the DMR. Hard copies and/or electronic copies of the required parts of the DMR were provided with the permit. All required information shall be completed in full and typed or printed in ink. A signed, original DMR shall be mailed to the address printed on the DMR by the 28<sup>th</sup> of the month following the monitoring period. The DMR shall not be submitted before the end of the monitoring period.

The DMR consists of three parts--A, B, and D--all of which may or may not be applicable to every facility. Facilities may have one or more Part A's for reporting effluent or reclaimed water data. All domestic wastewater facilities will have a Part B for reporting daily sample results. Part D is used for reporting ground water monitoring well data. When results are not available, the following codes should be used on parts A and D of the DMR and an explanation provided where appropriate. Note: Codes used on Part B for raw data are different.

CODE	DESCRIPTION/INSTRUCTIONS
ANC	Analysis not conducted.
DRY	Dry Well
FLD	Flood disaster.
IFS	Insufficient flow for sampling.
LS	Lost sample.
MNR	Monitoring not required this period.

CODE	DESCRIPTION/INSTRUCTIONS
NOD	No discharge from/to site.
OPS	Operations were shutdown so no sample could be taken.
OTH	Other. Please enter an explanation of why monitoring data were not available.
SEF	Sampling equipment failure.

When reporting analytical results that fall below a laboratory's reported method detection limits or practical quantification limits, the following instructions should be used:

1. Results greater than or equal to the PQL shall be reported as the measured quantity.
2. Results less than the PQL and greater than or equal to the MDL shall be reported as the laboratory's MDL value. These values shall be deemed equal to the MDL when necessary to calculate an average for that parameter and when determining compliance with permit limits.
3. Results less than the MDL shall be reported by entering a less than sign (" $<$ ") followed by the laboratory's MDL value, e.g.  $< 0.001$ . A value of one-half the MDL or one-half the effluent limit, whichever is lower, shall be used for that sample when necessary to calculate an average for that parameter. Values less than the MDL are considered to demonstrate compliance with an effluent limitation.

### PART A -DISCHARGE MONITORING REPORT (DMR)

Part A of the DMR is comprised of one or more sections, each having its own header information. Facility information is preprinted in the header as well as the monitoring group number, whether the limits and monitoring requirements are interim or final, and the required submittal frequency (e.g. monthly, annually, quarterly, etc.). Submit Part A based on the required reporting frequency in the header and the instructions shown in the permit. The following should be completed by the permittee or authorized representative:

**No Discharge From Site:** Check this box if no discharge occurs and, as a result, there are no data or codes to be entered for all of the parameters on the DMR for the entire monitoring group number; however, if the monitoring group includes other monitoring locations (e.g., influent sampling), the "NOD" code should be used to individually denote those parameters for which there was no discharge.

**Monitoring Period:** Enter the month, day, and year for the first and last day of the monitoring period (i.e. the month, the quarter, the year, etc.) during which the data on this report were collected and analyzed.

**Sample Measurement:** Before filling in sample measurements in the table, check to see that the data collected correspond to the limit indicated on the DMR (i.e. interim or final) and that the data correspond to the monitoring group number in the header. Enter the data or calculated results for each parameter on this row in the non-shaded area above the limit. Be sure the result being entered corresponds to the appropriate statistical base code (e.g. annual average, monthly average, single sample maximum, etc.) and units.

**No. Ex.:** Enter the number of sample measurements during the monitoring period that exceeded the permit limit for each parameter in the non-shaded area. If none, enter zero.

**Frequency of Analysis:** The shaded areas in this column contain the minimum number of times the measurement is required to be made according to the permit. Enter the actual number of times the measurement was made in the space above the shaded area.

**Sample Type:** The shaded areas in this column contain the type of sample (e.g. grab, composite, continuous) required by the permit. Enter the actual sample type that was taken in the space above the shaded area.

**Signature:** This report must be signed in accordance with Rule 62-620.305, F.A.C. Type or print the name and title of the signing official. Include the telephone number where the official may be reached in the event there are questions concerning this report. Enter the date when the report is signed.

**Comment and Explanation of Any Violations:** Use this area to explain any exceedances, any upset or by-pass events, or other items which require explanation. If more space is needed, reference all attachments in this area.

## PART B - DAILY SAMPLE RESULTS

**Monitoring Period:** Enter the month, day, and year for the first and last day of the monitoring period (i.e. the month, the quarter, the year, etc.) during which the data on this report were collected and analyzed.

**Daily Monitoring Results:** Transfer all analytical data from your facility's laboratory or a contract laboratory's data sheets for all day(s) that samples were collected. Record the data in the units indicated. Table I in Chapter 62-160, F.A.C., contains a complete list of all the data qualifier codes that your laboratory may use when reporting analytical results. However, when transferring numerical results onto Part B of the DMR, only the following data qualifier codes should be used and an explanation provided where appropriate.

CODE	DESCRIPTION/INSTRUCTIONS
<	The compound was analyzed for but not detected.
A	Value reported is the mean (average) of two or more determinations.
J	Estimated value, value not accurate.
Q	Sample held beyond the actual holding time.
Y	Laboratory analysis was from an unpreserved or improperly preserved sample.

Add the results to get the Total and divide by the number of days in the month to get the Monthly Average.

**Plant Staffing:** List the name, certificate number, and class of all state certified operators operating the facility during the monitoring period. Use additional sheets as necessary.

## PART D - GROUND WATER MONITORING REPORT

**Monitoring Period:** Enter the month, day, and year for the first and last day of the monitoring period (i.e. the month, the quarter, the year, etc.) during which the data on this report were collected and analyzed.

**Date Sample Obtained:** Enter the date the sample was taken. Also, check whether or not the well was purged before sampling.

**Time Sample Obtained:** Enter the time the sample was taken.

**Sample Measurement:** Record the results of the analysis. If the result was below the minimum detection limit, indicate that.

**Detection Limits:** Record the detection limits of the analytical methods used.

**Analysis Method:** Indicate the analytical method used. Record the method number from Chapter 62-160 or Chapter 62-601, F.A.C., or from other sources.

**Sampling Equipment Used:** Indicate the procedure used to collect the sample (e.g. airlift, bucket/bailer, centrifugal pump, etc.)

**Samples Filtered:** Indicate whether the sample obtained was filtered by laboratory (L), filtered in field (F), or unfiltered (N).

**Signature:** This report must be signed in accordance with Rule 62-620.305, F.A.C. Type or print the name and title of the signing official. Include the telephone number where the official may be reached in the event there are questions concerning this report. Enter the date when the report is signed.

**Comments and Explanation:** Use this space to make any comments on or explanations of results that are unexpected. If more space is needed, reference all attachments in this area.

## SPECIAL INSTRUCTIONS FOR LIMITED WET WEATHER DISCHARGES

**Flow (Limited Wet Weather Discharge):** Enter the measured average flow rate during the period of discharge or divide gallons discharged by duration of discharge (converted into days). Record in million gallons per day (MGD).

**Flow (Upstream):** Enter the average flow rate in the receiving stream upstream from the point of discharge for the period of discharge. The average flow rate can be calculated based on two measurements; one made at the start and one made at the end of the discharge period. Measurements are to be made at the upstream gauging station described in the permit.

**Actual Stream Dilution Ratio:** To calculate the Actual Stream Dilution Ratio, divide the average upstream flow rate by the average discharge flow rate. Enter the Actual Stream Dilution Ratio accurate to the nearest 0.1.

**No. of Days the SDF > Stream Dilution Ratio:** For each day of discharge, compare the minimum Stream Dilution Factor (SDF) from the permit to the calculated Stream Dilution Ratio. On Part B of the DMR, enter an asterisk (\*) if the SDF is greater than the Stream Dilution Ratio on any day of discharge. On Part A of the DMR, add up the days with an "\*" and record the total number of days the Stream Dilution Factor was greater than the Stream Dilution Ratio.

**CBOD<sub>5</sub>:** Enter the average CBOD<sub>5</sub> of the reclaimed water discharged during the period shown in duration of discharge.

**TKN:** Enter the average TKN of the reclaimed water discharged during the period shown in duration of discharge.

**Actual Rainfall:** Enter the actual rainfall for each day on Part B. Enter the actual cumulative rainfall to date for this calendar year and the actual total monthly rainfall on Part A. The cumulative rainfall to date for this calendar year is the total amount of rain, in inches, that has been recorded since January 1 of the current year through the month for which this DMR contains data.

**Rainfall During Average Rainfall Year:** On Part A, enter the total monthly rainfall during the average rainfall year and the cumulative rainfall for the average rainfall year. The cumulative rainfall for the average rainfall year is the amount of rain, in inches, which fell during the average rainfall year from January through the month for which this DMR contains data.

**No. of Days LWWD Activated During Calendar Year:** Enter the cumulative number of days that the limited wet weather discharge was activated since January 1 of the current year.

**Reason for Discharge:** Attach to the DMR a brief explanation of the factors contributing to the need to activate the limited wet weather discharge.

# ATTACHMENT 9

DOCUMENT NUMBER-DATE

01512 MAR-8 =

FPSC-COMMISSION CLERK



FILE EDIT VIEW FAVORITES TOOLS HELP

BACK SEARCH FOLDERS GO

ADDRESS D:\

FOLDERS	NAME	SIZE	TYPE
DESKTOP	HARBOR HILLS GWR PROJECTION.XLSX	82 KB	MICROSOFT OFFICE EXCEL...
MY COMPUTER	HARBOR HILLS WATER PLANT AND DEPRECIATION.XLSX	36 KB	MICROSOFT OFFICE EXCEL...
30 FLOPPY (A:)	HARBOR HILLS WATER LEGAL DESCRIPTION.DOCX	13 KB	WORD 2007 DOCUMENT
BIP3400 (C:)	HARBOR HILLS WASTEWATER LEGAL DESCRIPTION.DOCX	31 KB	WORD 2007 DOCUMENT
HARBOR HILLS (D:)	HARBOR HILLS -RATE BASE- WASTEWATER RATE BASE.X...	51 KB	MICROSOFT OFFICE EXCEL...
DVD-RW DRIVE (E:)	HARBOR HILLS ADMIN ALLOCATIONS MGMT FEES.XLSX	59 KB	MICROSOFT OFFICE EXCEL...
MMCLEAN ON 'FP2\HO	DEPRECIATION.XLS	71 KB	MICROSOFT OFFICE EXCEL...
WUP ON 'FPI\DATA\PSC			
PLINGS ON 'FP3 (FP3) (L			
HG ON 'FPI\DATA\PSC\			
DB ON 'FPI\DATA\PSC\			
123 ON 'FPI\DATA\PSC\			
DATA ON 'FPI' (S)			
TRANSFER ON 'FPI\DA			
FP26DOS ON 'FPI\DATA			
BAC ON 'FPI\DATA\PUT			
PUBLIC ON 'FPI\DATA'			
CONTROL PANEL			
MY NETWORK PLACES			
RECYCLE BIN			

7 OBJECTS (DISK FREE SPACE: 0 BYT)

SEARCH SEND TO

Harbor Hills Water and Wastewater Transfer  
 Docket No. 110019-WS  
 Response to Staff's Letter Dated February 4, 2011

Attachment 9

~ ~ ~

DOCUMENT NUMBER-DATE

01512 MAR-8 =

9:56 AM

FPSC-COMMISSION CLERK



[Clerk note: word DNS on CD printed and att'd to PDF DN; for excel DNS, please contact office of Commission Clerk at Clerk@psc.state.fl.us]   
 M McLean

Harbor Hills Utility, LP. Water System  
in Lake County, Florida

LEGAL DESCRIPTION

The following described lands located in portions of Sections 13 & 14, Township 18 South, Range 24 East, and Sections 7 & 18, Township 18 South, Range 25 East, Lake County, Florida:

Begin at the Southeast corner of Section 12, Township 18 South, Range 24 East, for the POB; thence run North 00°07'21" West, along the East boundary of said Section 12 a distance of 66.62 feet to the centerline of Lake Griffin Road and a point on a curve having a radial bearing of North 27°13'16" West, said curve being concave Northwesterly having a radius of 615.63 feet; thence run Easterly along said centerline an arc distance of 228.02 feet, said arc having a delta of 21°13'18", a tangent distance of 115.33 feet, a chord bearing of North 52°10'04" East and a chord distance of 226.72 feet to a point of tangency; thence run North 41°33'27" East along said centerline a distance of 403.94 feet to a point of curvature, said curve being concave Northwesterly having a radius of 1730.29 feet; thence run Northeasterly along said centerline an arc distance of 240.35 feet, said arc having a delta of 07°57'32", a tangent distance of 120.37 feet, a chord bearing of North 37°34'41" East and a chord distance of 240.16 feet to a point of tangency; thence run North 33°35'55" East along said centerline a distance of 88.27 feet to a point of curvature, said curve being concave Southeasterly having a radius of 234.54 feet; thence run Easterly along said centerline an arc distance of 307.05 feet, said arc having a delta of 75°00'30", a tangent distance of 180.00 feet, a chord bearing of North 71°06'10" East and a chord distance of 285.59 feet to a point of tangency; thence run South 71°23'35" East along said centerline a distance of 606.85 feet to a point of curvature, said curve being concave Northeasterly having a radius of 919.44 feet; thence run Easterly along said centerline an arc distance of 249.03 feet, said arc having a delta of 15°31'06", a tangent distance of 125.28 feet, a chord bearing of South 79°09'08" East and a chord distance of 248.27 feet to a point of tangency; thence run South 86°54'41" East along said centerline of Lake Griffin Road a distance of 1406.31 feet to the intersection of the East line of the Southwest 1/4 of the Southwest 1/4 of Section 7, Township 18 South, Range 25 East; thence run South 00°08'17" West along said East line a distance of 72.64 feet to a point on the North boundary of the Northwest 1/4 of Section 18, Township 18 South, Range 25 East, thence run North 89°14'04" East along the North boundary of said Section 18 a distance of 207.76 feet, thence run South 09°02'54" West a distance of 1000 feet, thence run Easterly to the waters edge of Lake Griffin to point, said point to be known as Point "A"; return to the Southeast corner of said Section 12 and the point of reference, thence run South 89°40'50" West along the North boundary of the Northeast 1/4 of said Section 13 a distance of 278.32 feet; thence continue South 89°40'50" West along said line a distance of 2374.36 feet to the North 1/4 corner of said Section 13; thence run South 89°50'32" West along the North boundary of the Northwest 1/4 of said Section 13, a distance of 1959.26 feet; thence run South 01°05'13" East along the West line of the East 1/2 of the Northwest 1/4 of the Northwest 1/4 of said Section 13 a distance of 1324.76 feet; thence run South 89°50'18" West along the South line of said Northwest 1/4 of the Northwest 1/4 of said Section 13 a distance of 329.42 feet; thence run South 01°15'47" East

along the West line of the East 30 acres of the Southwest 1/4 of the Northwest 1/4 of said Section 13 a distance of 1324.85 feet; thence run North 89°50'05" East along the South line of said Southwest 1/4 of the Northwest 1/4 of said Section 13, a distance of 986.58 feet to the Southeast corner of said Southwest 1/4 of the Northwest 1/4 of said Section 13; thence run South 01°07'54" East along the West line of the East 1/2 of the Southwest 1/4 of said Section 13 a distance of 2426.57 feet; thence run South 89°54'49" East a distance of 210.00 feet; thence run South 01°07'54" East a distance of 210.00 feet to the South boundary of said Section 13; thence run North 89°54'49" West along said Southerly boundary a distance of 210.00 feet; thence run South 00°18'48" East along the West line of the East 1/2 of the Northwest 1/4 of Section 24, Township 18 South, Range 24 East, a distance of 2676.64 feet to a point on the East-West mid-section line of said Section 24; thence run South 89°55'50" East along said mid-section line a distance of 663.16 feet; thence run North 00°06'52" West a distance of 669.10 feet; thence run South 89°55'35" East a distance of 665.48 feet; thence run North 00°05'03" East a distance of 9.04 feet; thence run South 89°55'19" East a distance of 660 feet; thence run North 00°05'03" East a distance of 1997.99 feet to a point on the North boundary of said Section 24; thence run South 89°54'49" East along said North boundary line a distance of 613.85 feet; thence continue Easterly along said line to the waters edge of Lake Griffin; thence Northeasterly along the waters edge to said Point "A".

Any objections to the Application must be made in writing and filed with the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, with a copy to D. Bruce May Jr. Holland & Knight, 315 South Calhoun Street, Suite 600, Tallahassee, FL 32301 within 30 days from the date of this Notice. The objection must state the grounds for the objection with particularity.

Aqua Utilities Florida, Inc.  
510 Highway 466  
Lady Lake, FL 32159

Harbor Hills Wastewater System  
in Lake County, Florida

LEGAL DESCRIPTION:

THE FOLLOWING DESCRIBED LANDS LOCATED IN PORTIONS OF SECTION 13, TOWNSHIP 18 SOUTH, RANGE 24 EAST, AND SECTIONS 7 & 18, TOWNSHIP 18 SOUTH, RANGE 25 EAST, LAKE COUNTY, FLORIDA:

BEGIN AT THE SOUTHEAST CORNER OF SECTION 12, TOWNSHIP 18 SOUTH, RANGE 24 EAST, FOR THE POB; THENCE RUN NORTH  $00^{\circ}07'21''$  WEST, ALONG THE EAST BOUNDARY OF SAID SECTION 12 A DISTANCE OF 66.62 FEET TO THE CENTERLINE OF LAKE GRIFFIN ROAD AND A POINT ON A CURVE HAVING A RADIAL BEARING OF NORTH  $27^{\circ}13'16''$  WEST, SAID CURVE BEING CONCAVE NORTHWESTERLY HAVING A RADIUS OF 615.63 FEET; THENCE RUN EASTERLY ALONG SAID CENTERLINE AN ARC DISTANCE OF 228.02 FEET, SAID ARC HAVING A DELTA OF  $2113'18''$ , A TANGENT DISTANCE OF 115.33 FEET, A CHORD BEARING OF NORTH  $52^{\circ}10'04''$  EAST AND A CHORD DISTANCE OF 226.72 FEET TO A POINT OF TANGENCY; THENCE RUN NORTH  $4133'27''$  EAST ALONG SAID CENTERLINE A DISTANCE OF 403.94 FEET TO A POINT OF CURVATURE, SAID CURVE BEING CONCAVE NORTHWESTERLY HAVING A RADIUS OF 1730.29 FEET; THENCE RUN NORTHEASTERLY ALONG SAID CENTERLINE AN ARC DISTANCE OF 240.35 FEET, SAID ARC HAVING A DELTA OF  $07^{\circ}57'32''$ , A TANGENT DISTANCE OF 120.37 FEET, A CHORD BEARING OF NORTH  $37^{\circ}34'41''$  EAST AND A CHORD DISTANCE OF 240.16 FEET TO A POINT OF TANGENCY; THENCE RUN NORTH  $33^{\circ}35'55''$  EAST ALONG SAID CENTERLINE A DISTANCE OF 88.27 FEET TO A POINT OF CURVATURE, SAID CURVE BEING CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 234.54 FEET; THENCE RUN EASTERLY ALONG SAID CENTERLINE AN ARC DISTANCE OF 307.05 FEET, SAID ARC HAVING A DELTA OF  $75^{\circ}00'30''$ , A TANGENT DISTANCE OF 180.00 FEET, A CHORD BEARING OF NORTH  $71^{\circ}06'10''$  EAST AND A CHORD DISTANCE OF 285.59 FEET TO A POINT OF TANGENCY; THENCE RUN SOUTH  $71^{\circ}23'35''$  EAST ALONG SAID CENTERLINE A DISTANCE OF 606.85 FEET TO A POINT OF CURVATURE, SAID CURVE BEING CONCAVE NORTHEASTERLY HAVING A RADIUS OF 919.44 FEET; THENCE RUN EASTERLY ALONG SAID CENTERLINE AN ARC DISTANCE OF 249.03 FEET, SAID ARC HAVING A DELTA OF  $15^{\circ}31'06''$ , A TANGENT DISTANCE OF 125.28 FEET, A CHORD BEARING OF SOUTH  $79^{\circ}09'08''$  EAST AND A CHORD DISTANCE OF 248.27 FEET TO A POINT OF TANGENCY; THENCE RUN SOUTH  $54^{\circ}48'39''$  EAST A DISTANCE OF 221.30'; THENCE RUN SOUTH  $35^{\circ}11'21''$  WEST A DISTANCE OF 2009.33'; THENCE RUN NORTH  $51^{\circ}43'05''$  WEST A DISTANCE OF 422.00'; THENCE RUN SOUTH  $89^{\circ}55'26''$  WEST A DISTANCE OF 400.37' TO A POINT ON THE EAST BOUNDARY OF SECTION 13; THENCE RUN NORTH  $00^{\circ}04'34''$  WEST ALONG THE EAST BOUNDARY OF SECTION 13 A DISTANCE OF 165.41'; THENCE RUN

NORTH 89°58'35" WEST A DISTANCE OF 526.35'; THENCE RUN NORTH 66°26'23" WEST A DISTANCE OF 357.90'; THENCE RUN NORTH 00°01'25" EAST A DISTANCE OF 634.92' TO A POINT ON THE SOUTH BOUNDARY OF SECTION 12; THENCE RUN NORTH 89°40'50" EAST ALONG THE SOUTH BOUNDARY OF SECTION 12 TO THE POINT OF BEGINNING.

Any objections to the Application must be made in writing and filed with the Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, with a copy to D. Bruce May Jr. Holland & Knight, 315 South Calhoun Street, Suite 600, Tallahassee, FL 32301 within 30 days from the date of this Notice. The objection must state the grounds for the objection with particularity.

Aqua Utilities Florida, Inc.  
510 Highway 466  
Lady Lake, FL 32159