

DATE: January 5, 1995

TO: DIVISION OF LEGAL SERVICES (A.CROSBY)
DIVISION OF RECORDS AND REPORTING

ORIGINAL
FILE COPY

FROM: GERALD D. EDWARDS, DIVISION OF WATER AND WASTEWATER

RE: DOCKET NO. 941044-WS; RESOLUTION OF BOARD OF COMMISSIONERS
OF CHARLOTTE COUNTY DECLARING CHARLOTTE COUNTY SUBJECT
TO PROVISIONS OF CHAPTER 367, F.S.

On November 15, 1994, this Commission received an application from Crossroads Wilderness Institute (CWI or applicant) for a non-jurisdictional status for its water and wastewater systems pursuant to Section 367.021(12), Florida Statutes. CWI is a non-secure commitment program for the juvenile justice system. The applicant's facilities are physically located at 45991 Bermont Road, Punta Gorda, Florida, 33982. Mr. Nigel Bowe is the executive director and contact person. Mr. Bowe's mailing address is 18399 Arapalre Circle, Port Charlotte, Florida, 33948. The applicant will provide water and wastewater services solely to the Crossroad Wilderness Institute's buildings. Water service will be provided by a well and wastewater service will be provided by a septic tank.

After reviewing this application, staff has determined that CWI meets the necessary qualifications for a non-jurisdictional status pursuant to Section 367.021(12), Florida Statutes and Rule 25-30.060(j), Florida Administrative Code. The applicant stated in their non-jurisdictional application that services will be provided solely to the facilities in the buildings. In addition, Mr. Nigel Bowe acknowledged Section 837.06, Florida Statutes, regarding false statements.

In order for Mr. Bowe to construct the water system, the Department of Environmental Protection (DEP) must issue an operating permit for the water system. However, the permit may not be issued until Mr. Bowe obtains either a certificate or an exemption from the Florida Public Service Commission. Therefore, staff recommends that an administrative order be issued as soon as possible finding Crossroads Wilderness Institute exempt from the Commission's Regulation pursuant to Section 367.021(12), Florida Statutes. Staff further recommends that the order require Crossroads Wilderness Institute to notify this Commission in the event of any change of circumstances or method of operation of its water and wastewater systems.

Please note that the applicant must obtain this exemption order before a DEP permit can be issued. Therefore, this order must be issued as soon as possible.

cc: Charles H. Hill

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