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August 27, 2013

www.sfflaw.com

Ms. Ann Cole, Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

Re: Forest Utilities, Inc.; Application for Amendment of Certificate  
Our File No. 25052.09

Dear Ms. Cole,

This application to extend Forest Utilities, Inc.'s certificated territory to include the Jamaica Bay Manufactured Home Community in Lee County, Florida, is the effectuation, in part, of a settlement agreement reached between Forest and the owner of the community.

In September of 2005, Forest executed a Bulk Service Agreement with the Jamaica Bay developer to provide service to the development at a point of connection within Forest's certificated territory. Service to the Jamaica Bay development was undertaken consistent with the Commission's directive and pursuant to a Commission approved rate. See Order No. PSC-05-1262-TRF-SU (2005). In July of 2010, the Jamaica Bay developer and Forest became involved in a case in which each party alleged breach of contract against the other. In the settlement ultimately reached in that litigation, the parties agreed that Forest would move forward to acquire the Jamaica Bay Manufactured Home Community's onsite wastewater collection system, would extend its certificated territory to cover Jamaica Bay, and would provide service on a going forward basis pursuant to an agreed upon rate. The sole customer in the area proposed by this application to be added to Forest's certificated territory will be the Jamaica Bay Manufactured Home Community consisting of 1417 units.

Should you have any questions in this regard, please let me know.

Sincerely,  
  
JOHN L. WHARTON  
For The Firm

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COMMISSION  
CLERK

- COM \_\_\_\_\_
- AFD \_\_\_\_\_
- APA \_\_\_\_\_
- ECO 3
- ENG 1 (+2 maps)
- GCL 1
- IDM \_\_\_\_\_
- TEL \_\_\_\_\_
- CLK \_\_\_\_\_

JLW/brf  
Enclosures  
cc: Wade Moser

APPLICATION FOR AMENDMENT OF CERTIFICATE  
(EXTENSION OR DELETION)  
(Pursuant to Section 367.045, Florida Statutes)

To: Office of Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

The undersigned hereby makes application for amendment of Water Certificate No. (N/A) and/or Wastewater Certificate No. 300-S to add territory located in Lee County, Florida, and submits the following information:

**PART I. APPLICANT INFORMATION**

A) The full name, address and telephone number of the applicant:

Forest Utilities, Inc.  
6000 Forest Boulevard  
Fort Myers, Florida 33908-4318

239-481-5333                      239-482-3633  
Phone Number                      Fax Number

Mailing address if different from street address:

Internet address if applicable:

B) The name, address and telephone number of the person to contact concerning this application:

Wade Moser  
6000 Forest Boulevard  
Fort Myers, Florida 33908-4318

239-481-5333                      239-482-3633  
Phone Number                      Fax Number

And

John Wharton of Sundstrom, Friedman & Fumero, LLP  
2548 Blainstone Pines Drive, Tallahassee, Florida 32301  
850-877-6555  
[jwharton@sfflaw.com](mailto:jwharton@sfflaw.com)

**PART II.     NEED FOR SERVICE**

- A) **Exhibit A** – If the applicant is requesting an extension of territory, as statement regarding the need for service in the proposed territory, such as anticipated development in the proposed service area.
- B) **Exhibit B** – A statement that to the best of the applicant’s knowledge, the provision of service will be consistent with the water and wastewater sections of the local comprehensive plan at the time the application is filed, as approved by the Department of Community Affairs, or, if not, a statement demonstrating why granting the amendment would be in the public interest.

**PART III.     SYSTEM INFORMATION**

- A) WATER – Not applicable
- B) WASTEWATER
  - (1) **Exhibit C**- A statement describing the capacity of the existing lines, the capacity of the existing treatment and disposal facilities, and the design capacity of the proposed extension.
  - (2) Exhibit N/A - The numbers and dates of any construction or operating permits issued by the Department of Environmental Protection for the system proposed to be expanded.
  - (3) Exhibit N/A - If the utility is planning to build a new wastewater treatment plant, or upgrade an existing plant to serve the proposed territory, provide a written description of the proposed method(s) of effluent disposal.
  - (4) Exhibit N/A - If (3) above does not include effluent disposal by means of reuse, provide a statement that describes with particularity the reasons for not using reuse.
  - (5) **Exhibit D** – A description of the types of customers anticipated to be served by the extension, i.e., single family homes, mobile homes, duplexes, golf course, clubhouse, commercial, etc.
  - (6) If the utility is requesting a deletion of territory, please provide the number of current active connections within the territory to be deleted. N/A
  - (7) **Exhibit E** – Evidence the utility owns the land where the wastewater facilities that will serve the proposed territory are, or will be, located. If the utility does not own the land, a copy of the agreement, such as a 99-year lease, which provides for the long term continuous use of the land. The Commission may consider a written easement or other cost-effective alternative.

**PART IV. FINANCIAL AND TECHNICAL INFORMATION**

- A) **Exhibit F** – A statement as to the applicant’s technical and financial ability to render reasonably sufficient, adequate and efficient service.
- B) **Exhibit G** – A detailed statement regarding the proposed method of financing the construction, and the projected impact on the utility’s capital structure.
- C) **Exhibit H** - Provide the number of the most recent Commission order establishing or amending the applicant’s rate and charges.
- D) **Exhibit I** – A statement regarding the projected impact of the extension on the utility’s monthly rates and service availability charges.

**PART V. TERRITORY DESCRIPTION AND MAPS**

A) TERRITORY DESCRIPTION

**Exhibit J** – An accurate description of the territory proposed to be added or deleted, using township, range and section references as specified in Rule 25-30.030(2), F.A.C. If the water and wastewater territory is different, provide separate descriptions.

B) TERRITORY MAPS

**Exhibit K** – One copy of an official county tax assessment map or other map showing township, range and section with a scale such as 1”=200’ or 1”=400’ on which the proposed territory to be added or deleted is plotted by use of metes and bounds or quarter sections and with a defined reference point of beginning. If the water and wastewater territory is different, provide separate maps.

C) SYSTEM MAPS

**Exhibit L** – One copy of detailed map(s) showing proposed lines and facilities and the territory proposed to be served. Map(s) shall be sufficient scale and detail to enable correlation with a description of the territory proposed to be served. Provide separate maps for water and wastewater systems.

**PART VI.     NOTICE OF ACTUAL APPLICATION**

- A) **Exhibit M** – An affidavit that the notice of actual application was given in accordance with Section 367.045(1)(a), Florida Statutes, and Rule 25-30.030, Florida Administrative Code, by regular mail to the following:
- (1) The governing body of the municipality, county, or counties in which the system or the territory proposed to be served is located;
  - (2) The privately owned water and wastewater utilities that hold a certificate granted by the Public Service Commission and are located within the county in which the territory proposed to be served is located;
  - (3) If any portion of the proposed territory is within one mile of a county boundary, the utility shall notice the privately owned utilities located in the bordering counties that hold a certificate granted by the Commission;
  - (4) The regional planning council;
  - (5) The Office of Public Counsel;
  - (6) The Public Service Commission’s Office of Commission Clerk;
  - (7) The appropriate regional office of the Department of Environmental Protection; and
  - (8) The appropriate water management district.

Copies of the Notice and a list of entities noticed shall accompany the affidavit. THIS MAY BE A LATE-FILED EXHIBIT.

- B) **Exhibit N** – An affidavit that the notice of the actual application was given in accordance with Rule 25-30.030, Florida Administrative Code, by regular mail or personal delivery to each customer of the system. A copy of the Notice shall accompany the affidavit. THIS MAY BE A LATE-FILED EXHIBIT.
- C) **Exhibit O** – Immediately upon completion of publication, an affidavit that the notice of the actual application was published once in a newspaper of general circulation in the territory in accordance with Rule 25-30.030, Florida Administrative Code. A copy of the proof of publication shall accompany the affidavit. THIS MAY BE A LATE-FILED EXHIBIT.

**PART VI. FILING FEE**

Indicate the filing fee enclosed with the application:

\$ N/A (for water) and/or \$1,750 (for wastewater).

Note: Pursuant to Rule 25-30.020, Florida Administrative Code, the amount of the filing fee is as follows:

- (1) For applications in which the area to be extended or deleted has the proposed capacity to serve up to 100 ERCs, the filing fee shall be **\$100**.
- (2) For applications in which the area to be extended or deleted has the proposed capacity to serve from to 101 to 200 ERCs, the filing fee shall be **\$200**.
- (3) For applications in which the area to be extended or deleted has the proposed capacity to serve from to 201 to 500 ERCs, the filing fee shall be **\$500**.
- (4) For applications in which the area to be extended or deleted has the proposed capacity to serve from to 501 to 2,000 ERCs, the filing fee shall be **\$1,000**.
- (5) For applications in which the area to be extended or deleted has the proposed capacity to serve from to 2,001 to 4,000 ERCs, the filing fee shall be **\$1,750**.
- (6) For applications in which the area to be extended or deleted has the proposed capacity to serve more than 4,000 ERCs, the filing fee shall be **\$2,250**.

**PART VIII. TARIFF AND ANNUAL REPORTS**

- A) **Exhibit P** – An affidavit that the utility has tariffs and annual reports on file with the Commission.
- B) **Exhibit Q** – The original and two copies of proposed revisions to the utility’s tariff(s) to incorporate the proposed change to the certificated territory. Please refer to Rules 25-9.009 and 25-9.010, Florida Administrative Code, regarding page numbering of tariff sheets before preparing the tariff revisions.

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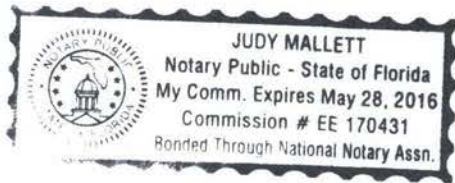
PART IX. AFFIDAVIT

I, Wade Moser (applicant) do solemnly swear or affirm that the facts stated in the foregoing application and all exhibits attached thereto are true and correct and that said statements of fact thereto constitutes a complete statement of the matter to which it relates.

BY: Wade E Moser  
Wade Moser, General Manager

Subscribed to and sworn to before me this 19<sup>th</sup> day of August, 2013, by Wade Moser, General Manager of Forest Utilities, Inc., who is personally known to me.

Judy Mallett  
Notary Public



**Exhibit A – If the applicant is requesting an extension of territory, as statement regarding the need for service in the proposed territory.**

Need for service in the territory proposed to be certificated is self-evident. Forest has historically provided, since 2007, bulk service to the Jamaica Bay development by point of connection within Forest's existing certificated territory. Forest and Jamaica Bay have settled a litigation which contemplates that Forest will provide service directly to the Jamaica Bay development and will assume ownership of the collection and transmission lines, to the point of the laterals, within the development. The property to be served is built out, containing 1417 individual units. The property on which the units sit, and the structures themselves, are the property of Jamaica Bay.

**Exhibit B – A statement that to the best of the applicant’s knowledge, the provision of service will be consistent with the water and wastewater sections of the local comprehensive plan at the time the application is filed.**

To the best of Forest’s knowledge, the provision of service will be consistent with the wastewater section of the Lee County comprehensive plan. Attached are excerpts from the plan:

Objective 56.1, of the Sanitary Sewer element of the Plan provides that the County will ensure the provision of acceptable levels of sanitary sewer service either directly by Lee County Utilities or indirectly through franchised utility companies. Several other references in the Plan allow for the provision of central service by private utilities in the appropriate circumstances.

Attached is Lee Plan Map 7. The existing Forest service area and the area proposed to be served (indicated by a circle) are not shown as a future sewer service area for Lee County Utilities.

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# **THE LEE PLAN**

# **2013 CODIFICATION**

**As amended through July 2013**

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Department of Community Development  
Division of Planning  
P.O. Box 398  
Fort Myers, FL 33902-0398

**POLICY 54.1.11:** Continue to encourage new and existing developments to utilize the Fort Myers Beach/Iona-McGregor sewer system's dual water system. (Amended by Ordinance No. 94-30, Amended and Relocated by Ordinance No. 98-09)

**POLICY 54.1.12:** Promote water conservation through the use of incentives and evaluate and apply a community based planning approach to water conservation, enabling more precision to be applied in achieving reduction targets. (Added by Ordinance No. 07-16)

**GOAL 55: ORGANIZATION OF SERVICE AND FACILITY DELIVERY.** To provide greater local coordination of the activities of public and private utilities within the county.

**OBJECTIVE 55.1:** Ensure an adequate, reliable, and economical supply of potable water to meet the forecasted needs for all residents of Lee County through the year 2020 through regional planning and intergovernmental participation. (Amended by Ordinance No. 94-30)

**POLICY 55.1.1:** Lee County Utilities and Lee County Division of Natural Resources will plan and coordinate with other government agencies in the development of comprehensive plans as they relate to well field protection, aquifer recharge, water supply, and related capital facilities. (Added by Ordinance No. 00-22, Amended and Relocated by Ordinance No. 03-04).

**POLICY 55.1.2:** Lee County Division of Natural Resources in conjunction with Lee County Utilities will perform groundwater modeling and analysis for new development, as needed, to assess the potential impact on the water resources of Lee County. The analysis will focus on the following issues:

- Adequacy of water supply, including groundwater level draw-down.
  - Avoidance of adverse impacts on natural systems from water supply withdrawals.
- (Added by Ordinance No. 00-22, Amended and Relocated by Ordinance No. 03-04)

**POLICY 55.1.3:** Lee County will actively implement the Water Supply Facilities Work Plan as adopted by the Board of County Commissioners on (insert date of policy adoption). Lee County will utilize the document as the County's guide to water supply facility planning with a planning horizon through the year 2030. A copy of the adopted Water Supply Facilities Work Plan will be maintained and kept on file by Lee County Utilities. (Amended by Ordinance No. 94-30, Amended and Relocated by Ordinance No. 00-22, Relocated by Ordinance No. 03-04, Amended by Ordinance No. 09-13)

**POLICY 55.1.4:** Lee County will continue to collect data from private suppliers of potable water, including reporting of water flows, storage capacity, pressures, number of customers, and committed future connections, and proposed expansion plans. This data will be updated on a yearly basis. (Amended by Ordinance No. 94-30, Amended and Relocated by Ordinance No. 00-22)

## **b. Sanitary Sewer**

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**GOAL 56: SANITARY SEWER INFRASTRUCTURE.** To protect the public health and environmental quality by encouraging and ensuring the provision of sanitary sewer service and

wastewater treatment and disposal throughout the future urban areas of the unincorporated county and to Fort Myers Beach. (Amended by Ordinance No. 98-09)

**OBJECTIVE 56.1:** The county will ensure the provision of acceptable levels of sanitary sewer service throughout the future urban areas of the unincorporated county, either directly by Lee County Utilities or a utility authority, or indirectly through franchised utility companies. (Amended by Ordinance No. 00-22)

**POLICY 56.1.1:** The Board of County Commissioners hereby establishes service areas for the Fort Myers Beach/Iona sewer system, the South Fort Myers sewer system, the East Lee County sewer system, and the Matlacha sewer system throughout which it will provide standard service as required by demand, and within which it will challenge applications by private sanitary sewer utilities to obtain a Certificate of Operation from the Florida Public Service Commission and reject all applications for a county franchise therein. These service areas are illustrated in Map 7. Within the Fort Myers urban reserve area, the service areas shown on the map are subject to modifications in accordance with existing and future interlocal agreements. (Amended by Ordinance No. 93-25)

**POLICY 56.1.2:** The minimum acceptable level-of-service standard (see Policy 95.1.3) for sanitary sewer connections to Lee County Utilities will be:

- available basic facility capacity (see glossary) to treat and dispose of a volume of wastewater equal to 200 gallons per day per equivalent residential connection (ERC) for the peak month, except that facilities serving only mobile home residential structures shall have a capacity of 150 gallons per day and facilities serving only travel trailer residential structures must have a capacity of 120 gallons per day. (Amended by Ordinance No. 92-35, 00-22)

**POLICY 56.1.3:** The Board of County Commissioners encourages all private utilities to set a minimum acceptable level of service to be adopted herein for use in the concurrency management system within their respective franchised or certificated areas. After the effective date of this plan or September 1, 1989, whichever is later, if the county has not adopted such standards into this plan, the standards adopted for Lee County Utilities' sanitary sewer systems will apply in those certificated or franchised areas and will be used in enforcing concurrency regulations (see Policy 95.1.3).

After the deadline set above any private utility that cannot meet the Level-of-Service standards set forth for Lee County Utilities will have the opportunity to petition for a Plan Amendment for a revised Level-of-Service requirement for the specific private utility plant if it can be proved that such utility has sufficient plant and system capacity to properly service its franchised or certificated area. The proof will be in the form of properly documented daily flow reports, occupancy rates or related statistical information, and any other necessary information that may be pertinent to the justification of the requested action, to establish a new individual Level-Of-Service standard. This data should be for a period covering at least the last two prior years. (Amended by Ordinance No. 92-35, 00-22)

**POLICY 56.1.4:** The Board of County Commissioners urges all utilities to construct and install sufficient treatment facilities and collection systems that will meet or exceed the minimum acceptable service standards and with the capacity to service the demand so generated and will meet or exceed the minimum requirements of the Department of Environmental Protection, the Department of Health and Rehabilitative Services, U.S. Environmental Protection Agency, or any local ordinances which exceeds the foregoing. Each utility is encouraged to advise the planning



and utility engineering staffs of the county regarding system expansions or modification to ensure coordination with other utilities and with all other issues of public interest and to prevent duplication of facilities and services. (Amended by Ordinance No. 92-35, 94-30)

**POLICY 56.1.5:** County development regulations will be amended to specify that no county development order under the Development Standards Ordinance for a residential development more intense than 2.5 dwelling units per gross acre, or for any commercial or industrial development that generates more than 5,000 gallons of sewage per day, will be issued in any franchised or certificated sanitary sewer service area, without a connection to such service if capacity is available at the minimum acceptable level of service anywhere within 1/4 mile of the development. This policy will in no way exempt any development of any size from meeting the levels of service required for concurrency under Policies 56.1.2 and 95.1.3. (Amended by Ordinance No. 93-25, 00-22)

**POLICY 56.1.6:** No permit will be issued allowing any utility to use a public right-of-way or to cut a pavement in a public right-of-way to extend service outside of its certificated or franchised area or to extend service into an area allocated to another utility, unless the other utility concurs in writing. This will be enforced along municipal and state rights-of-way by interlocal agreement and memorandum of agreement as required. (Amended by Ordinance No. 00-22)

**POLICY 56.1.7:** In allocating Industrial Development Revenue Bond capacity, the county will give highest priority to private sanitary sewer utilities proposing to construct basic facilities and/or to provide or upgrade infrastructure serving developed areas and antiquated subdivision undergoing redevelopment. (Amended by Ordinance No. 00-22)

**POLICY 56.1.8:** County development regulations will be amended to specify that any change in use or intensity in an approved development order will be subject to compliance with Policy 56.1.5. (Added by Ordinance No. 93-25, Amended by Ordinance No. 00-22)

**POLICY 56.1.9:** Lee County Utilities will continue to identify those properties within the Fort Myers Beach Fire Control District that are not fully connected to the wastewater collection system and require them to connect. (Amended by Ordinance No. 94-30, Amended and Relocated by Ordinance No. 98-09)

**OBJECTIVE 56.2:** The county will maintain and enforce such ordinances as are necessary to require the connection of commercial and larger residential establishments to such public or private central utility systems when those systems are available for service. (Amended by Ordinance No. 94-30, 00-22)

**POLICY 56.2.1:** It is hereby declared that in the interests of preserving public health and of preserving and enhancing environmental quality, it is in the public interest to abate and cease use of septic tanks and wastewater treatment package plants where and when central sewer is available.

**POLICY 56.2.2:** With the cooperation of the respective utility firms or agencies, the county will maintain a program for the abatement of septic tanks and package plants in areas in which sewer is presently available and in areas encompassed by assessment districts established for upgrading sewer availability. (Amended by Ordinance No. 94-30, 00-22)

**POLICY 56.2.3:** The county will encourage utilities to maintain or plan sufficient treatment capacity for near-term (2 years) availability to provide capacity for unserved development surrounded by existing areas with sewer service. (Amended by Ordinance No. 00-22)

**OBJECTIVE 56.3:** The county will ensure that the disposal of grease and septage are either recycled as a beneficial product or disposed of properly. (Amended by Ordinance No. 94-30, 00-22)

**POLICY 56.3.1:** The county will maintain regulations that prohibit the disposal of grease and septage by landspreading or other means without first being properly treated to ensure that these products are either recycled as a beneficial product or disposed of properly. (Amended by Ordinance No. 94-30, 00-22)

**GOAL 57: RESOURCE MANAGEMENT.** To further the public health and protect environmental quality by using and encouraging conservation and resource management measures to reduce consumption of potable water and subsequent generation of wastewater.

**OBJECTIVE 57.1:** The county will continue its programs in education, technical advice, demonstration, rate revisions, and reuse to reduce per-capita water consumption and subsequent wastewater generation. (Amended by Ordinance No. 94-30, 00-22)

**POLICY 57.1.1:** Using the personnel and resources of various county agencies, Lee County will continue to design programs of public information and education to reduce demands on sewer facilities and natural systems. This program should include the use of print media, advertising, and public service announcements on radio and television highlighting and advocating various strategies to reduce demand for wastewater services, including, but not limited to:

- creating incentives for "gray water" systems or other recycling activities;
- adopting incentives for household and commercial use of appliances with low water consumption rates;
- advising householders to reduce water use;
- supporting various aspects of the concurrent water conservation program, particularly reliance on appliances and fixtures that use less water and maximizing the cost-effective use of those appliances;
- providing information on proper maintenance of septic tanks and package plants; and
- generally encouraging the thoughtful use of water in all necessary activities that generate wastewater. (Amended by Ordinance No. 94-30, 00-22)

**POLICY 57.1.2:** Programs to reduce the time and cost to treat wastewater will be considered, including discouraging excessive use of garbage grinders or toxic discharges which may stop or inhibit the treatment process. (Amended by Ordinance No. 94-30, 00-22)

**POLICY 57.1.3:** The Board of County Commissioners will encourage privately operated sanitary sewer utilities to adopt a "conservation" rate structure for users in their respective service areas. (Amended by Ordinance No. 00-22)

# LEE COUNTY UTILITIES FUTURE SEWER SERVICE AREAS

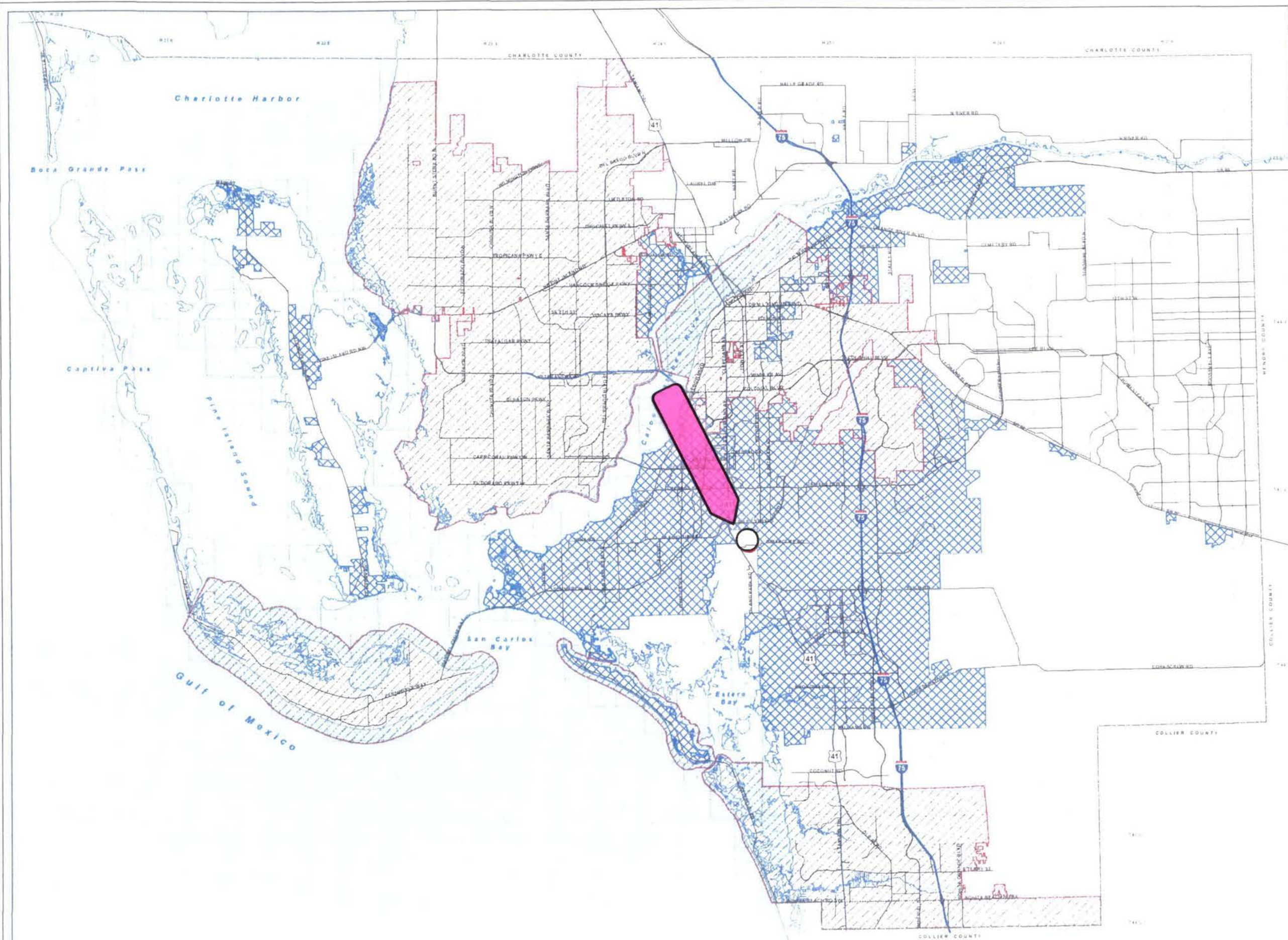
## Legend

-  City Limits
-  Future Sewer Service Areas



Map Generated: December 2011  
 City Limits current to date of map generation.  
 Adopted by Ord. No. 89-02 1/31/1989  
 Amended by Ord. Nos 00-22 03-19 10-07 10-40 10-43 11-13

Lee Plan Map 7



**Exhibit C- A statement describing the capacity of the existing lines, the capacity of the existing treatment and disposal facilities, and the design capacity of the proposed extension.**

The capacity of the existing lines, treatment and disposal facilities of Forest is .8 mgd. Forest's facilities were expanded specifically to accommodate the anticipated flows from Jamaica Bay after the Bulk Service Agreement was executed between Forest and Jamaica Bay West in 2005.

The onsite system of Jamaica Bay West is comprised of force mains (350 linear feet of 4"; 1200 linear feet of 6"; and 6820 linear feet of 8") and 3 on-site lift stations. The estimated capacity of the proposed area of expansion is 1417 units x 2 persons/unit x 80 gpd/unit equals 226,720 gpd; the office is 2500 S.F. x 0.10/S.F. equals 250 gpd; and the pool cabana (2) at 350 gpd/unit equals 700 gpd, for a total of 227,670 gpd or 0.228 mgd.

Attached hereto is Jamaica Bay's DEP permit application for a force main extension to Forest and DEP's Notice of Permit Issuance for the force main extension from Jamaica Bay to Forest.

The system of Forest is described as follows: the capacity of the existing wastewater force mains is 4" - 240 gpm or 0.346 mgd; 6" - 475 gpm or 0.684 mgd; 8" - 950 gpm or 1.368 mgd; 10" - 1500 gpm or 2.160 mgd; all based on a flow velocity of 6 fps in the pipe. The capacity of gravity sewers installed using minimum gradients is 8" @ 0.35% - 218 gpm or 0.314 mgd and 10" @ 0.28% - 375 gpm or 0.540 mgd; both are based on flows in pipes equal to 1/3 of pipe diameter. The wastewater treatment facility capacity is 0.800 MGD.

The treatment, disposal, and lines necessary to render service to Jamaica Bay West are not proposed, they are in place on both sides of the present point of connection between Jamaica Bay and Forest. By this application, and pursuant to an agreement between Jamaica Bay and Forest, Forest proposes to discontinue bulk service to the Jamaica Bay development and to assume ownership of that portion of the on-site system in Jamaica Bay per the parties' agreement.



# Florida Department of Environmental Protection

Twin Towers Office Bldg., 2600 Blair Stone Road, Tallahassee, Florida 32399-2400

## NOTIFICATION/APPLICATION FOR CONSTRUCTING A DOMESTIC WASTEWATER COLLECTION/TRANSMISSION SYSTEM

### PART I - GENERAL

#### Subpart A: Permit Application Type

Permit Application Type (mark one only)	EDUs Served	Application Fee*	"X"
Are you applying for an individual permit for a domestic wastewater collection/transmission system? Note: an EDU is equal to 3.5 persons. Criteria for an individual permit are contained in Rule 62-604.600(7), F.A.C.	≥ 10	\$500	<input checked="" type="checkbox"/>
(Dryline System)	< 10	\$300	<input type="checkbox"/>
Is this a Notice of Intent to use the general permit for wastewater collection/transmission systems? Criteria for qualifying for a general permit are contained in Rule 62-604.600(6), F.A.C. Projects not meeting the criteria in Rule 62-604.600(6), F.A.C., must apply for an individual permit.	N/A	\$250	<input type="checkbox"/>

\*Note: Each non-contiguous project (i.e., projects that are not interconnected or are not located on adjacent streets or in the same neighborhood) requires a separate application and fee.

#### Subpart B: Instructions

- (1) This form shall be completed for all domestic wastewater collection/transmission system construction projects as follows:
  - If this is a Notice of Intent to use the general permit, this notification shall be submitted to the Department at least 30 days prior to initiating construction.
  - If this is an application for an individual permit, the permit must be obtained prior to initiating construction.
  
- (2) One copy of the completed form shall be submitted to the appropriate DEP district office or delegated local program along with the appropriate fee, and one copy of the following supporting documents. Checks should be made payable to the Florida Department of Environmental Protection, or the name of the appropriate delegated local program.
  - If this is a Notice of Intent to use the general permit, attach a site plan or sketch showing the size and approximate location of new or altered gravity sewers, pump stations and force mains; showing the approximate location of manholes and isolation valves; and showing how the proposed project ties into the existing or proposed wastewater facilities. The site plan or sketch shall be signed and sealed by a professional engineer registered in Florida.
  - If this is an application for an individual permit, one set of plans and specifications shall be submitted with this application, or alternatively, an engineering report shall be submitted. Plans and specifications and engineering reports shall be prepared in accordance with the applicable provisions of Chapters 10 and 20 of *Recommended Standards for Wastewater Facilities*. The plans and specifications or engineering report shall be signed and sealed by a Professional Engineer registered in Florida.
  
- (3) All information shall be typed or printed in ink. Where attached sheets (or other technical documentation) are utilized in lieu of the blank spaces provided, indicate appropriate cross-references on the form. For Items (1) through (4) of Part II of this application form, if an item is not applicable to your project, indicate "NA" in the appropriate space provided.

PART II – PROJECT DOCUMENTATION

(1) Collection/Transmission System Permittee

Name Mike Nepywoda Title Construction Manager  
 Company Name Jamaica Bay West Associates, Ltd.  
 Address 15235 South Tamiami Trail  
 City Fort Myers State Fla. Zip 33908  
 Telephone (407)257-5680 Fax (407)363-3522 Email mike@uniprop.com

(2) General Project Information

Project Name Jamaica Bay Force Main Extension to Forest Utilities  
 Location: County Lee City Fort Myers Section 36 Township 45S Range 24E  
 Project Description and Purpose (including pipe length, range of pipe diameter, total number of manholes, and total number of pump stations) Construction of 4350+/- lin. ft. of 8" and 350+/- of 4" PVC or HDPE force main from the existing Jamaica Bay WWTF site to a connection point with the Forest Utilities Wastewater Collection system. This force main is to be constructed as a dry line, until Forest Utilities constructs the required facilities for connecting.  
 Estimated date for: Start of construction June 2006 Completion of construction September 2006  
 Connections to existing system or treatment plant No additional connections are included as a part of this permit.

(3) Project Capacity

A = Type of Unit	B = Number of Units	C = Population Per Unit	D = Total Population (Columns B x C)	E = Per Capita Flow	F = Total Average Daily Flow (Columns D x E)	G = Peak hour flow
Single-Family Home						
Mobile Home	1417	1.9	2692	100	269,200	39,034
Apartment						
Commercial, Institutional, or Industrial Facility*						
Total			2692		269,200	39,034

\* Description of commercial, institutional, and industrial facilities and explanation of method used to estimate per capita flow for these facilities: Per capita flow based on actual historical flows received at the existing Jamaica Bay WWTF. Peak hour was calculated using the "Recommended Standards for Wastewater Facilities", Figure I, Ratio of Peak Hourly Flow to Design Average Flow. (Note): The above numbers reflect flows following the connection to the Forest Utilities system. Since a dry line is proposed, project flows will be zero until connection is completed.

(4) Pump Station Data (attached additional sheets as necessary)

Location	Type	Estimated Flow to the Station (GPD)			Operating Conditions [GPM @ FT (TDH)]
		Maximum	Average	Minimum	

(5) Collection/Transmission System Design Information

A. This information must be completed for all projects by the applicant's professional engineer, and if applicable, those professional engineers in other disciplines who assisted with the design of the project.

If this project has been designed to comply with the standards and criteria listed below, the engineer shall initial in ink before the standards or criteria. If any of the standards or criteria do not apply to this project or if this project has not been designed to comply with the standards or criteria, mark "X" before the appropriate standard or criteria and provide an explanation, including any applicable rule references, in (5)B. below.

Note, if the project has not been designed in accordance with the standards and criteria set forth in Rules 62-604.400(1) and (2), F.A.C., an application for an individual permit shall be submitted. However, if Rules 62-604.400(1) and (2), F.A.C., specifically allow for another alternative that will result in an equivalent level of reliability and public health protection, the project can be constructed using the general permit.

### General Requirements

- TSP 1. The project is designed based on an average daily flow of 100 gallons per capita plus wastewater flow from industrial plants and major institutional and commercial facilities unless water use data or other justification is used to better estimate the flow. The design includes an appropriate peaking factor, which covers I/I contributions and non-wastewater connections to those service lines. [RSWF 11.243]
- TSP 2. Procedures are specified for operation of the collection/transmission system during construction. [RSWF 20.15]
- TSP 3. The project is designed to be located on public right-of-ways, land owned by the permittee, or easements and to be located no closer than 100 feet from a public drinking water supply well and no closer than 75 feet from a private drinking water supply well; or documentation is provided in Part II.(5)B., showing that another alternative will result in an equivalent level of reliability and public health protection. [62-604.400(1)(b) and (c), F.A.C.]
- TSP 4. ~~The project is designed with no physical connections between a public or private potable water supply system and a sewer or force main and with no water pipes passing through or coming into contact with any part of a sewer manhole. [RSFW 38.1 and 48.5]~~
- TSP 5. The project is designed to preclude the deliberate introduction of storm water, surface water, groundwater, roof runoff, subsurface drainage, swimming pool drainage, air conditioning system condensate water, non-contact cooling water except as provided by Rule 62-610.668(1), F.A.C., and sources of uncontaminated wastewater, except to augment the supply of reclaimed water in accordance with Rule 62-610.472(3)(c), F.A.C. [62-604.400(1)(d), F.A.C.]
- TSP 6. The project is designed so that all new or relocated, buried sewers and force mains, are located in accordance with the separation requirements from water mains and reclaimed water lines of Rules 62-604.400(2)(g)(h) and (i) and (3), F.A.C. Note, if the criteria of Rules 62-604.400(2)(g) 4. or (2)(i) 3., F.A.C., are used, describe in Part II.C. alternative construction features that will be provided to afford a similar level of reliability and public health protection. [62-604:400(2)(g), (h), and (i) and (3), F.A.C.]

### Gravity Sewers

- X 7. The project is designed with no public gravity sewer conveying raw wastewater less than 8 inches in diameter. [RSWF 33.1]
- X 8. The design considers buoyancy of sewers, and appropriate construction techniques are specified to prevent flotation of the pipe where high groundwater conditions are anticipated. [RSWF 33.3]
- X 9. All sewers are designed with slopes to give mean velocities, when flowing full, of not less than 2.0 feet per second, based on Manning's formula using an "n" value of 0.013; or if it is not practicable to maintain these minimum slopes and the depth of flow will be 0.3 of the diameter or greater for design average flow, the owner of the system has been notified that additional sewer maintenance will be required. The pipe diameter and slope are selected to obtain the greatest practical velocities to minimize solids deposition problems. Oversized sewers are not specified to justify flatter slopes. [RSWF 33.41, 33.42, and 33.43]
- X 10. Sewers are designed with uniform slope between manholes. [RWSF 33.44]
- X 11. Where velocities greater than 15 fps are designed, provisions to protect against displacement by erosion and impact are specified. [RSWF 33.45]
- X 12. Sewers on 20% slopes or greater are designed to be anchored securely with concrete, or equal, anchors spaced as follows: not over 36 feet center to center on grades 20% and up to 35%; not over 24 feet center to center on grades 35% and up to 50%; and not over 16 feet center to center on grades 50% and over. [RSWF 33.46]
- 
- X 13. Sewers 24 inches or less are designed with straight alignment between manholes. Where curvilinear sewers are proposed for sewers greater than 24 inches, the design specifies compression joints; ASTM or specific pipe manufacturer's maximum allowable pipe joint deflection limits are not exceeded; and curvilinear sewers are limited to simple curves which start and end at manholes. [RSWF 33.5]
- X 14. Suitable couplings complying with ASTM specifications are required for joining dissimilar materials. [RSWF 33.7]
- X 15. Sewers are designed to prevent damage from superimposed loads. [RSWF 33.7]

16. Appropriate specifications for the pipe and methods of bedding and backfilling are provided so as not to damage the pipe or its joints, impede cleaning operations and future tapping, nor create excessive side fill pressures and ovalation of the pipe, nor seriously impair flow capacity. [RSWF 33.81]
17. Appropriate deflection tests are specified for all flexible pipe. Testing is required after the final backfill has been in place at least 30 days to permit stabilization of the soil-pipe system. Testing requirements specify: 1) no pipe shall exceed a deflection of 5%; 2) using a rigid ball or mandrel for the deflection test with a diameter not less than 95% of the base inside diameter or average inside diameter of the pipe, depending on which is specified in the ASTM specification, including the appendix, to which the pipe is manufactured; and 3) performing the test without mechanical pulling devices. [RSWF 33.85]
18. Leakage tests are specified requiring that: 1) the leakage exfiltration or infiltration does not exceed 200 gallons per inch of pipe diameter per mile per day for any section of the system; 2) exfiltration or infiltration tests be performed with a minimum positive head of 2 feet; and 3) air tests, as a minimum, conform to the test procedure described in ASTM C-828 for clay pipe, ASTM C 924 for concrete pipe, ASTM F-1417 for plastic pipe, and for other materials appropriate test procedures. [RSWF 33.93, 33.94, and 33.95]
19. If an inverted siphon is proposed, documentation of its need is provided in Part II.C. Inverted siphons are designed with: 1) at least two barrels; 2) a minimum pipe size of 6 inches; 3) necessary appurtenances for maintenance, convenient flushing, and cleaning equipment; and 4) inlet and discharge structures having adequate clearances for cleaning equipment, inspection, and flushing. Design provides sufficient head and appropriate pipe sizes to secure velocities of at least 3.0 fps for design average flows. The inlet and outlet are designed so that the design average flow may be diverted to one barrel, and that either barrel may be cut out of service for cleaning. [RSWF 35]

#### Manholes

20. The project is designed with manholes at the end of each line; at all changes in grade, size, or alignment; at all intersections; and at distances not greater than 400 feet for sewers 15 inches or less and 500 feet for sewers 18 inches to 30 inches, except in the case where adequate modern cleaning equipment is available at distances not greater than 600 feet. [RSWF 34.1]
21. Design requires drop pipes to be provided for sewers entering manholes at elevations of 24 inches or more above the manhole invert. Where the difference in elevation between the incoming sewer and the manhole invert is less than 24 inches, the invert is designed with a fillet to prevent solids deposition. Inside drop connections (when necessary) are designed to be secured to the interior wall of the manhole and provide access for cleaning. Design requires the entire outside drop connection be encased in concrete. [RSWF 34.2]
22. Manholes are designed with a minimum diameter of 48 inches and a minimum access diameter of 22 inches. [RSWF 34.3]
23. Design requires that a bench be provided on each side of any manhole channel when the pipe diameter(s) are less than the manhole diameter and that no lateral sewer, service connection, or drop manhole pipe discharges onto the surface of the bench. [RSWF 34.5]
24. Design requires: 1) manhole lift holes and grade adjustment rings be sealed with non-shrinking mortar or other appropriate material; 2) inlet and outlet pipes be joined to the manhole with a gasketed flexible watertight connection or another watertight connection arrangement that allows differential settlement of the pipe and manhole wall; and 3) watertight manhole covers be used wherever the manhole tops may be flooded by street runoff or high water. [RSWF 34.6]
25. Manhole inspection and testing for watertightness or damage prior to placing into service are specified. Air testing, if specified for concrete sewer manholes, conforms to the test procedures described in ASTM C-1244. [RSWF 34.7]
26. Electrical equipment specified for use in manholes is consistent with Item 46 of this checklist. [RSWF 34.9]

#### Stream Crossings

27. Sewers and force mains entering or crossing streams are designed to be constructed of ductile iron pipe with mechanical joints or so they will remain watertight and free from changes in alignment or grade. Appropriate materials which will not readily erode, cause siltation, damage pipe during placement, or corrode the pipe are specified to backfill the trench. [RSWF 36.21 and 48.5]



28. Stream crossings are designed to incorporate valves or other flow regulating devices (which may include pump stations) on the shoreline or at such distances from the shoreline to prevent discharge in the event the line is damaged. [62-604.400(2)(k)5., F.A.C.]
29. Sewers and force mains entering or crossing streams are designed at a sufficient depth below the natural bottom of the stream bed to protect the line. At a minimum, the project is designed with subaqueous lines to be buried at least three feet below the design or actual bottom, whichever is deeper, of a canal and other dredged waterway or the natural bottom of streams, rivers, estuaries, bays, and other natural water bodies; or if it is not practicable to design the project with less than three-foot minimum cover, alternative construction features (e.g. a concrete cap, sleeve, or some other properly engineered device to insure adequate protection of the line) are described in Part II.C. [62-604.400(2)(k)1., F.A.C., and RSWF 36.11]
30. Specifications require permanent warning signs be placed on the banks of canals, streams, and rivers clearly identifying the nature and location (including depths below design or natural bottom) of subaqueous crossings and suitably fixed signs be placed at the shore, for subaqueous crossings of lakes, bays, and other large bodies of water, and in any area where anchoring is normally expected. [62-604.400(2)(k)2., F.A.C.]
31. Provisions for testing the integrity of subaqueous lines are specified. [62-604.400(2)(k)4., F.A.C.]
32. Supports are designed for all joints in pipes utilized for aerial crossings and to prevent overturning and settlement. Expansion jointing is specified between above ground and below ground sewers and force mains. The design considers the impact of floodwaters and debris. [RSWF 37 and 48.5]
33. Aerial crossings are designed to maintain existing or required navigational capabilities within the waterway and to reserve riparian rights of adjacent property owners. [62-604.400(2)(k)3., F.A.C.]

#### Pump Stations

34. In areas with high water tables, pump stations are designed to withstand flotation forces when empty. When siting the pump station, the design considers the potential for damage or interruption of operation because of flooding. Pump station structures and electrical and mechanical equipment are designed to be protected from physical damage by the 100-year flood. Pump stations are designed to remain fully operational and accessible during the 25-year flood unless lesser flood levels are appropriate based on local considerations, but not less than the 10-year flood. [62-604.400(2)(e), F.A.C.]
35. Pump stations are designed to be readily accessible by maintenance vehicles during all weather conditions. [RSWF 41.2]
36. Wet well and pump station piping is designed to avoid operational problems from the accumulation of grit. [RSWF 41.3]
37. Dry wells, including their superstructure, are designed to be completely separated from the wet well. Common walls are designed to be gas tight. [RSWF 42.21]
38. The design includes provisions to facilitate removing pumps, motors, and other mechanical and electrical equipment. [RSWF 42.22]

- X 39. The design includes provisions for: 1) suitable and safe means of access for persons wearing self-contained breathing apparatus are provided to dry wells, and to wet wells; 2) stairway access to wet wells more than 4 feet deep containing either bar screens or mechanical equipment requiring inspection or maintenance; 3) for built-in-place pump stations, a stairway to the dry well with rest landings at vertical intervals not to exceed 12 feet; 4) for factory-built pump stations over 15 feet deep, a rigidly fixed landing at vertical intervals not to exceed 10 feet unless a manlift or elevator is provided; and 5) where a landing is used, a suitable and rigidly fixed barrier to prevent an individual from falling past the intermediate landing to a lower level. If a manlift or elevator is provided, emergency access is included in the design. [RSWF 42.23]
- X 40. Specified construction materials are appropriate under conditions of exposure to hydrogen sulfide and other corrosive gases, greases, oils, and other constituents frequently present in wastewater. [RSWF 42.25]
- X 41. Except for low-pressure grinder or STEP systems, multiple pumps are specified, and each pump has an individual intake. Where only two units are specified, they are of the same size. Specified units have capacity such that, with any unit out of service, the remaining units will have capacity to handle the design peak hourly flow. [RSWF 42.31 and 42.36]
- X 42. Bar racks are specified for pumps handling wastewater from 30 inch or larger diameter sewers. Where a bar rack is specified, a mechanical hoist is also provided. The design includes provisions for appropriate protection from clogging for small pump stations. [RSWF 42.322]
- X 43. Pumps handling raw wastewater are designed to pass spheres of at least 3 inches in diameter. Pump suction and discharge openings are designed to be at least 4 inches in diameter. [RSWF 42.33] (Note, this provision is not applicable to grinder pumps.)
- X 44. The design requires pumps be placed such that under normal operating conditions they will operate under a positive suction head, unless pumps are suction-lift pumps. [RSWF 42.34]
- X 45. The design requires: 1) pump stations be protected from lightning and transient voltage surges; and 2) pump stations be equipped with lightning arrestors, surge capacitors, or other similar protection devices and phase protection. Note, pump stations serving a single building are not required to provide surge protection devices if not necessary to protect the pump station. [62-604.400(2)(b), F.A.C.]
- X 46. The design requires 1) electrical systems and components (e.g., motors, lights, cables, conduits, switch boxes, control circuits, etc.) in raw wastewater wet wells, or in enclosed or partially enclosed spaces where hazardous concentrations of flammable gases or vapors may be present, comply with the National Electrical Code requirements for Class I Group D, Division 1 locations; 2) electrical equipment located in wet wells be suitable for use under corrosive conditions; 3) each flexible cable be provided with a watertight seal and separate strain relief; 4) a fused disconnect switch located above ground be provided for the main power feed for all pump stations; 5) electrical equipment exposed to weather to meet the requirements of weatherproof equipment NEMA 3R or 4; 6) a 110 volt power receptacle to facilitate maintenance be provided inside the control panel for pump stations that have control panels outdoors; and 7) ground fault interruption protection be provided for all outdoor outlets. [RSWF 42.35]
- X 47. The design requires a sump pump equipped with dual check valves be provided in dry wells to remove leakage or drainage with discharge above the maximum high water level of the wet well. [RSWF 42.37]
- X 48. Pump station design capacities are based on the peak hourly flow and are adequate to maintain a minimum velocity of 2 feet per second in the force main. [RSWF 42.38]
- X 49. The design includes provisions to automatically alternate the pumps in use. [RSWF 42.4]
- X 50. The design requires: 1) suitable shutoff valves be placed on the suction line of dry pit pumps; 2) suitable shutoff and check valves be placed on the discharge line of each pump (except on screw pumps); 3) a check valve be located between the shutoff valve and the pump; 4) check valves be suitable for the material being handled; 5) check valves be placed on the horizontal portion of discharge piping (except for ball checks, which may be placed in the vertical run); 6) all valves be capable of withstanding normal pressure and water hammer; and 7) all shutoff and check valves be operable from the floor level and accessible for maintenance. [RSWF 42.5]
- X 51. The effective volume of wet wells is based on design average flows and a filling time not to exceed 30 minutes unless the facility is designed to provide flow equalization. The pump manufacturer's duty cycle recommendations were utilized in selecting the minimum cycle time. [RSWF 42.62]
- X 52. The design requires wet well floors have a minimum slope of 1 to 1 to the hopper bottom and the horizontal area of hopper bottoms be no greater than necessary for proper installation and function of the inlet. [RSWF 42.63]

- 53. For covered wet wells, the design provides for air displacement to the atmosphere, such as an inverted "j" tube or other means. [RSWF 42.64]
- 54. The design provides for adequate ventilation all pump stations; mechanical ventilation where the dry well is below the ground surface; permanently installed ventilation if screens or mechanical equipment requiring maintenance or inspection are located in the wet well. Pump stations are designed with no interconnection between the wet well and dry well ventilation systems. [RSWF 42.71]
- 55. The design requires all intermittently operated ventilation equipment to be interconnected with the respective pit lighting system and the manual lighting/ventilation switch to override the automatic controls. [RSWF 42.73]
- 56. The design requires the fan wheels of ventilation systems be fabricated from non-sparking material and automatic heating and dehumidification equipment be provided in all dry wells. [RSWF 42.74]
- 57. If wet well ventilation is continuous, design provides for at least 12 complete 100% fresh air changes per hour; if wet well ventilation is intermittent, design provides for at least 30 complete 100% fresh air changes per hour; and design requires air to be forced into wet wells by mechanical means rather than solely exhausted from the wet well. [RSWF 42.75]
- 58. If dry well ventilation is continuous, design provides at least 6 complete 100% fresh air changes per hour; and dry well ventilation is intermittent, design provides for at least 30 complete 100% fresh air changes per hour, unless a system of two speed ventilation with an initial ventilation rate of 30 changes per hour for 10 minutes and automatic switch over to 6 changes per hour is used to conserve heat. [RSWF 42.76]
- 59. Pump stations are designed and located on the site to minimize adverse effects from odors, noise, and lighting. [62-604.400(2)(c), F.A.C.]
- 60. The design requires pump stations be enclosed with a fence or otherwise designed with appropriate features to discourage the entry of animals and unauthorized persons. Posting of an unobstructed sign made of durable weather resistant material at a location visible to the public with a telephone number for a point of contact in case of emergency is specified. [62-604.400(2)(d), F.A.C.]
- 61. The design requires suitable devices for measuring wastewater flow at all pump stations. Indicating, totalizing, and recording flow measurement are specified for pump stations with a 1200 gpm or greater design peak flow. [RSWF 42.8]
- 62. The project is designed with no physical connections between any potable water supplies and pump stations. If a potable water supply is brought to a station, reduced-pressure principle backflow-prevention assemblies are specified. [RSWF 42.9 and 62-555.30(4), F.A.C.]

Additional Items to be Completed for Suction-Lift Pump Stations

- 63. The design requires all suction-lift pumps to be either self-priming or vacuum-priming and the combined total of dynamic suction-lift at the "pump off" elevation and required net positive suction head at design operating conditions not to exceed 22 feet. For self-priming pumps, the design requires: 1) pumps be capable of rapid priming and repriming at the "lead pump on" elevation with self-priming and repriming accomplished automatically under design operating conditions; 2) suction piping not to exceed the size of the pump suction or 25 feet in total length; and 3) priming lift at the "lead pump on" elevation to include a safety factor of at least 4 feet from the maximum allowable priming lift for the specific equipment at design operating conditions. For vacuum-priming pump stations, the design requires dual vacuum pumps capable of automatically and completely removing air from the suction-lift pumps and the vacuum pumps be adequately protected from damage due to wastewater. [RSWF 43.1]
- 64. The design requires: 1) suction-lift pump equipment compartments to be above grade or offset and to be effectively isolated from the wet well to prevent a hazardous and corrosive sewer atmosphere from entering the equipment compartment; 2) wet well access not to be through the equipment compartment and to be at least 24 inches in diameter; 3) gasketed replacement plates be provided to cover the opening to the wet well for pump units to be removed for service; and 4) no valving be located in the wet well. [RSWF 43.2]

Additional Items to be Completed for Submersible Pump Stations

65. Submersible pumps and motors are designed specifically for raw wastewater use, including totally submerged operation during a portion of each pump cycle and to meet the requirements of the National Electrical Code for such units. Provisions for detecting shaft seal failure or potential seal failure are included in the design. [RSWF 44.1]
66. The design requires submersible pumps be readily removable and replaceable without dewatering the wet well or disconnecting any piping in the wet well. [RSWF 44.2]
67. In submersible pump stations, electrical supply, control, and alarm circuits are designed to provide strain relief; to allow disconnection from outside the wet well; and to protect terminals and connectors from corrosion by location outside the wet well or through use of watertight seals. [RSWF 44.31]
68. In submersible pump stations, the design requires the motor control center to be located outside the wet well, readily accessible, and protected by a conduit seal or other appropriate measures meeting the requirements of the National Electrical Code, to prevent the atmosphere of the wet well from gaining access to the control center. ~~If a seal is specified, the motor can be removed and electrically disconnected without disturbing the seal.~~ The design requires control equipment exposed to weather to meet the requirements of weatherproof equipment NEMA 3R or 4. [RSWF 44.32]
69. In submersible pump stations, the design requires: 1) pump motor power cords be flexible and serviceable under conditions of extra hard usage and to meet the requirements of the National Electrical Code standards for flexible cords in wastewater pump stations; 2) ground fault interruption protection be used to de-energize the circuit in the event of any failure in the electrical integrity of the cable; and 3) power cord terminal fittings be corrosion-resistant and constructed in a manner to prevent the entry of moisture into the cable, provided with strain relief appurtenances, and designed to facilitate field connecting. [RSWF 44.33]
70. In submersible pump stations, the design requires all shut-off and check valves be located in a separate valve pit. Provisions to remove or drain accumulated water from the valve pit are included in the design. [RSWF 44.4]

Emergency Operations for Pump Stations

71. Pump stations are designed with an alarm system which activates in cases of power failure, sump pump failure, pump failure, unauthorized entry, or any cause of pump station malfunction. Pump station alarms are designed to be telemetered to a facility that is manned 24 hours a day. If such a facility is not available and a 24-hour holding capacity is not provided, the alarm is designed to be telemetered to utility offices during normal working hours and to the home of the responsible person(s) in charge of the lift station during off-duty hours. Note, if an audio-visual alarm system with a self-contained power supply is provided in lieu of a telemetered system, documentation is provided in Part II.C. showing an equivalent level of reliability and public health protection. [RSWF 45]
72. The design requires emergency pumping capability be provided for all pump stations. For pump stations that receive flow from one or more pump stations through a force main or pump stations discharging through pipes 12 inches or larger, the design requires uninterrupted pumping capability be provided, including an in-place emergency generator. Where portable pumping and/or generating equipment or manual transfer is used, the design includes sufficient storage capacity with an alarm system to allow time for detection of pump station failure and transportation and connection of emergency equipment. [62-604.400(2)(a)1. and 2., F.A.C., and RSWF 46.423 and 46.433]
73. The design requires: 1) emergency standby systems to have sufficient capacity to start up and maintain the total rated running capacity of the station, including lighting, ventilation, and other auxiliary equipment necessary for safety and proper operation; 2) special sequencing controls be provided to start pump motors unless the generating equipment has capacity to start all pumps simultaneously with auxiliary equipment operating; 3) a riser from the force main with rapid connection capabilities and appropriate valving be provided for all pump stations to hook up portable pumps; and 4) all pump station reliability design features be compatible with the available temporary service power generating and pumping equipment of the authority responsible for operation and maintenance of the collection/transmission system. [62-604.400(2)(a)3., F.A.C., and RSWF 46.431].
74. The design provides for emergency equipment to be protected from operation conditions that would result in damage to the equipment and from damage at the restoration of regular electrical power. [RSWF 46.411, 46.417, and 46.432]

- X 75. For permanently-installed internal combustion engines, underground fuel storage and piping facilities are designed in accordance with applicable state and federal regulations; and the design requires engines to be located above grade with adequate ventilation of fuel vapors and exhaust gases. [RSWF 46.414 and 46.415]
- X 76. For permanently-installed or portable engine-driven pumps are used, the design includes provisions for manual start-up. [RSWF 46.422]
- X 77. Where independent substations are used for emergency power, each separate substation and its associated transmission lines is designed to be capable of starting and operating the pump station at its rated capacity. [RSWF 46.44]

Force Mains

- TJP 78. Force mains are designed to maintain, at design pumping rates, a cleansing velocity of at least 2 feet per second. The minimum force main diameter specified for raw wastewater is not less than 4 inches. [RSWF 48.1]
- TJP ~~79. The design requires: 1) branches of intersecting force mains be provided with appropriate valves such that one branch may be shut down for maintenance and repair without interrupting the flow of other branches; and 2) stubouts on force mains, placed in anticipation of future connections, be equipped with a valve to allow such connection without interruption of service. [62-604.400(2)(f), F.A.C.]~~
- TJP 80. The design requires air relief valves be placed at high points in the force main to prevent air locking. [RSWF 48.2]
- TJP 81. Specified force main pipe and joints are equal to water main strength materials suitable for design conditions. The force main, reaction blocking, and station piping are designed to withstand water hammer pressures and stresses associated with the cycling of wastewater pump stations. [RSWF 48.4]
- TJP 82. When the Hazen and Williams formula is used to calculate friction losses through force mains, the value for "C" is 100 for unlined iron or steel pipe for design. For other smooth pipe materials, such as PVC, polyethylene, lined ductile iron, the value for C does not exceed 120 for design. [RSWF 48.61]
- TJP 83. Where force mains are constructed of material, which might cause the force main to be confused with potable water mains, specifications require the force main to be clearly identified. [RSWF 48.7]
- JP 84. Leakage tests for force mains are specified including testing methods and leakage limits. [RSWF 48.8]

\*RSWF = Recommended Standards for Wastewater Facilities (1997) as adopted by rule 62-604.300(5)(c), F.A.C.

B. Explanation for Requirements or Standards Marked "X" in II(5)A. Above (Attach additional sheets if necessary):

Items 7 through 77 are "Not Applicable" since proposed construction is for a "Dry Line" force main only.

PART III - CERTIFICATIONS

(1) Collection/Transmission System Permittee

I, the undersigned owner or authorized representative\* of Jamaica Bay West Associates, Ltd. am fully aware that the statements made in this application for a construction permit are true, correct and complete to the best of my knowledge and belief. I agree to retain the design engineer or another professional engineer registered in Florida, to conduct on-site observation of construction, to prepare a certification of completion of construction, and to review record drawings for adequacy. Further, I agree to provide an appropriate operation and maintenance manual for the facilities pursuant to Rule 62-604.500(4), F.A.C., and to retain a professional engineer registered in Florida to examine (or to prepare if desired) the manual. I am fully aware that Department approval must be obtained before this project is placed into service for any purpose other than testing for leaks and testing equipment operation.

Signed  Date 3/9/06  
 Name Mike Nepywoda Title Construction Manager

\*Attach a letter of authorization.

(2) Owner of Collection/Transmission System

I, the undersigned owner or authorized representative\* of Jamaica Bay West Associates, Ltd. certify that we will be the Owner of this project after it is placed into service. I agree that we will operate and maintain this project in a manner that will comply with applicable Department rules. Also I agree that we will promptly notify the Department if we sell or legally transfer ownership of this project.

Signed [Signature] Date 3/9/06  
Name Mike Nepywoda Title Construction Manager  
Company Name Jamaica Bay West Associates, Ltd.  
Address 15235 South Tamiami Trail  
City Fort Myers State Fla. Zip 33908  
Telephone (407)257-5680 Fax (407)363-3522 Email mike@uniprop.com

\* Attach a letter of authorization.

(3) Wastewater Facility Serving Collection/Transmission System\*\*

If this is a Notice of Intent to use a general permit, check here:

The undersigned owner or authorized representative\* of the \_\_\_\_\_ wastewater facility hereby certifies that the above referenced facility has the capacity to receive the wastewater generated by the proposed collection system; is in compliance with the capacity analysis report requirements of Rule 62-600.405, F.A.C.; is not under a Department order associated with effluent violations or the ability to treat wastewater adequately; and will provide the necessary treatment and disposal as required by Chapter 403, F.S., and applicable Department rules.

If this is an application for an individual permit, check one:

The undersigned owner or authorized representative\* of the \_\_\_\_\_ wastewater facility hereby certifies that the above referenced facility has and will have adequate reserve capacity to accept the flow from this project and will provide the necessary treatment and disposal as required by Chapter 403, F.S., and applicable Department rules.

The undersigned owner or authorized representative\* of the Forest Utilities, Inc. wastewater facility hereby certifies that the above referenced facility currently does not have, but will have prior to placing the proposed project into operation, adequate reserve capacity to accept the flow from this project and will provide the necessary treatment and disposal as required by Chapter 403, F.S., and applicable Department rules.

Name of Treatment Plant Serving Project Forest Utilities WWIF  
County Lee City Fort Myers  
DEP permit number FL Expiration Date \_\_\_\_\_  
Maximum monthly average daily flow over the last 12 month period .298 MGD Month(s) used March  
Maximum three-month average daily flow over the last 12 month period .280 MGD Month(s) used Feb.- April  
Current permitted capacity 0.500 MGD  AADF  MADF  TMADF  
Current outstanding flow commitments (including this project) against treatment plant capacity: \_\_\_\_\_

Signed [Signature] Date 3/9/06  
Name Wade Moser Title General Manager  
Address 6341 Deer Run  
City Fort Myers State Fla. Zip 33908  
Telephone (239)481-5333 Fax (239)481-0327 Email \_\_\_\_\_

\* Attach a letter of authorization.

\*\* If there is an intermediate collection system, a letter shall be attached certifying that the intermediate downstream collection system has adequate reserve capacity to accept the flow from this project.

(4) Professional Engineer Registered in Florida

I, the undersigned professional engineer registered in Florida, certify that I am in responsible charge of the preparation and production of engineering documents for this project; that plans and specifications for this project have been completed; that I have expertise in the design of wastewater collection/transmission systems, and that, to the best of my knowledge and belief, the engineering design for this project complies with the requirements of Chapter 62-604, F.A.C.

(Affix Seal)

Signed TJPugh  
Date 3/8/06

Name Thomas J. Pugh Florida Registration No. 48221  
Company Name Source, Inc. (E.B. # 2627)  
Address 1334 Lafayette Street  
City Cape Coral State Fla. Zip 33904  
Telephone 549-2345 Fax (239)549-6779 Email TJPugh-Source@att.net  
Portion of Project for Which Responsible All

(Affix Seal)

Signed \_\_\_\_\_  
Date \_\_\_\_\_

Name \_\_\_\_\_ Florida Registration No. \_\_\_\_\_  
Company Name \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Telephone \_\_\_\_\_ Fax \_\_\_\_\_ Email \_\_\_\_\_  
Portion of Project for Which Responsible \_\_\_\_\_

(Affix Seal)

Signed \_\_\_\_\_  
Date \_\_\_\_\_

Name \_\_\_\_\_ Florida Registration No. \_\_\_\_\_  
Company Name \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Telephone \_\_\_\_\_ Fax \_\_\_\_\_ Email \_\_\_\_\_  
Portion of Project for Which Responsible \_\_\_\_\_



# Department of Environmental Protection

Jeb Bush  
Governor

South District  
P.O. Box 2549  
Fort Myers, Florida 33902-2549

Colleen M. Castille  
Secretary

## VIA ELECTRONIC MAIL

# FILE

In the Matter of an  
Application for Permit by:

**Permittee:**  
Jamaica Bay West Associates, Ltd.  
Mike Nepywoda, Construction Manager  
15235 South Tamiami Trail  
Fort Myers, FL 33908  
[mike@uniprop.com](mailto:mike@uniprop.com)

**Permit Number:** 50149-013-DWC  
**Issued:** March 16, 2006  
**Expires:** March 15, 2011  
**Project:** Jamaica Bay Force Main Extension to Forest  
Utilities (**Dryline**)  
**Connected to:** Forest Utilities  
**County:** Lee

## NOTICE OF PERMIT ISSUANCE

Enclosed is Permit Number 50149-013-DWC to construct a **dryline** sewage collection/transmission system pursuant to Chapter 403, Florida Statutes (FS) and Florida Administrative Code (F.A.C.) Rules 62-4 and 62-604. Although the Department intends to issue a construction permit for the project, the Department has the authority to require it be a **dryline** until the serving domestic wastewater treatment plant satisfies the requirements of the Consent Order entered into with the Department on December 15, 2004, pursuant to Office of the General Counsel (OGC) Case Number 04-2012-36-DW.

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, Florida Statutes, within 14 days of receipt of notice. 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, 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 persons listed below must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), Florida Statutes, must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first. Under Section 120.60(3), Florida Statutes, however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition within 14 days of receipt of notice shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, 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, Florida Administrative Code.

A petition that disputes the material facts on which the Department's action is based must contain the following information:



PERMITTEE: Jamaica Bay Force Main Extension to Forest Utilities PERMIT NUMBER: 50149-013-DWC

- (a) The name, address, and telephone number of each petitioner; the name, address, and telephone number of the petitioner's representative, if any; the Department permit identification number and the county in which the subject matter or activity is located;
- (b) A statement of how and when each petitioner received notice of the Department action;
- (c) A statement of how each petitioner's substantial interests is affected by the Department action;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A statement of facts that the petitioner contends warrant reversal or modification of the Department action;
- (f) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wants the Department to take.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation under Section 120.573, Florida Statutes, is not available for this proceeding.

This permit action is final and effective on the date filed with the clerk of the Department unless a petition is filed in accordance with the above. Upon the timely filing of a petition this permit will not be effective until further order of the Department.

Any party to the permit has the right to seek judicial review of the permit action under Section 120.68, Florida Statutes, by the filing of a notice of appeal under Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the clerk of the Department in the Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when this permit action is filed with the clerk of the Department.

Executed in Fort Myers, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

  
\_\_\_\_\_  
Jon M. Iglehart  
Director of District Management

PERMITTEE: Jamaica Bay Force Main Extension to Forest  
Utilities

PERMIT NUMBER: 50149-013-DWC

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF PERMIT ISSUANCE and all copies were mailed before the close of business on March 16, 2006 to the listed persons.

FILING AND ACKNOWLEDGMENT

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

*Rose Ann LaBarbera* 3-16-06  
Clerk Date

JMI/AA/MJF

Copies furnished to:

Wade Moser

Thomas J. Pugh, P.E. [TJPugh-source@att.net](mailto:TJPugh-source@att.net)



# Department of Environmental Protection

Jeb Bush  
Governor

South District  
P.O. Box 2549  
Fort Myers, Florida 33902-2549

Colleen M. Castille  
Secretary

## VIA ELECTRONIC MAIL

In the Matter of an  
Application for Permit by:

**Permittee:**

Jamaica Bay West Associates, Ltd.  
Mike Nepywoda, Construction Manager  
15235 South Tamiami Trail  
Fort Myers, FL 33908  
[mike@uniprop.com](mailto:mike@uniprop.com)

**Permit Number:** 50149-013-DWC

**Issued:** March 16, 2006

**Expires:** March 15, 2011

**Project:** Jamaica Bay Force Main Extension to Forest  
Utilities (**Dryline**)

**Connected to:** Forest Utilities

**County:** Lee

This permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Chapters 62-4 and 62-604, Florida Administrative Code (F.A.C).

The above named permittee is hereby authorized to construct the facilities shown on the application and other documents on file with the Department and made a part hereof and specifically described as follows:

**DESCRIPTION OF PROJECT:** The construction of approximately 4,350 LF of 8" and 350 LF of 4" PVC or HDPE force main, per application materials received on March 10, 2006. See permit condition number 6.

**LOCATION OF PROJECT:** Section 36, Township 45S, Range 24E in Fort Myers, Lee County, Florida.

**IN ACCORDANCE WITH:** The limitations, requirements and other conditions set forth in this permit.

**PERMIT CONDITIONS:**

1. This permit is subject to the general conditions of Rule 62-4.160, F.A.C., as applicable. This rule is available at the Department's Internet site at: <http://www.dep.state.fl.us/water/wastewater/rules.htm#domestic> [62-4.160, 5-1-03].
2. Upon completion of construction of the collection/transmission system project, and before placing the facilities into operation for any purpose other than testing for leaks or testing equipment operation, the permittee shall submit to the Department's South District Office at P.O. Box 2549, Fort Myers, FL 33902-2549 (by mail) or 2295 Victoria Avenue, Suite 364, Fort Myers, FL 33901 (by other delivery service) Form 62-604.300(8)(b), Request for Approval to Place a Domestic Wastewater Collection/Transmission System into Operation. This form is available at the Department's Internet site at: <http://www.dep.state.fl.us/water/wastewater/forms.htm> [62-604.700(2), 11-6-03].
3. The new or modified collection/transmission facilities shall not be placed into service until the Department clears the project for use [62-604.700(3), 11-6-03].

PERMITTEE: Jamaica Bay Force Main Extension to Forest  
Utilities

PERMIT NUMBER: 50149-013-DWC

**PERMIT CONDITIONS:**

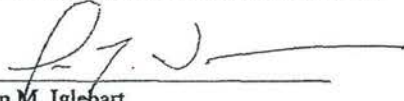
4. Permit revisions shall only be made in accordance with Rule 62-4.050(4)(s), F.A.C. Request for revisions shall be made to the Department in writing and shall include the appropriate fee. Revisions not covered under Rule 62-4.050(4)(s), F.A.C., shall require a new permit [62-604.600(8), 11-6-03].
5. Abnormal events shall be reported to the Department's South District Office in accordance with Rule 62-604.550, F.A.C. For unauthorized spills of wastewater in excess of 1000 gallons per incident, or where information indicates that public health or the environment may be endangered, oral reports shall be provided to 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 or other designee becomes aware of the circumstances. Unauthorized releases or spills less than 1000 gallons per incident are to be reported orally to the Department's South District Office at phone number (239)-332-6975 within 24 hours from the time the permittee, or other designee becomes aware of the circumstances [62-604.550, 11-6-03].
6. This permit is for CONSTRUCTION ONLY of the collection/transmission system project. This permit does not authorize the connection of this collection/transmission system project to the designated wastewater treatment plant. This permit shall not be construed to infer that the clearance necessary for connection shall be granted. Any such clearance shall be granted only when reasonable assurance is given that adequate treatment and disposal is available in accordance with the Consent Order entered into with the Department by City of Fort Myers on February 18, 2004 pursuant to Office of the General Counsel (OGC) Case Number 04-0016-36-DW and other Department rules, regulations, and permits. Partial clearance may be granted, if required [62-604.130(1) and 62-604.600(7), 11-6-03].

**SPECIFIC PERMIT CONDITIONS**

1. All new wastewater collection/transmission systems and modifications of existing systems shall be located at least 100 feet from a public drinking water supply well.
2. Except as provided in Section 62-604.400(3), F.A.C., sewer pipes/force mains should cross under water mains.
3. For sewer crossings, all crossings shall be arranged so that the sewer pipe joints are equidistant as far as possible from the water main joints. At crossings, all vacuum sewer joints must maintain a minimum distance of 3 feet from water main joints. All gravity or pressure type sanitary sewers and wastewater force main joints shall maintain a minimum distance of 6 feet from water main joints.
4. Except as provided under 62-604.400(3), F.A.C., all sewers and force mains shall be laid at least 10 feet horizontally (outside to outside) from a water main and 3 feet minimum (outside to outside) from a reclaimed water pipe permitted under Part III of Chapter 62-610, F.A.C.
5. A vertical separation of at least 18 inches must be maintained when a sewer pipe crosses a water main, except as provided under Section 62-604.400(3), F.A.C.

Executed in Fort Myers, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

  
Jon M. Iglehart  
Director of District Management

Date Signed: MARCH 16, 2006

JMI/AA/MJF

**Exhibit D – A description of the types of customers anticipated to be served by the extension.**

The customer will be a single customer, Jamaica Bay West Associates, LP. Jamaica Bay West Associates, LP, is the developer of the Jamaica Bay Manufactured Mobile Home Community, located at 15235 South Tamiami Trail, Fort Myers, Lee County, Florida, which is comprised of approximately 1417 manufactured homes.

**Exhibit E – Evidence the utility owns the land where the wastewater facilities that will serve the proposed territory are, or will be, located.**

1794819

Documentary Tax Pd. \$ 45  
Intangible Tax Pd.  
SAL GERACI, CLERK, LEE COUNTY

# This Indenture

1770992

Sal Geraci

Made this 30th day of December A. D. 1986,

Between

TIMBERLAKES LIMITED PARTNERSHIP, a  
Florida limited partnership,

1713 PG2514

Lee and State of Florida  
and THE FOREST UTILITIES, INC., a Florida corporation,

of the County of  
party of the first part,

3525 Presidential Court SW

OFF. REC. 1723 PG1712

Fort Myers FL 33907

Lee and State of Florida, party of the second part,

Witnesseth, that the said party of the first part, for and in consideration of the sum of ---Ten (\$10.00) and O.G. & V.C. --- Dollars, in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has remised, released and quitclaimed, and by these presents does remise, release and quitclaim unto the said party of the second part all the right, title, interest claim and demand which the said party of the first part has in and to the following described lot, piece or parcel of land, situate lying and being in the County of Lee, State of Florida, to wit:

A part of the Southwest Quarter of Section 1, Township 46 South, Range 24 East; further described as follows: Begin at the Southwest corner of Section 1, Township 46 South, Range 24 East; thence N 0°22'48" W along the west line of said Section 1, 800.0'; thence N 73°57'27.5" E, 250.82'; thence N 29°02'14.3" E, 30.0'; thence S 40°18'15" E, 239.90'; thence S 19°38'44" E, 99.31'; thence S 32°29'07.4" E, 120.0'; thence S 44°40'30" W, 60.0'; thence N 45°19'30" W, 125.0'; thence S 44°40'30" W, 180.0'; thence S 45°19'30" E, 180.0'; thence N 89°40'30" E, 35.36'; thence N 44°40'30" E, 115.0'; thence S 45°19'30" E, 135.0'; thence S 44°40'30" W, 68.29'; thence S 68°42'51" E, 197.82'; thence N 17°55'42" E, 45.57' to a point on a curve to the southeast, said curve having a central angle of 7°41'09", a radius of 235', a chord 31.5' bearing S 66°43'04" E; thence southeastward along the arc of said curve 31.52'; thence S 19°26'22" W, 154.17'; thence S 0°51'29" E, 50.0' to the southerly line of Section 1, Township 46 South, Range 24 East; thence S 89°08'31" W along said southerly line, 714.70' to the southwest corner of said Section 1 and the Point of Beginning.

Subject to easements, reservations and restrictions of record and taxes for the current and all subsequent years.

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

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

Signed, Sealed and Delivered in Our Presence:

Sal Geraci, TIMBERLAKES LIMITED PARTNERSHIP, a Florida limited partnership  
By: DAVID W. SWOR, a General Partner

State of Florida,  
County of LEE

I Herby Certify That on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, DAVID W. SWOR and JOHN SANTINI, General Partners of TIMBERLAKES LIMITED PARTNERSHIP, a Florida limited partnership,

to me well known to be the persons described in and who executed the foregoing instrument and they acknowledged before me that they executed the same freely and voluntarily for the purposes therein expressed.

Witness my hand and official seal at Fort Myers, County of Lee and State of Florida, this 30th day of December A. D. 1986.

Notary Public  
My Commission Expires 10-23-87

RECORDED VERIFIED - SAL GERACI CLERK  
BY H. EERNSTROM D.C.  
ACCORD VERIFIED - SAL GERACI CLERK  
BY J. TURNER, D.C.  
THIS INSTRUMENT WAS PREPARED BY  
PAUSE, SHIELDS, CASNER, HAVERFIELD, DALTON & HARRISON  
P.O. DRAWER 1507, FT. MYERS, FL 33902  
BY PETER J. GRAVINA  
RECORDED VERIFIED - SAL GERACI CLERK  
BY H. EERNSTROM D.C.  
Documentary Tax Pd. \$ 72.00  
SAL GERACI, CLERK, LEE COUNTY

**Exhibit F – A statement as to the applicant’s technical and financial ability to render reasonably sufficient, adequate and efficient service.**

Forest has the technical and financial ability to render service to the Jamaica Bay development. Forest has an on-going utility operation and has previously rendered service to the Jamaica Bay development through a bulk connection. Forest will implement an I&I program within the development, but the assumption of ownership of the internal lines within Jamaica Bay and the extension of Forest’s territory to cover the Jamaica Bay development will not affect the financial stability of Forest nor exceed its operational or technical capabilities.



**Exhibit G – A detailed statement regarding the proposed method of financing the construction, and the projected impact on the utility’s capital structure.**

There is no proposed method of financing in relation to the requested extension. The internal system and interconnection in Jamaica Bay currently exists. To the extent facility improvements need to be made in order to effectuate the settlement agreement between Jamaica Bay and Forest, and to improve the performance of the on-site system, they will be financed from cash on hand or advances from the owner of Forest.

**Exhibit H - Provide the number of the most recent Commission order establishing or amending the applicant's rate and charges.**

The most recent Commission order establishing or amending Forest's rates and charges was Order No. PSC-05-1262 -TRS-SU, approving Forest Utilities' request for new class of service for bulk wastewater service, filed on December 27, 2005.

**Exhibit I – A statement regarding the projected impact of the extension on the utility’s monthly rates and service availability charges.**

This extension will have no immediate projected impact on Forest’s monthly rates and service availability charges other than the implementation of the agreed upon rate in the settlement agreement entered into between Forest Utilities and Jamaica Bay West Associates Limited Partnership, which rate will only be applicable to that single customer (Jamaica Bay West Associates Limited Partnership).

Forest has filed, with the filing of this application, a request for withdrawal of tariff sheet no. 17.1 so that the agreed upon rate can be implemented once the system is conveyed.

**Exhibit J – An accurate description of the territory proposed to be added or deleted, using township, range and section references as specified in Rule 25-30.030(2), F.A.C.**

**PARCEL I:**

The South 222 feet of the Southeast quarter (SE ¼) of the Southeast quarter (SE ¼) of Section 25, Township 45 South, Range 24 East, excepting the former Iona Drainage District right of way, Public Records of Lee County, Florida.

**PARCEL II:**

The Northeast quarter (NE 1/4) LESS right of way for railroad, of Section 36, Township 45 South, Range 24 East.

**PARCEL III:**

The North half (N 1/2) of the Northwest quarter (NW 1/4) of Section 36, Township 45 South, Range 24 East, lying East of State Road No. 45.

Excepting therefrom a commercial strip of land 300 feet wide described as follows:

**PARCEL A:**

Beginning at the Northwest corner of Jamaica Bay West, said point being on the Northeasterly right of way of U.S. No. 41, thence 764.70 feet along the arc of a curve concave to the Northeast having a radius of 2732.79 feet and subtended by a chord having a length of 762.21 feet and bearing South 23°33'00" East to a point of tangency; thence South 31°34'00" East along said right of way for 52.37 feet to a point of curvature; thence 39.27 feet along the arc of a curve concave to the Northeast having a radius of 25.00 feet and subtended by a chord having a length of 35.36 feet and bearing south 76°34'00" East to a point of reverse curvature on the Northerly right of way of Jamaica Bay Drive; thence 169.85 feet along said right of way along the arc of a curve concave to the Southwest having a radius of 144.83 feet and subtended by a chord having a length of 160.28 feet and bearing South 87°58'11" East to a point of reverse curvature on said Northerly right of way; thence 239.88 feet along said Northerly right of way along the arc of a curve concave to the Northeast having a radius of 500 feet and subtended by a chord having a length of 237.59 feet and bearing South 68°07'01" East to a point on a line 300 feet, as measured perpendicular, from the Northeasterly right of way of U.S. No. 41; thence North 31°34'00" West parallel with and 300 feet from said Northeasterly right of way for 356.92 feet to a point of curvature; thence 600.64 feet along said 300 foot line along the arc of a curve concave to the Northeast having a radius 2432.79 feet and subtended by a chord having a length of 599.11 feet and bearing North 24°29'38" West to the North line of Jamaica Bay West; thence South 89°21'17" West along the North line of Jamaica West for 311.79 feet to the Point of Beginning.

Also excepting therefrom:

**PARCEL B:**

Beginning at the Southwest corner of Jamaica Bay West, said point being on the Northeasterly right of way of U.S. No.41 and the South line of the North half (N ½) of the Northwest quarter (NW ¼) of Section 36, Township 45 South, Range 24 East; thence North 31°34'00" West along said right of way 526.87 feet to a point of curvature; thence 39.27 feet along the arc of a curve concave to the Southeast having a radius of 25.00 feet and subtended by a chord having a length of 35.36 feet and bearing North 13°26'00" East to a point of compound curvature on the Southerly right of way of Jamaica Bay Drive; thence 106.39 feet along said Southerly right of way along the arc of a curve concave to the South having a radius of 96.62 feet and subtended by a chord having a length of 101.09 feet and bearing North 89°58'36" East to a point of reverse curvature on said Southerly right of way; thence 288.54 feet along said Southerly right of way along the arc of a curve concave to the Northeast having a radius of 570.00

feet and subtended by a chord having a length of 285.47 feet and bearing South 72°58'54" East to a point on a line 300 feet; as measured perpendicular, from the Northeast right of way of U.S. No. 41; thence South 31°34'00" East along said 300 foot line 463.50 feet to the South line of the North half (N 1/2) of the Northwest quarter (NW ¼) of Section 36, Township 45 South, Range 24 East, thence South 89°12'02" West along said South line for 349.14 feet to the Point of Beginning.

PARCEL IV:

The Northeast quarter (NE 1/4) of the Southeast quarter (SE 1/4) of the Northwest quarter (NW ¼) of Section 36, Township 45 South, Range 24 East.

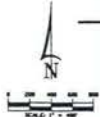
PARCEL V:

Beginning at a point in the North line of the Southeast quarter (SE ¼) of the Northeast quarter (NE ¼) of Section 36, Township 45 South, Range 24 East, distance 116 feet Westerly from the Northeast corner thereof, and in the Westerly right of way line of Iona Drainage District, running thence Southerly on said Westerly right of way line of Iona Drainage District 2641.33 feet to its intersection with the South line of the Northeast quarter (NE ¼) of the Southeast quarter (SE ¼) of said Section 36 at a point therein distant 117 feet Westerly from the Southeast corner thereof; thence Westerly on said South line of the Northeast quarter (NE ¼) of the Southeast quarter (SE ¼) a distance of 138.6 feet; thence Northerly on a straight line parallel with and 50 feet Westerly from center line of main trac of Seaboard All Florida Railway as surveyed and staked across lands of grantor, 2641.56 feet to North line of said Southeast quarter (SE ¼) of the Northeast quarter (NE ¼) of Section 36; thence Easterly on said North line, 120.3 feet to the Point of Beginning.

PARCEL C:

Commencing at Northeast corner of Section 36, Township 45 South, Range 24 East, then South 89°10'56" West along the North line of said Section 36 for 183.30 feet to the Point of Beginning; thence continue South 89°10'56" West along said North line for 37.30 feet to the Westerly former right-of-way of the Seaboard All Florida Railroad; thence South 0°15'01" West along said Westerly right-of-way line for 1320.51 feet to the South line of the Northeast quarter (NE ¼) of the Northeast quarter (NE ¼) of said Section 36; thence North 89°07'32" East along said South line for 37.30 feet; thence North 0°15'01" East parallel with and 37.30 feet as measured at right angle from said Westerly right of way for 1320.48 feet to the Point of Beginning.

**Exhibit K – One copy of an official county tax assessment map or other map showing township, range and section with a scale such as 1"=200' or 1"=400' on which the proposed territory to be added or deleted is plotted by use of metes and bounds or quarter sections and with a defined reference point of beginning.**



GLADIOLUS

35

2

11

36 BRIARCLIFF RD

YOUNGQUIST RD

DEER RUN RD

12

PARK RD

PROPOSED FRANCHISE EXPANSION AREA

CURVE DATA  
 DELTA 14°01'45"  
 RADIUS 432.79'  
 LENGTH 595.68'  
 TANGENT 299.34'  
 CHORD BRG. 354°35'07"E  
 CHORD DIST. 594.89'

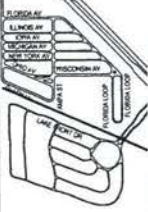
N31°34'00"W, 908.66'  
 S89°09'34"W, 866.56'  
 N00°48'24"W, 661.65'  
 S81°07'21"W, 663.45'  
 N00°47'55"W, 661.13'

S01°05'15"E, 222.0'  
 N89°14'00"E, 2234.31'  
 N89°10'56"E, 1317.58'  
 N89°10'56"E, 1204.16'

N00°56'13"W, 222.0'  
 N00°20'38"W, 1320.18'  
 N00°16'29"W, 1320.21'

N01°29'42"W, 1321.08'  
 117.00'  
 N89°07'12"E, 138.55'

RANGE 25E  
 TOWNSHIP 24E  
 RANGE 25E



NO.	REVISIONS
1	△

FOREST UTILITIES, INC.  
 TERRITORY MAP

**SOURCE, INC.**  
 ENGINEERING & PLANNING  
 1500 LAVERGNE STREET, SUITE 200, TAMPA, FL 33604  
 TELEPHONE: 813.288.4474 FAX: 813.288.4475

DATE REVISION  
 SCALE SHOWN  
 01

**Exhibit O – Immediately upon completion of publication, an affidavit that the notice of the actual application was published once in a newspaper of general circulation in the territory in accordance with Rule 25-30.030, Florida Administrative Code. A copy of the proof of publication shall accompany the affidavit. THIS MAY BE A LATE-FILED EXHIBIT.**



**Exhibit P – An affidavit that the utility has tariffs and annual reports on file with the Commission.**

**AFFIDAVIT**

STATE OF FLORIDA

COUNTY OF LEE

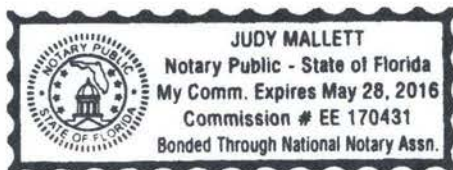
Before me, the undersigned authority, authorized to administer oaths and take acknowledgements, personally appeared WADE MOSER, who, after being duly sworn on oath, did depose on oath and say that Forest Utilities, Inc. has a current tariff and a current Annual Report on file with the Public Service Commission.

FURTHER AFFIANT SAYETH NAUGHT.

BY: Wade Moser  
Wade Moser, General Manager

Subscribed to and sworn to before me this 19<sup>th</sup> day of August, 2013, by Wade Moser, General Manager of Forest Utilities, Inc., who is personally known to me.

Judy Mallett  
Notary Public



**Exhibit Q – The original and two copies of proposed revisions to the utility’s tariff(s) to incorporate the proposed change to the certificated territory. Please refer to Rules 25-9.009 and 25-9.010, Florida Administrative Code, regarding page numbering of tariff sheets before preparing the tariff revisions.**

FOREST UTILITIES, INC.  
WASTEWATER TARIFF

THIRD REVISED SHEET NO. 3.0  
CANCELS SECOND REVISED SHEET NO. 3.0

**TERRITORY AUTHORITY**

CERTIFICATE NUMBER - 300-S

COUNTY - LEE

COMMISSION ORDER(S) APPROVING TERRITORY SERVED -

<u>Order Number</u>	<u>Date Issued</u>	<u>Docket Number</u>	<u>Filing Type</u>
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PSC-06-0538-FOF-SU	6/26/06	060169-SU	Transfer

EFFECTIVE DATE:  
TYPE OF FILING:

DAVID W. SWOR  
ISSUING OFFICER

PRESIDENT  
TITLE

(Continued from Sheet No. 3.2)

**DESCRIPTION OF TERRITORY SERVED**

**Jamaica Bay West Associates Limited Partnership**

Order No. PSC-

PARCEL I:

The South 222 feet of the Southeast quarter (SE ¼) of the Southeast quarter (SE ¼) of Section 25, Township 45 South, Range 24 East, excepting the former Iona Drainage District right of way, Public Records of Lee County, Florida.

PARCEL II:

The Northeast quarter (NE 1/4) LESS right of way for railroad, of Section 36, Township 45 South, Range 24 East.

PARCEL III:

The North half (N 1/2) of the Northwest quarter (NW 1/4) of Section 36, Township 45 South, Range 24 East, lying East of State Road No. 45.

Excepting therefrom a commercial strip of land 300 feet wide described as follows:

PARCEL A:

Beginning at the Northwest corner of Jamaica Bay West, said point being on the Northeasterly right of way of U.S. No. 41, thence 764.70 feet along the arc of a curve concave to the Northeast having a radius of 2732.79 feet and subtended by a chord having a length of 762.21 feet and bearing South 23°33'00" East to a point of tangency; thence South 31°34'00" East along said right of way for 52.37 feet to a point of curvature; thence 39.27 feet along the arc of a curve concave to the Northeast having a radius of 25.00 feet and subtended by a chord having a length of 35.36 feet and bearing south 76°34'00" East to a point of reverse curvature on the Northerly right of way of Jamaica Bay Drive; thence 169.85 feet along said right of way along the arc of a curve concave to the Southwest having a radius of 144.83 feet and subtended by a chord having a length of 160.28 feet and bearing South 87°58'11" East to a point of reverse curvature on said Northerly

EFFECTIVE DATE:

DAVID W. SWOR  
ISSUING OFFICER

TYPE OF FILING:

PRESIDENT  
TITLE

(Continued from Sheet No. 3.3)

**DESCRIPTION OF TERRITORY SERVED**

**Jamaica Bay West Associates Limited Partnership**

right of way; thence 239.88 feet along said Northerly right of way along the arc of a curve concave to the Northeast having a radius of 500 feet and subtended by a chord having a length of 237.59 feet and bearing South 68°07'01" East to a point on a line 300 feet, as measured perpendicular, from the Northeasterly right of way of U.S. No. 41; thence North 31°34'00" West parallel with and 300 feet from said Northeasterly right of way for 356.92 feet to a point of curvature; thence 600.64 feet along said 300 foot line along the arc of a curve concave to the Northeast having a radius 2432.79 feet and subtended by a chord having a length of 599.11 feet and bearing North 24°29'38" West to the North line of Jamaica Bay West; thence South 89°21'17" West along the North line of Jamaica West for 311.79 feet to the Point of Beginning.

Also excepting therefrom:

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EFFECTIVE DATE:

DAVID W. SWOR  
ISSUING OFFICER

TYPE OF FILING:

PRESIDENT  
TITLE

(Continued from Sheet No. 3.4)

**DESCRIPTION OF TERRITORY SERVED**

**Jamaica Bay West Associates Limited Partnership**

by a chord having a length of 285.47 feet and bearing South 72°58'54" East to a point on a line 300 feet; as measured perpendicular, from the Northeast right of way of U.S. No. 41; thence South 31°34'00" East along said 300 foot line 463.50 feet to the South line of the North half (N 1/2) of the Northwest quarter (NW ¼) of Section 36, Township 45 South, Range 24 East, thence South 89°12'02" West along said South line for 349.14 feet to the Point of Beginning.

**PARCEL IV:**

The Northeast quarter (NE 1/4) of the Southeast quarter (SE 1/4) of the Northwest quarter (NW ¼) of Section 36, Township 45 South, Range 24 East.

**PARCEL V:**

Beginning at a point in the North line of the Southeast quarter (SE ¼) of the Northeast quarter (NE ¼) of Section 36, Township 45 South, Range 24 East, distance 116 feet Westerly from the Northeast corner thereof, and in the Westerly right of way line of Iona Drainage District, running thence Southerly on said Westerly right of way line of Iona Drainage District 2641.33 feet to its intersection with the South line of the Northeast quarter (NE ¼) of the Southeast quarter (SE ¼) of said Section 36 at a point therein distant 117 feet Westerly from the Southeast corner thereof; thence Westerly on said South line of the Northeast quarter (NE ¼) of the Southeast quarter (SE ¼) a distance of 138.6 feet; thence Northerly on a straight line parallel with and 50 feet Westerly from center line of main trac of Seaboard All Florida Railway as surveyed and staked across lands of grantor, 2641.56 feet to North line of said Southeast quarter (SE ¼) of the Northeast quarter (NE ¼) of Section 36; thence Easterly on said North line, 120.3 feet to the Point of Beginning.

EFFECTIVE DATE:

DAVID W. SWOR  
ISSUING OFFICER

TYPE OF FILING:

PRESIDENT  
TITLE

(Continued from Sheet No. 3.5)

**DESCRIPTION OF TERRITORY SERVED**

**Jamaica Bay West Associates Limited Partnership**

PARCEL C:

Commencing at Northeast corner of Section 36, Township 45 South, Range 24 East, then South 89°10'56" West along the North line of said Section 36 for 183.30 feet to the Point of Beginning; thence continue South 89°10'56" West along said North line for 37.30 feet to the Westerly former right-of-way of the Seaboard All Florida Railroad; thence South 0°15'01" West along said Westerly right-of-way line for 1320.51 feet to the South line of the Northeast quarter (NE ¼) of the Northeast quarter (NE ¼) of said Section 36; thence North 89°07'32" East along said South line for 37.30 feet; thence North 0°15'01" East parallel with and 37.30 feet as measured at right angle from said Westerly right of way for 1320.48 feet to the Point of Beginning.

EFFECTIVE DATE:

DAVID W. SWOR  
ISSUING OFFICER

TYPE OF FILING:

PRESIDENT  
TITLE

FOREST UTILITIES, INC.  
WASTEWATER TARIFF

THIRD REVISED SHEET NO. 3.0  
CANCELS SECOND REVISED SHEET NO. 3.0

**TERRITORY AUTHORITY**

CERTIFICATE NUMBER - 300-S

COUNTY - LEE

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TITLE



(Continued from Sheet No. 3.2)

**DESCRIPTION OF TERRITORY SERVED**

**Jamaica Bay West Associates Limited Partnership**

Order No. PSC-

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EFFECTIVE DATE:

DAVID W. SWOR  
ISSUING OFFICER

TYPE OF FILING:

PRESIDENT  
TITLE

(Continued from Sheet No. 3.3)

**DESCRIPTION OF TERRITORY SERVED**

**Jamaica Bay West Associates Limited Partnership**

right of way; thence 239.88 feet along said Northerly right of way along the arc of a curve concave to the Northeast having a radius of 500 feet and subtended by a chord having a length of 237.59 feet and bearing South 68°07'01" East to a point on a line 300 feet, as measured perpendicular, from the Northeasterly right of way of U.S. No. 41; thence North 31°34'00" West parallel with and 300 feet from said Northeasterly right of way for 356.92 feet to a point of curvature; thence 600.64 feet along said 300 foot line along the arc of a curve concave to the Northeast having a radius 2432.79 feet and subtended by a chord having a length of 599.11 feet and bearing North 24°29'38" West to the North line of Jamaica Bay West; thence South 89°21'17" West along the North line of Jamaica West for 311.79 feet to the Point of Beginning.

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EFFECTIVE DATE:

DAVID W. SWOR  
ISSUING OFFICER

TYPE OF FILING:

PRESIDENT  
TITLE

(Continued from Sheet No. 3.4)

**DESCRIPTION OF TERRITORY SERVED**

**Jamaica Bay West Associates Limited Partnership**

by a chord having a length of 285.47 feet and bearing South 72°58'54" East to a point on a line 300 feet; as measured perpendicular, from the Northeast right of way of U.S. No. 41; thence South 31°34'00" East along said 300 foot line 463.50 feet to the South line of the North half (N 1/2) of the Northwest quarter (NW ¼) of Section 36, Township 45 South, Range 24 East, thence South 89°12'02" West along said South line for 349.14 feet to the Point of Beginning.

PARCEL IV:

The Northeast quarter (NE 1/4) of the Southeast quarter (SE 1/4) of the Northwest quarter (NW ¼) of Section 36, Township 45 South, Range 24 East.

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DAVID W. SWOR  
ISSUING OFFICER

TYPE OF FILING:

PRESIDENT  
TITLE

(Continued from Sheet No. 3.5)

**DESCRIPTION OF TERRITORY SERVED**

**Jamaica Bay West Associates Limited Partnership**

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FOREST UTILITIES, INC.  
WASTEWATER TARIFF

THIRD REVISED SHEET NO. 3.0  
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**TERRITORY AUTHORITY**

CERTIFICATE NUMBER - 300-S

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(Continued from Sheet No. 3.2)

**DESCRIPTION OF TERRITORY SERVED**

**Jamaica Bay West Associates Limited Partnership**

Order No. PSC-

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DAVID W. SWOR  
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PRESIDENT  
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(Continued from Sheet No. 3.3)

**DESCRIPTION OF TERRITORY SERVED**

**Jamaica Bay West Associates Limited Partnership**

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EFFECTIVE DATE:

DAVID W. SWOR  
ISSUING OFFICER

TYPE OF FILING:

PRESIDENT  
TITLE

(Continued from Sheet No. 3.4)

**DESCRIPTION OF TERRITORY SERVED**

**Jamaica Bay West Associates Limited Partnership**

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The Northeast quarter (NE 1/4) of the Southeast quarter (SE 1/4) of the Northwest quarter (NW ¼) of Section 36, Township 45 South, Range 24 East.

PARCEL V:

Beginning at a point in the North line of the Southeast quarter (SE ¼) of the Northeast quarter (NE ¼) of Section 36, Township 45 South, Range 24 East, distance 116 feet Westerly from the Northeast corner thereof, and in the Westerly right of way line of Iona Drainage District, running thence Southerly on said Westerly right of way line of Iona Drainage District 2641.33 feet to its intersection with the South line of the Northeast quarter (NE ¼) of the Southeast quarter (SE ¼) of said Section 36 at a point therein distant 117 feet Westerly from the Southeast corner thereof; thence Westerly on said South line of the Northeast quarter (NE ¼) of the Southeast quarter (SE ¼) a distance of 138.6 feet; thence Northerly on a straight line parallel with and 50 feet Westerly from center line of main trac of Seaboard All Florida Railway as surveyed and staked across lands of grantor, 2641.56 feet to North line of said Southeast quarter (SE ¼) of the Northeast quarter (NE ¼) of Section 36; thence Easterly on said North line, 120.3 feet to the Point of Beginning.

EFFECTIVE DATE:

DAVID W. SWOR  
ISSUING OFFICER

TYPE OF FILING:

PRESIDENT  
TITLE



(Continued from Sheet No. 3.5)

**DESCRIPTION OF TERRITORY SERVED**

**Jamaica Bay West Associates Limited Partnership**

PARCEL C:

Commencing at Northeast corner of Section 36, Township 45 South, Range 24 East, then South 89°10'56" West along the North line of said Section 36 for 183.30 feet to the Point of Beginning; thence continue South 89°10'56" West along said North line for 37.30 feet to the Westerly former right-of-way of the Seaboard All Florida Railroad; thence South 0°15'01" West along said Westerly right-of-way line for 1320.51 feet to the South line of the Northeast quarter (NE  $\frac{1}{4}$ ) of the Northeast quarter (NE  $\frac{1}{4}$ ) of said Section 36; thence North 89°07'32" East along said South line for 37.30 feet; thence North 0°15'01" East parallel with and 37.30 feet as measured at right angle from said Westerly right of way for 1320.48 feet to the Point of Beginning.

EFFECTIVE DATE:

DAVID W. SWOR  
ISSUING OFFICER

TYPE OF FILING:

PRESIDENT  
TITLE