STATE OF FLORIDA
PUBLIC SERVICE COMMISSION

In re: Complaint Requesting Declaration That Connections Have Been Made and All Amounts Due Have Been Paid and Mandatory Injunction Requiring Refund of Amounts Paid Under Protest.	)	Docket No.: 150026 – WS

EAGLERIDGE I, LLC'S SUPPLEMENTAL FILING IN RESPONSE TO LAKE UTILITY SERVICES, INC.'S ANSWER TO COMPLAINT AND ANSWER TO STAFF'S FIRST DATA REQUEST AND RESPONSE TO STAFF'S QUESTIONS DURING APRIL 3, 2015 CONFERENCE

Eagleridge I, LLC ("Eagleridge"), through its undersigned counsel, responds to the Answer to Complaint (Doc. No. 342–15) and Responses to the Staff's First Data Request (Doc. No. 996–15) filed by Lake Utility Services, Inc. ("LUSI"). Eagleridge also responds to the requests for information made by PSC staff during the April 3, 2015 conference call.

The PSC should enforce the plain and unambiguous language of the Florida Administrative Code ("FAC") finding that all wastewater connections on the subject property had been completed several months prior to the PSC's November 2011 Order.[1] Pursuant to the FAC and the PSC's November 2011 Order, LUSI is prohibited from charging Eagleridge with an increase in those certain wastewater service availability charges upon completion of those connections. Moreover, LUSI should not be permitted to deny those connections; instead, LUSI should be bound by ***LUSI's own certification*** to the Florida Department of Environmental Protection wherein LUSI certified that "any connections associated with this project to the referenced facility, which we operate and maintain, have been completed to our satisfaction . . ." Finally, the PSC should not allow LUSI to use the Florida Supreme Court's Miller decision as a

[1] PSC Order No. PSC-11-0514-PAA-WS (the "PSC November 2011 Order").

shield when LUSI failed to honor the PSC's basic requirement to file the parties' agreements when it was executed, whether such failure is the result of oversight or otherwise.

THE PSC SHOULD APPLY THE PLAIN AND UNAMBIGUOUS LANGUAGE OF THE FLORIDA ADMINISTRATIVE CODE

The PSC should apply the plain and unambiguous language in the FAC and determine that the connections were completed when LUSI's service pipe was connected to Eagleridge's piping. When the language is plain and unambiguous, the PSC is required to apply the language of the FAC as drafted. See Eager v. Florida Keys Aqueduct Auth., 580 So. 2d 771, 772 (Fla. 3d DCA 1991) (reversing agency decision as clearly erroneous because the agency's definition of "unit" was unambiguous and the agency could not interpret that definition to include something new and different from the rule language); Woodley v. Dep't of Health and Rehabilitative Servs., 505 So. 2d 676, 678 (Fla. 1st DCA 1987) (reversing agency's construction of its own rule that clearly contradicted the unambiguous language of the rule).

The Third District Court Of Appeal in Eager addressed application of plain and unambiguous language. In that case, the court was addressing whether dividing a tract of land into separate campsites triggered reclassification and assessment of individual impact development fees. In Eager, the Florida Keys Aqueduct Authority had adopted rules providing, among other things, that when premises consist of single or multiple commercial units, "the system development fee shall be assessed based on each individual unit." Eager, 580 So. 2d at 772. The campsite area at issue, however, was composed of open spaces, with water, electricity, and sewer hookups and did not readily fall within the Authority's definition of unit, which provided:

> "UNIT" A unit is a commercial or residential module consisting of one or more rooms with either appurtenant or common bathroom

> facilities and used for a single commercial purpose or single residential use. Rule 48–2.001(19).

Eager, 580 So. 2d at 772. In its specific provisions for commercial, multiple unit service, the Florida Keys Aqueduct Authority's rules provided that the number of units will be determined according to occupational licenses, building permits, or plans for the structure. Eager, 580 So. 2d at 772. Calusa, the owners of the RV park and campground at issue, had only one occupational license for the operation of the campground, no building permits or plans, and no structure in the campsite area. Eager, 580 So. 2d at 772. Since it had no rule defining "units" in a campground, the Florida Keys Aqueduct Authority "interpreted" its existing definition to include each separate campsite as a "unit," and assessed an impact fee for each campsite "unit." Eager, 580 So. 2d at 772. The Third District Court of Appeal overturned the Florida Keys Aqueduct Authority's decision and ruled that interpreting the term "unit" in such a manner was inappropriate because the existing language in the rules was plain and unambiguous. Eager, 580 So. 2d at 772. Specifically, the court explained:

> However, interpretation of agency rules is appropriate only where such rules contain ambiguities, or the language is not plain or the meaning clear. In fact, where the administrative ruling or policy is contrary to the plain and unequivocal language being interpreted, the ruling or policy is clearly erroneous.

Eager, 580 So. 2d at 772 (internal citation omitted). The Third District Court of Appeal proceeded to hold that there was no ambiguity in the term "unit" and that, therefore, reclassification was inappropriate. Eager, 580 So. 2d at 772.

The decision in Eager should guide the PSC here. LUSI is requesting that the PSC ignore the plain language of the FAC under the guise of "interpretation." The PSC, however, has the obligation to apply the plain and unambiguous language in the FAC as drafted. The FAC provides plain and unambiguous definitions with respect to connections, all of which provide

that a connection is completed at the point in time when the service pipe of the utility is connected with the customer ***regardless of whether a meter is installed and regardless of whether services are currently being provided***. See Fla. Admin. Code 25-30.210(4) and (5) and 25-30.515(1). Specifically, the Florida Administrative Code defines connection as follows:

> **25-30.210 Definitions.**
>
> For the purpose of this part, the following definitions apply:
>
> ***
>
> (5) "Service Connection" shall mean the point of connection of the customer's piping with the meter **or** service pipe owned by the utility.

Fla. Admin. Code 25-30.210(5) (emphasis added). Use of the term "or" in this definition specifically contemplates that the connection may be made to a meter **OR** to a service pipe and, therefore, LUSI is incorrect when it argues that an installed meter is required for a connection to be complete. Consistent with that, the Florida Administrative Code defines service pipe as "(4) "Service Pipe" shall mean the pipe between the utility's mains and the point of delivery and shall include all of the pipe, fittings and valves necessary to make the connection **excluding the meter**." Fla. Admin. Code 25-30.210(4) (emphasis added). Accordingly, installation of the meter is not required for the connection to be completed under the plain and unambiguous language of the FAC.

In his responses to the PSC Staff's First Data Request, No. 1, LUSI's counsel appears to argue that the PSC should apply Rule 25-30.210(7) instead of Rule 25-30.210(6) with respect to "point of delivery." This is inappropriate and ignores the plain language of the FAC. Specifically, Rule 25-30.210(7) applies to water systems only and, therefore, should not apply to

wastewater-related charges. Rule 25-30.210(6), on the other hand, is not so restricted and, therefore, would apply to wastewater-related charges.

With respect to LUSI's argument that services must be provided for the connection to be completed, the Florida Administrative Codes further provides:

> **25-30.515 Definitions.**
>
> When used in this part or in service availability policies or in service availability contracts or agreements, the following terms have the following meanings:
> (1) Active Connection means a connection to the utility's system at the point of delivery of service, **whether or not service is currently being provided**.

Fla. Admin. Code 25-30.515(1) (emphasis added). The PSC Staff, as reflected in its First Data Request, recognized the importance of the emphasized phrase in 25-30.515 (definition of active connection) above – i.e., "whether or not service is currently being provided." Significantly, in his response to the first Data Request, LUSI's counsel never disputes or denies that Rule 25–30.515(1) (or the phrase "whether or not service is currently being provided") applies to LUSI. Nor does LUSI dispute or deny that the pipes were physically connected in April 2011. LUSI merely argues that a meter should be in place and service provided for the connection to be complete. The plain and and unambiguous language of the FAC provides the opposite.

Simply put, once the point of connection has been made between the customer's piping and the utility's service pipe, regardless of whether or not service is currently being provided (or whether or not a meter is installed), the connection exists, the service has been rendered, and any new non-recurring charges approved by the PSC may not be passed along to the customer.

LUSI CERTIFIED THAT ALL CONNECTIONS HAD BEEN COMPLETED

The PSC should hold LUSI to LUSI's own certification that all connections had been completed. In March 2011, Eagleridge submitted its *Request for Approval to Place a Domestic Wastewater Collection/Transmission System into Operation* (the "Request for Approval") to the Florida Department of Environmental Protection ("DEP"). A copy of the Request for Approval is attached as **Exhibit A**.

In the Request for Approval, LUSI (as the owner of the subject wastewater facility) had to make certain certifications. Among the certifications, LUSI certified that any connections to LUSI's wastewater facility had been completed to LUSI's satisfaction. Specifically, Mr. Patrick Flynn, LUSI's Regional Director, certified to the DEP as follows (highlighting added):

(3) Wastewater Facility Serving Collection/Transmission System

I, the undersigned owner or authorized representative* of the Lake Groves WWTF Wastewater facility hereby certify that the above referenced facility has 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. Also, I certify that any connections associated with this project to the above referenced facility, which we operate and maintain, have been completed to our satisfaction and we have received a copy of the record drawings for this project.

Signed _____ Date 3/18/11
Name Patrick Flynn Title Regional Director
Address 200 Weathersfield Ave.
City Altamonte Springs State FL Zip 32714
Telephone (407) 869-1919 Fax (407) 869-6961 Email pcflynn@uiwater.com
* *Attach a letter of authorization.*

LUSI should not be permitted to certify in March 2011 that the connections associated with the project have been "completed to our satisfaction" and then turn around and argue that as of November 2011 Eagleridge's connection had not been completed and that Eagleridge, therefore, was subject to additional wastewater main charges.

During the April 3, 2015 conference call, a LUSI representative stated that there were "gaps" in the piping with respect to four (4) units as of November 2011. Eagleridge is

interpreting the use of the term "gap" to simply mean that meters were not in place with respect to those four units and that the pipes were, in fact, physically connected (just without the meter). To the extent that LUSI may be asserting that there were physical gaps in the piping as of November 2011, Eagleridge disputes that assertion and requests an opportunity to provide further evidence to the PSC.[2]

During the April 3, 2015 conference call, PSC staff inquired regarding the pipes that were installed and the timeframe of the installation. In August 2010, Eagleridge submitted its *Notification/Application for Constructing a Domestic Wastewater Collection/Transmission System* (the "Application") to the DEP. A copy of the Application is attached as **Exhibit B**. In the Application, Eagleridge provided the "Project Description and Purpose (including pipe length, range of pipe diameter, total number of manholes, and total number of pump station)." The Application, p. 2 of 11. Eagleridge explained that the construction would be of

> a wastewater trunk line collection system to serve 64,481 FF of commercial development with phase 1 of the Golden Eagle Village project. Pipe Length = 2,826 LF (8" PVC SS); Number of Manholes = 19; Number of pump stations = 0.

The Application, p. 2 of 11. As LUSI explained during the April 3, 2015 conference call, LUSI did not make any investment with respect to the subject property during this construction and all connections were made to LUSI's existing pipes.[3] As for timing of installation, start of construction was slated for September 2010 (according to the Application, p. 2 of 11) and, as

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[2] In his responses to the PSC Staff's First Data Request, No. 1, LUSI's counsel states "[a]rguably, the unoccupied unit in the Eagleridge shopping center are connected since they are physically connected to LUSI's wastewater main." Eagleridge has interpreted this as an admission that all subject pipes had, in fact, been physically connected and only that some units did not have meters.

[3] As provided in the parties' agreement – "All facilities will be extended by the Eagleridge I, LLC to our ***existing*** 8" sanitary lateral located in the Lake County right of way on Eagle Ridge Boulevard and 12" potable water main also located within the right-of-way on Eagle Ridge Boulevard and the FDOT right of way on U.S. Highway 27 per utility plans." (Emphasis added).

noted above, installation was complete in all connections (as certified by LUSI) were completed by March 2011. Actual water service to the subject property commenced immediately thereafter (for Building K, the Publix) as evidenced by the LUSI invoice for water usage dated April 22, 2011 and attached as **Exhibit C**.

In order to further assist the PSC staff, as requested, Eagleridge is providing a diagram of the subject property with information regarding the unit identifiers (i.e., J, K, L) and the tenants in those units as of November 2011. A copy of that diagram[4] and a rent roll (with certain information redacted) effective as of November 2011 are attached as **Composite Exhibit D**.

LUSI SHOULD BE BOUND BY ITS WAIVER

LUSI argues that the Florida Supreme Court's decision in H. Miller & Sons v. Hawkins, 373 So. 2d 913 (Fla. 1979) should absolve LUSI of the waiver it provided in the parties' agreement. Eagleridge will not re-hash any arguments is has made with respect to Miller. Instead, equity should not permit LUSI to hide behind the protections in Miller when LUSI failed in its fundamental obligation to file the parties' agreement with the PSC, whether such failure was inadvertent or otherwise. As the PSC Staff addressed in its First Data Request No. 6, the FAC explicitly provides in pertinent part:

> (1) A copy of each developer's agreement shall be filed with the Commission within 30 days of execution. Upon filing, the agreement shall be deemed to be approved under the utility's existing service availability policy, unless the Commission gives notice of intent to disapprove within 30 days. Approval of a developer's agreement does not preclude the Commission from effecting the provisions of a developers agreement if, pursuant to Commission action, the terms and conditions of the utility service availability policy are changed.

[4] Eagleridge is mailing a larger copy of that diagram to the PSC and LUSI's counsel, which larger copy should be more legible.

FAC, 25–30.550. The requirement to file such agreements provides the PSC an opportunity to review any such agreement. Presumably, such review could possibly include notation of any (unenforceable) waiver language prior to reliance by a utility customer.

CONCLUSION

The PSC should enforce the plain and unambiguous language of the FAC. Under the plain and unambiguous language of the FAC, the subject wastewater connections were completed well before the PSC November 2011 Order. Ignoring the plain and unambiguous language of the FAC solely because that language, as drafted, is inconvenient for a utility is not permitted. Accordingly, the PSC should grant the relief requested by Eagleridge in its Complaint and order and direct that LUSI immediately return and refund all monies paid under protest (i.e., $63,625.20).

Dated: April 10, 2015

Respectfully submitted,

/s/ Samual A. Miller
Samual A. Miller, Esq.
Florida Bar No. 34991
Primary E-mail: samual.miller@akerman.com
Secondary E-mail: susan.cali@akerman.com
AKERMAN LLP
420 South Orange Ave., Suite 1200
Orlando, FL 32801
407-423-4000 phone
407-843-6610 fax

Counsel for Eagleridge I, LLC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the this document was furnished by **email** this 10th day of April, 2015 to:

Martin S. Friedman, Esq.
Friedman & Friedman, P.A.
766 N Sun Dr Ste 4030
Lake Mary, FL 32746-2554
mfriedman@fflegal.com

/s/ Samual A. Miller

Exhibit A

Florida Department of Environmental Protection

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

REQUEST FOR APPROVAL TO PLACE A DOMESTIC WASTEWATER COLLECTION/TRANSMISSION SYSTEM INTO OPERATION

PART I - INSTRUCTIONS

(1) This form shall be completed and submitted to the appropriate DEP district office or delegated local program for all collection/transmission system projects required to obtain a construction permit in accordance with Chapter 62-604, F.A.C.

(2) Newly constructed or modified collection/transmission facilities shall not be placed into service until the Department has cleared the project for use.

RECEIVED
MAR 29 2011
DEP Central Dist.

(3) All information shall be typed or printed in ink, and all blanks must be filled.

PART II – PROJECT DOCUMENTATION

(1) Collection/Transmission System Permittee

Name: Mr. Daniel Butts Title: Senior Vice President
Company Name: Eagleridge I, LLC
Address: PO Box 3010
City: Winter Park State: FL Zip: 32790-3010
Telephone: (407) 622-1700 Fax: (407) 622-1717 Email: daniel@battagliagroup.com

(2) General Project Information

Project Name: Golden Eagle Village Phase 1
Construction Permit No.: 0302221-001 Dated: August 10, 2010
Is the entire project included under the collection/transmission system permit substantially complete? ☒ Yes ☐ No (If approval is being requested to place a portion of the project into operation, attach a copy of the site plan or sketch that was submitted with the application showing the portion of the project which is substantially complete and for which approval is being requested.)

Description of Portion of Project for Which Approval is Being Requested (including pipe length, total number of manholes and total number of pump stations): 2,491 LF of 8" PVC pipe, 19 manholes, and 0 pump stations

Expected Date of Connection to Existing System or Treatment Plant: April 2011

(3) Treatment Plant Serving Collection/Transmission System

Name of Treatment Plant Serving Project: Lake Groves WWTF
County: Lake City: Clermont
DEP permit number: FL FLA010630-005-DW1 Expiration Date: 08/06/2012

emailed 4-1-11 (S)

Final

For Department Use Only
Date 3-31-11 4/1/2011
By WGB
CLEARED FOR USE
Filed

Northwest District
160 Governmental Center
Pensacola, Florida 32502-5794
850-595-8300

Northeast District
7825 Baymeadows Way
Suite 200B
Jacksonville, Florida 32256-7590
904-807-3300

Central District
3319 Maguire Blvd
Suite 232
Orlando, Florida 32803-3767
407-894-7555

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619-8318
813-744-6100

South District
2295 Victoria Ave
Suite 364
Fort Myers, Florida 33902-2549
239-332-6975

Southeast District
400 North Congress Ave
Suite 200
West Palm Beach, Florida 33401
561-681-6600

PART III - CERTIFICATIONS

(1) Collection/Transmission System Permittee

I, the undersigned owner or authorized representative* of Eagleridge I, LLC certify that the engineer has provided us a copy of the record drawings for this project and if there is not already an existing applicable operation and maintenance (O&M) manual, one has been prepared for the new or modified facilities.

Also, I certify that, if we will not be the owner of this project after it is placed into service, we have provided a copy of the above mentioned record drawings and a copy of the above mentioned O&M manual, if applicable, to the person or system that will be the owner of this project after it is placed into service.

Signed _____ Date 3/14/11

Name Daniel Butts Title Senior Vice President

** Attach a letter of authorization.*

(2) Owner of Collection/Transmission System After it is Placed into Service

I, the undersigned owner or authorized representative* of Eagleridge I, LLC certify that we accept the project as constructed and will be the owner of this project after it is placed into service. I agree to report any abnormal events in accordance with Rule 62-604.550, F.A.C. and promptly notify the Department if we sell or legally transfer ownership of the collection/transmission system. Also I certify that we agree to operate and maintain the facilities in accordance with the provisions of Chapter 403 Florida Statutes (F.S.) and applicable Department rules and that we have received a copy of the record drawings and O&M manual for this project and that these record drawings and O&M manual are available at the following location which is within the boundaries of the district office or delegated local program permitting the collection/transmission system:

Signed _____ Date 3/14/11

Name Daniel Butts Title Senior Vice President

Company Name BPL Eagleridge, LLC

Address PO Box 3010

City Winter Park State FL Zip 32790-3010

Telephone (407) 622-1700 Fax (407) 622-1717 Email daniel@battagliagroup.com

** Attach a letter of authorization.*

(3) Wastewater Facility Serving Collection/Transmission System

I, the undersigned owner or authorized representative* of the Lake Groves WWTF Wastewater facility hereby certify that the above referenced facility has 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. Also, I certify that any connections associated with this project to the above referenced facility, which we operate and maintain, have been completed to our satisfaction and we have received a copy of the record drawings for this project.

Signed _____ Date 3/18/11

Name Patrick Flynn Title Regional Director

Address 200 Weathersfield Ave.

City Altamonte Springs State FL Zip 32714

Telephone (407) 869-1919 Fax (407) 869-6961 Email pcflynn@uiwater.com

** Attach a letter of authorization.*

(4) Professional Engineer Registered in Florida

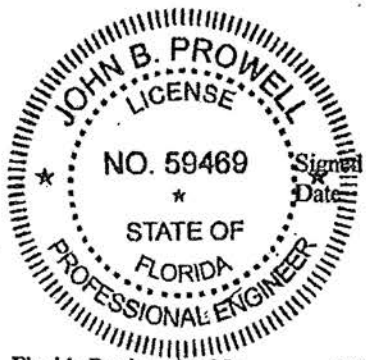
I, the undersigned professional engineer registered in Florida, certify the following:

- that this project has been constructed in accordance with the construction permit and engineering plans and specifications or that, to the best of my knowledge and belief, any deviations from the construction permit and engineering plans and specifications will not prevent this project from functioning in compliance with Chapter 62-604, F.A.C.;
- that the record drawings for this project are adequate and include substantial deviations** from the construction permit and engineering plans and specifications;
- that a copy of the record drawings has been provided to the permittee and to the wastewater treatment facility serving the collection/transmission system;
- that the O&M manual for this project has been prepared or examined by me, or by an individual(s) under my direct supervision, and that there is reasonable assurance, in my professional judgment, that the facilities, when properly maintained and operated in accordance with this manual, will function as intended; and
- that, to the best of my knowledge and belief, appropriate leakage tests have been performed and the new or modified facilities met the specified requirements.

This certification is based upon on-site observation of construction conducted by me or by a project representative under my direct supervision and upon a review of shop drawings, test results/records, and record drawings performed by me or by a project representative under my direct supervision.

The following is a description and explanation of substantial deviations** from the construction permit and engineering plans and specifications for the substantially completed portion of this project. (Attach additional sheets if necessary.)

None.



Signed
Date 3-18-11

Name John Prowell Florida Registration No. 0059469

Company Name VHB Miller Sellen

Address 225 E. Robinson Street, Suite 300

City Orlando State FL Zip 32801

Telephone (407) 839-4006 Fax (407) 839-4008 Email jprowell@vhb.com

** *Substantial deviations are construction deviations greater than 10% from plans and specifications and any deviations which fall below minimum standards established in Rule 62-604, F.A.C.*

Exhibit B

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

RECEIVED
AUG 05 2010
DEP Central Dist.

RECEIVED
AUG
DEP Cent

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.	$\geq$ 10	$500	☐
	< 10	$300	☐
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	☒

*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.

Northwest District
160 Governmental Center
Pensacola, Florida 32502-5794
850-595-8300

Northeast District
7825 Baymeadows Way
Suite 200B
Jacksonville, Florida 32256-7590
904-807-3300

Central District
3319 Maguire Blvd
Suite 232
Orlando, Florida 32803-3767
407-894-7555

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619-8318
813-744-6100

South District
2295 Victoria Ave
Suite 364
Fort Myers, Florida 33902-2549
239-332-6975

Southeast District
400 North Congress Ave
Suite 200
West Palm Beach, Florida 33401
561-681-6600

PART II – PROJECT DOCUMENTATION

(1) Collection/Transmission System Permittee

Name Mr. Daniel Butts Title Senior Vice President
Company Name BPL Eagleridge, LLC
Address PO Box 3010
City Winter Park State FL Zip 32790-3010
Telephone (407) 622-1700 Fax (407) 622-1717 Email daniel@battagliagroup.com

(2) General Project Information

Project Name Golden Eagle Village - Phase 1
Location: County Lake City Clermont Section 23 Township 24S Range 26E
Project Description and Purpose (including pipe length, range of pipe diameter, total number of manholes, and total number of pump stations) Construction of a wastewater trunkline collection system to serve 64,481 SF of commercial development with Phase 1 of the Golden Eagle Village project. Pipe Length = 2,826 LF (8" PVC SS); Number of Manholes = 19; Number of pump stations = 0.

Estimated date for: Start of construction September 2010 Completion of construction September 2011
Connections to existing system or treatment plant 1

(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						
Apartment						
Commercial, Institutional, or Industrial Facility*					19,250	77,000
Total					19,250	77,000

* Description of commercial, institutional, and industrial facilities and explanation of method used to estimate per capita flow for these facilities: Phase 1 Restaurant = 387 seats x 28 gpd/seat = 10,827 gpd ADF. Phase 1 Retail = 361 Fixture Units x 1 ERC/12 FU x 280 gpd/ERC = 8,423 gpd ADF. Phase 1 = 19,250 gpd ADF. PHF (Peak Factor = 4) (19,250)(4.0) = 77,000 gpd PHF.

(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	
NA					

(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

X 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]

X 2. Procedures are specified for operation of the collection/transmission system during construction. [RSWF 20.15]

X 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.]

AW 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]

AW 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.]

AW 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

AW 7. The project is designed with no public gravity sewer conveying raw wastewater less than 8 inches in diameter. [RSWF 33.1]

AW 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}

AW 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]

AW 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]

AW 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]

AW 15. Sewers are designed to prevent damage from superimposed loads. [RSWF 33.7]

JW 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]

JW 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]

JW 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]

X 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

JW 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]

X 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]

JW 22. Manholes are designed with a minimum diameter of 48 inches and a minimum access diameter of 22 inches. [RSWF 34.3]

JW 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]

JW 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]

JW 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]

X 26. Electrical equipment specified for use in manholes is consistent with Item 46 of this checklist. [RSWF 34.9]

Stream Crossings

X 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]

X 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 form the shoreline to prevent discharge in the event the line is damaged. [62-604.400(2)(k)5., F.A.C.]

X 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]

X 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.]

X 31. Provisions for testing the integrity of subaqueous lines are specified. [62-604.400(2)(k)4., F.A.C.]

X 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]

X 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

X 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.]

X 35. Pump stations are designed to be readily accessible by maintenance vehicles during all weather conditions. [RSWF 41.2]

X 36. Wet well and pump station piping is designed to avoid operational problems from the accumulation of grit. [RSWF 41.3]

X 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]

X 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 lighting 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]

X 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]

X 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]

X 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]

X 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]

X 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]

X 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]

X 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.]

X 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.]

X 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]

X 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

X 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]

X 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 remove for service; and 4) no valving be located in the wet well. [RSWF 43.2]

Additional Items to be Completed for Submersible Pump Stations

X 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]

X 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]

X 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]

X 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]

X 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]

X 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

X 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]

X 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]

X 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]

X 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

X 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]

X 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.]

X 80. The design requires air relief valves be placed at high points in the force main to prevent air locking. [RSWF 48.2]

X 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]

X 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]

X 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]

X 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):

See attached sheet.

PART III - CERTIFICATIONS

(1) Collection/Transmission System Permittee

I, the undersigned owner or authorized representative* of BPL Eagleridge, LLC 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 D. Butts Date 9-23-09

Name Daniel Butts Title Senior Vice President

*Attach a letter of authorization.

(2) Owner of Collection/Transmission System

I, the undersigned owner or authorized representative* of BPL Eagleridge, LLC 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 _____ Date 9-23-09
Name Daniel Butts Title Senior Vice President
Company Name BPL Eagleridge, LLC
Address PO Box 3010
City Winter Park State FL Zip 32790-3010
Telephone (407) 622-1700 Fax (407) 622-1717 Email daniel@battagliagroup.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 Lake Groves WWTF 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 _____ 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 Lake Groves WWTF
County Lake City Clermont
DEP permit number FL FLA010630-005-DW1 Expiration Date 08/06/2012
Maximum monthly average daily flow over the last 12 month period .399 ~~.381~~ MGD Month(s) used ~~Jul 2009~~ MAR 2010
Maximum three-month average daily flow over the last 12 month period .387 ~~.370~~ MGD Month(s) used ~~May-Jul~~ JAN-MAR 2010
Current permitted capacity 1.0 MGD ☒ AADF ☐ MADF ☐ TMADF
Current outstanding flow commitments (including this project) against treatment plant capacity: .370

Signed _____ Date 8/2/10
Name Patrick Flynn Title Regional Director
Address 200 Weathersfield Ave.
City Altamonte Springs State FL Zip 32714
Telephone 407.869.1919 Fax 407.869.6961 Email pcflynn@uiwater.com
* *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
Date

Name Lindy Wolfe Florida Registration No. 68341
Company Name VHB, Inc.
Address 225 E. Robinson St., Suite 300
City Orlando State FL Zip 32801
Telephone 839-4006 Fax 407-839-4008 Email lwolfe@vhb.com
Portion of Project for Which Responsible Entire Project.

(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

Project Name: Golden Eagle Village – Phase 1

Florida Department of Environmental Protection
Notification/Application for Constructing a Domestic Wastewater
Collection/Transmission System

Part II (5) B. Explanation for Requirements or Standards Marked "X" in Part II (5) A.:

Condition:

1. This project utilizes an EDU factor of 280 GPD/EDU per Lake Utility Services, Inc.
2. This application is for a new system, which will not be in operation until certified complete.
3. The property boundary is within 25' of an existing public well that is located northwest of the property. The proposed project wastewater system is located approximately 155' and further from the existing public well.

11. All gravity sewers are designed with velocities less than 15 fps.
12. All gravity sewers are designed with slopes less than 20%.
14. Gravity sewers are not designed with dissimilar materials.
19. Gravity sewers are not designed with inverted siphons.
21. Drop manholes are not proposed.
26. Manholes are not designed with electrical equipment.
27.-33. Stream crossings are not proposed with this project.
34.-77. No pump stations are proposed with this project.
78.-84. No force mains are proposed with this project.

Battaglia Group Management, LLC
Operating Account
P.O. Box 3010
Winter Park, FL 32790-3010
407-622-1700

CNL Bank
400 South Orange Avenue
Orlando, FL 32801

063114289

5375

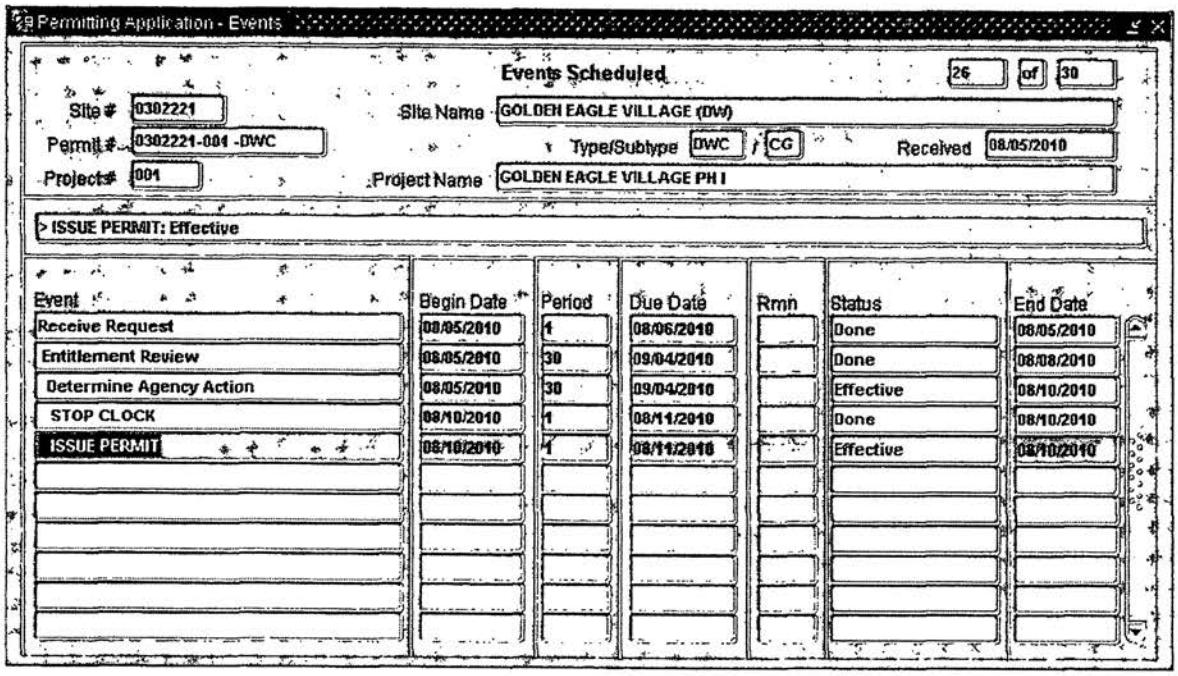
**** TWO HUNDRED FIFTY AND 00/100 DOLLARS

TO THE ORDER OF

DATE 07/09/10

AMOUNT $250.00*****

FL Dept. of Environmental Protection
Attn: Kris Tulloch
3319 Maquire Blvd., Suite 232
Orlando, FL 32803


Permitting Application - Events
Events Scheduled
26 of 30
Site # 0302221
Site Name GOLDEN EAGLE VILLAGE (DW)
Permit # 0302221-001 -DWC
Type/Subtype DWC / CG
Received 08/05/2010
Project # 001
Project Name GOLDEN EAGLE VILLAGE PH I
> ISSUE PERMIT: Effective
Event
Begin Date
Period
Due Date
Rmn
Status
End Date
Receive Request 08/05/2010 1 08/06/2010 Done 08/05/2010
Entitlement Review 08/05/2010 30 09/04/2010 Done 08/08/2010
Determine Agency Action 08/05/2010 30 09/04/2010 Effective 08/10/2010
STOP CLOCK 08/10/2010 1 08/11/2010 Done 08/10/2010
ISSUE PERMIT 08/10/2010 1 08/11/2010 Effective 08/10/2010

PERMIT DATA FORM **CHECK IF NEW:** _____

MOD__ **NEW**__ **RENEWAL**__ **SITE WAFR # AIR #** _____

SITE/WAFER/FACILITY NAME: Golden Eagle Village

PROJECT NAME: _____ PA1

DESC: Lake Groves WWTF

TYPE CODE: DWC **SUBCODE:** CG **CHECK IF GP** ✓ **EXEMPT**__ **NPDES**__

CORRECT FEE: 250

PROCESSOR: Cindy **AMOUNT RCV'D:** 250

AMOUNT REFUND: 0

WACS #_____ **MONIES DUE:** _____

I have app, cls

RED ___ YELLOW___ GREEN___ NO PERMIT REQ ___

HISTORY SHEET

SITE/WAFR/AIR#: 35-0302221-001 TYPE: dwc SUBTYPE: Cg

SITE/WAFR/AIR NAME: Golden Eagle Village

PROJECT NAME: LA1

DATE	TIME BEGIN	TIME END	TOTAL TIME	COMMENTS	POSITION TITLE
ENTERED	RECEIVED AUG 0 9 2010		30		OAS

Exhibit C

DATE:05/13/11 CK#:6460 TOTAL:$314.71***** BANK:901-Op - BG Management Operating A/C
PAYEE:Lake Utility Services, Inc.(lakuti)

Property	Account	Invoice	Description	Amount
926-1	1602-0000	5121-043211	5349965121: 4/7-4/21 Water	314.71
				314.71

RECEIVED
MAY 02 2011
Battaglia Group

Utilities, Inc.®

Lake Utility Services, Inc
Phone: (407) 869-1919
Collections: (800) 272-1919
Customer Service: (800) 272-1919
www.ulwater.com

Bill Date	Account Number	Due Date	Please Pay:
04/22/2011	5349965121	5/12/2011	$314.71

Name **EAGLE RIDGE 1, LLC** Primary Telephone # **(407) 622-1700**

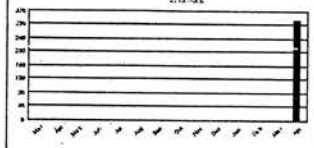
Service Address *2430 US HWY 27, STE 320, CLERMONT, FL, 34714*

Activity Since Last Bill		
Previous Balance	$0.00	
Payments received as of 04/22/2011	$-1,454.67	
Balance as of 04/22/2011		$-1,454.67
Adjustments		
Meter Connection Fee		$1,454.67
New Account Charge - Water		$10.50
New Account Charge - Wastewater		$10.50
Lake Utility Services-Lake Groves Water General Service		
Water Base Charge	$67.95	
8,900 gallons $3.04 per 1000 gallons	$27.06	
Total Lake Utility Services-Lake Groves Water General Service		$95.01
Wastewater General Service		
Wastewater Base Charge	$150.73	
8,900 gallons at $5.39 per 1,000 gallons	$47.97	
Total Wastewater General Service		$198.70
Total Amount Due		**$314.71**

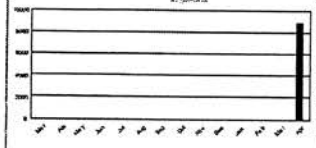
Summary of Service

Meter Reading	**Meter #**	10256694
Current	8900	04/21/2011
Previous	0	04/07/2011
Usage	8,900 Gallons	
Number of Days:	14	
Meter Reading	**Meter #**	10256694
Current	0	04/21/2011
Previous	0	04/07/2011
Usage	0 Gallons	
Number of Days:	14	
Average Daily Use:	636 Gallons	
Average Daily Cost:	$20.98	

Billing History



Consumption History



926-1
~~4003~~ 1602
4/11 SM

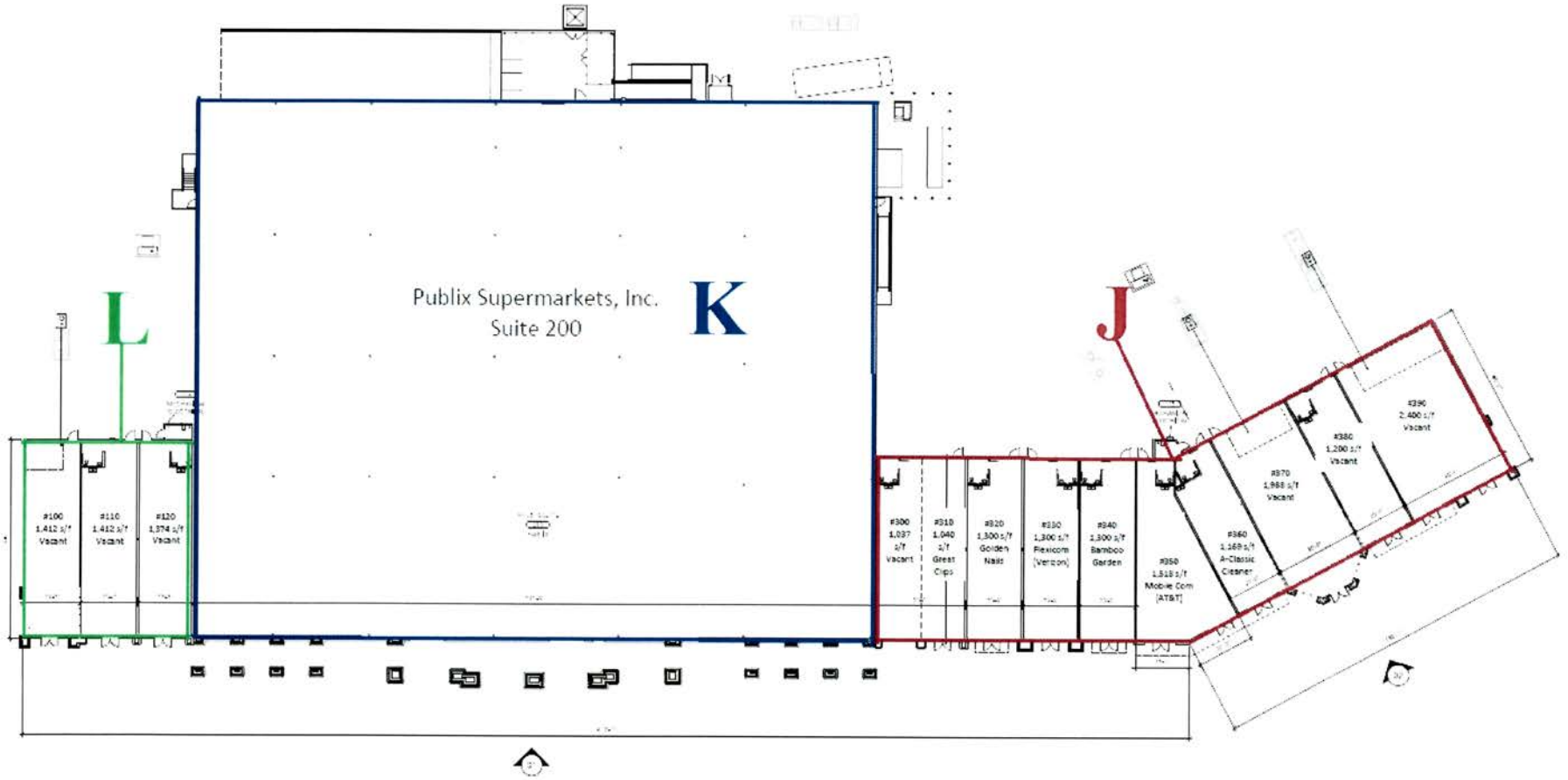
The payment for this bill is due upon receipt.
Make check payable to: Lake Utility Services, Inc

Messages
This is your final bill for Utility Service at the address indicated. Payment should be remitted to the local utility office listed on this bill. If you have any questions, please call the phone number listed above. Thank you.

Composite Exhibit D

01 WEST ELEVATION

02 SOUTH-WEST ELEVATION



GOLDEN EAGLE VILLAGE

Lake County, Florida (Citrus Ridge)

2010 May 5th

NOT ISSUED FOR CONSTRUCTION

REVISIONS

Rent Roll - Lease Charges by Unit

As of Date: 11/1/2011 Show Excluded Units: No Show All Amounts: Annual Consolidate Properties: Yes

Properties: Eagleridge I (926-1)

Lease Name	Unit	Lease From	Lease To	Term Remaining	Area (Sq ft/Acres)	Base Rent	Rent Per Area	Abatement Remaining	Recovery Per Area	Misc Per Area	Total Per Area	Security Deposit	Letter of Credit
Property: Eagleridge I - 926-1													
VACANT	100			-	1,412								
					1,412								
VACANT	110			-	1,412								
					1,412								
VACANT	120			-	1,374								
					1,374								
Publix Super Markets, Inc.	200	05/26/2011	06/30/2014	31	45,600								
					45,600								
VACANT	300			-	1,038								
					1,038								
VACANT	310			-	1,039								
					1,039								
Hieu Ngoc Pham and Con Van Tran	320	06/10/2011	06/30/2014	31	1,300								
					1,300								
Flexicom, LLC	330	08/22/2011	06/30/2014	31	1,300								
					1,300								
Bamboo Garden Wan LLC	340	08/30/2011	06/30/2014	31	1,300								
					1,300								

Rent Roll - Lease Charges by Unit

As of Date: 11/1/2011 Show Excluded Units: No Show All Amounts: Annual Consolidate Properties: Yes

Properties: Eagleridge I (926-1)

Lease Name	Unit	Lease From	Lease To	Term Remaining	Area (Sq ft/Acres)	Base Rent	Rent Per Area	Abatement Remaining	Recovery Per Area	Misc Per Area	Total Per Area	Security Deposit	Letter of Credit
Property: Eagleridge I - 926-1 (cont.)													
Mobile Com - Florida, LLC	350	10/26/2011	06/30/2014	31	1,518	[redacted]							
					1,518								
NB Group, Inc.	360	08/25/2011	11/08/2013	24	1,169								
					1,169								
VACANT	370			-	1,988								
					1,988								
VACANT	380			-	1,200								
					1,200								
VACANT	390			-	2,400								
					2,400								
			Total Eagleridge I - 926-1:		**64,050**								

Summary

	Total Units	Percentage	Total Area	Percentage	Total Base Rent	Total Rent Per Area	Total Recovery Per Area	Total Misc Per Area	Total Charges Per Area	Total Deposit	Total LOC
Occupied	6	42.86%	52,187	81.48%	[redacted]						
Vacant	8	57.14%	11,863	18.52%							
Totals	**14**		**64,050**								