

**BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

In re: Application for grandfather water certificate in Leon County by Seminole Waterworks, Inc. pursuant to Section 367.171(2), Florida Statutes	Docket No. 2017XXXX-WU
Application for a pass through increase of regulatory assessment fees pursuant to Section 367.081(4)(b), Florida Statutes	Filed: July 14, 2017

**APPLICATION OF SEMINOLE WATERWORKS, INC. FOR GRANDFATHER WATER CERTIFICATE IN LEON COUNTY****APPLICATION OF SEMINOLE WATERWORKS, INC. FOR PASS THROUGH OF REGULATORY ASSESSMENT FEES**

Seminole Waterworks, Inc. (hereinafter referred to as "Seminole" or "Utility"), by and through its undersigned and pursuant to Sections 367.171(2), Florida Statutes (F.S.), and Chapter 25-30.035, Florida Administrative Code (F.A.C.), hereby files this Application for grandfather water certificate for its water systems in Leon County. Seminole simultaneously hereby files its request for approval of a pass through increase for regulatory assessment fees pursuant to Section 367.081(4)(b), F.S.

**I. UTILITY INFORMATION**

1. The Utility's name as it should appear on its certificate and its mailing address are:

Seminole Waterworks, Inc.  
 4939 Cross Bayou Blvd.  
 New Port Richey, Florida 34652  
 (727) 848-8292 (Telephone)  
 (727) 848-7701 (Facsimile)

2. The names and addresses of the Utility's authorized representatives are:

Troy Rendell  
 Manager of Regulated Utilities

Check received with filing and forwarded to Fiscal for deposit. Fiscal to forward deposit information to Records.

Initials of person who forwarded checks

TR 7/19/17

RECEIVED-FPSC  
 2017 JUL 19 AM 8:25  
 COMMISSION  
 CLERK

U.S. Water Services Corporation  
4939 Cross Bayou Blvd.  
New Port Richey, Florida 34652  
(727) 848-8292 (Telephone)  
(727) 848-7701 (Facsimile)

3. Seminole was incorporated on January 1, 2016 under the laws of Florida and is currently authorized to conduct business in Florida under registration number P16000001723. **Exhibit "A"** attached.

4. The Utility consists of six water systems under franchises within Leon County. Seminole acquired the utility from Rowe Utilities, Inc. on February 18, 2016. Since the acquisition, Seminole has maintained the utility under the rules prescribed by the Florida Public Service Commission and maintains its books and records pursuant to the NARUC Uniform Systems of Accounts as prescribe in Rule 25-30.115, F.A.C.

5. Rowe Utilities, Inc. previously held six franchises in Leon County since approximately 1980 and 1981. These franchise areas were transferred to Seminole at the March 8, 2016 Leon County Board of County Commission regular public meeting. **Exhibit "B"** attached.

6. At the June 20, 2017 Leon County Board of County Commission regular public meeting, the County Commission approved transfer of jurisdiction to the Florida Public Service Commission. **Exhibit "C"** attached

7. The names and addresses of the persons who own 5 percent or more of the Utility's stock are:

Gary A. Deremer  
President and CEO  
4939 Cross Bayou Blvd  
New Port Richey, FL 34652

Cecil Delcher



Vice President  
11702 Forest Hills Dr.  
Tampa, FL 33612

Aaron Voss  
405 N. Washinton St  
Ponca, NE 68770

Edward Mitchel  
4939 Cross Bayou Blvd  
New Port Richey, FL 32652

8. Seminole provides water service to approximately 690 residential customers consisting of single family residential homes, mobile homes, and duplexes. All of the service areas are fully built out. All customers are water only residential with 5/8 x 3/4" meters.

9. A copy of this Application and supporting documents will be made available for public inspection regular business hours at the following address:

U.S. Water Services Corporation  
4939 Cross Bayou Blvd.  
New Port Richey, Florida 34652  
(727) 848-8292 (Telephone)

10. The current rates and charges were established on December 1, 2015 by Rowe Utilities, Inc. Seminole has been charging the same rates and charges since acquisition. **Exhibit "D"** attached

11. Except as may be specifically identified herein, Seminole does not know of any manner in which this Application deviates from the policies, procedures or guidelines prescribed by relevant Commission rules.

## **II. APPLICATION FOR GRANDFATHER WATER CERTIFICATE**

12. In accordance with Rule 25-30.035, F.A.C. and Form PSC 1003, copy of Seminole Waterworks' application for grandfather water certificate, has been filed contemporaneously herewith.

13. Attached hereto as **Exhibit "E"** are recorded Warranty Deeds for each water treatment plant.

14. Attached hereto as **Exhibit "F"** are the proposed Water Tariffs for approval.

15. Attached hereto as **Exhibit "G"** is the Draft Proposed Customer Notice.

16. Attached hereto as **Exhibit "H"** are the system maps filed simultaneously herewith.

17. Attached hereto as **Exhibit "I"** are the current permits issued by the Department of Environmental Protection and Water Management District.

15. The appropriate filing fee of \$1,000 accompanies this Application as required by Section 367.145(2), F.S., and Rule 25-30.020, F.A.C., for the Utility's requests for grandfather certificate.

### **III. APPLICATION FOR PASS THROUGH RATE INCREASE FOR REGULATORY ASSESSMENT FEES**

16. Pursuant to Section 367.081(4)(b), F.S., Seminole requests approval of a pass through rate increase for the regulatory assessment fees required by the Florida Public Service Commission.

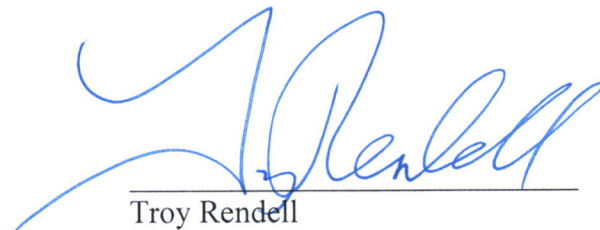
17. Regulatory assessment fees are required pursuant to Rule 25-30.120, F.A.C. These fees have not, and are not currently included in Seminole's existing water rates.

18. Seminole requests approval of the pass through within forty-five (45) days pursuant to Section 367.081(4)(b), F.S.

WHEREFORE, the Utility respectfully requests that the Commission:

- A. Accept jurisdiction of this Application;
- B. Grant Grandfather Water Certificate as requested herein;
- C. Grant Pass Through water rates for the regulatory assessment fees;
- C. Grant such further relief as the Commission deems fair, just, equitable and appropriate.

Respectfully submitted this 14<sup>th</sup> day of July, 2017.



Troy Rendell  
Seminole Waterworks, Inc.  
4939 Cross Bayou Blvd.  
New Port Richey, Florida 34652  
(727) 848-8292 (Telephone)



**APPLICATION FOR ORIGINAL CERTIFICATE FOLLOWING RESCISSION  
OF JURISDICTION BY A COUNTY (GRANDFATHER CERTIFICATE)**

**(Pursuant to Section 367.171, Florida Statutes, and  
Rule 25-30.035, Florida Administrative Code)**

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

The undersigned hereby makes application for original certificate(s) to operate a water ☒ and/or wastewater ☐ utility in Leon County, Florida, and submits the following information:

**PART I APPLICANT INFORMATION**

- A) Contact Information for Utility. The utility's name, address, telephone number, Federal Employer Identification Number, and if applicable, fax number, e-mail address, and website address. The utility's name should reflect the business and/or fictitious name(s) registered with the Department of State's Division of Corporations:

Seminole Waterworks, Inc.

Utility Name

4939 Cross Bayou Blvd.

Office Street Address

New Port Richey

FL

34652

City

State

Zip Code

Mailing Address (if different from Street Address)

City

State

Zip Code

(727) 848-8292

(727) 848-7701

Phone Number

Fax Number

82-1034054

Federal Employer Identification Number

trendell@uswatercorp.net

E-Mail Address

www.mywaterservice.com

Website Address

- B) The contact information of the authorized representative to contact concerning this application:

Troy Rendell

Name

4939 Cross Bayou Blvd.

Mailing Address

New Port Richey

FL

34652

City

State

Zip Code

(727) 848-8292

(727) 848-7701

Phone Number

Fax Number

trendell@uswatercorp.net

E-Mail Address

- C) Indicate the nature of the utility's business organization (check one). Provide documentation from the Florida Department of State, Division of Corporations, showing the utility's business name and registration/document number for the business, unless operating as a sole proprietor.

☒ Corporation

P16000001723

Number

☐ Limited Liability Company

Number

☐ Partnership

Number

☐ Limited Partnership

Number

☐ Limited Liability Partnership

Number

☐ Sole Proprietorship

☐ Association

☐ Other (Specify)

If the utility is doing business under a fictitious name, provide documentation from the Florida Department of State, Division of Corporations showing the utility's fictitious name and registration number for the fictitious name.

☐ Fictitious Name (d/b/a) \_\_\_\_\_  
Registration Number \_\_\_\_\_

- D) The name(s), address(es), and percentage of ownership of each entity or person which owns or will own more than 5 percent interest in the utility (use an additional sheet if necessary).

Gary Deremer, Cecil Delcher, Aaron Voss  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## **PART II**

### **GRANDFATHER CERTIFICATE**

#### **A) DESCRIPTION OF SERVICE**

- 1) Exhibit \_\_\_\_\_ - Provide a statement indicating whether the application is for water, wastewater, or both. If the applicant is applying only for water or wastewater, the statement shall include how the other service is provided.

This is an existing water only utility serving 6 systems in Leon County.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- 2) Exhibit \_\_\_\_\_ - Provide the date the utility was established.

January 1, 2016  
\_\_\_\_\_

- 3) Exhibit \_\_\_\_\_ - Provide a description of the types of customers served, i.e., single family homes, mobile homes, duplexes, golf course clubhouse, or commercial.

Single family homes, mobile homes, and duplexes  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- 4) Exhibit I - Provide a schedule showing the number of customers currently served, by class and meter size, as well as the number of customers projected to be served when the requested service territory is fully developed.

#### **B) TERRITORY DESCRIPTION, MAPS, AND FACILITIES**



- 1) Exhibit K - Provide a legal description of the proposed service area in the format prescribed in Rule 25-30.029, F.A.C. The utility must provide documentation of the territory the utility was serving, or was authorized to serve, from the county which had jurisdiction over the utility on the day Chapter 367, Florida Statutes, became applicable to the utility.
- 2) Exhibit E - Provide documentation of the utility's right to continued long-term use of the land upon which the utility treatment facilities are located. This documentation shall be in the form of a recorded warranty deed, recorded quit claim deed accompanied by title insurance, recorded long-term lease, such as a 99-year lease, or recorded easement. The applicant may submit an unrecorded copy of the instrument granting the utility's right to access and continued use of the land upon which the utility treatment facilities are or will be located, provided the applicant files a recorded copy within the time prescribed in the order granting the certificate.
- 3) Exhibit H - Provide a detailed system map showing existing and proposed lines and treatment facilities with the territory proposed to be served plotted thereon, consistent with the legal description provided in B-1 above. Any territory not served at the time of the application shall be specifically identified on the system map. The map shall be of sufficient scale and detail to enable correlation with the description of the territory proposed to be served.
- 4) Exhibit H - Provide an official county tax assessment map or other map showing township, range, and section with a scale such as 1"=200' or 1"=400', with the proposed territory plotted thereon, consistent with the legal description provided in B-1 above.
- 5) Exhibit I - Provide a copy of all current permits from the Department of Environmental Protection (DEP) and the water management district.

**C) PROPOSED TARIFF AND RATE INFORMATION**

- 1) Exhibit F - Provide a tariff containing all rates, classifications, charges, rules, and regulations, which shall be consistent with Chapter 25-9, F.A.C. See Rule 25-30.035, F.A.C., for information about water and wastewater tariffs that are available and may be completed by the applicant and included in the application.

- 2) Exhibit D - Provide documentation, or, if no documentation exists, a statement, specifying on what date and under what authority the current rates and charges were established.

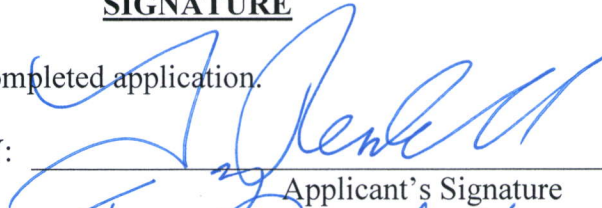
The current rates were established by the previous owner on December 1, 2015.  
These rates were subsequently reviewed by the staff of Leon County.

**PART III**

**SIGNATURE**

Please sign and date the utility's completed application.

APPLICATION SUBMITTED BY:



Applicant's Signature

Troy Rendell

Applicant's Name (Printed)

Manager of Regulated Utilities

Applicant's Title

7/14/17

Date

## **EXHIBIT A**



**Electronic Articles of Incorporation  
For**

P16000001723  
FILED  
January 05, 2016  
Sec. Of State  
jahickman

SEMINOLE WATERWORKS, INC.

The undersigned incorporator, for the purpose of forming a Florida profit corporation, hereby adopts the following Articles of Incorporation:

**Article I**

The name of the corporation is:

SEMINOLE WATERWORKS, INC.

**Article II**

The principal place of business address:

4420 BREWSTER ROAD  
TALLAHASSEE, FL. 32308

The mailing address of the corporation is:

C/O 4939 CROSS BAYOU BOULEVARD  
NEW PORT RICHEY, FL. 34652

**Article III**

The purpose for which this corporation is organized is:

ANY AND ALL LAWFUL BUSINESS.

**Article IV**

The number of shares the corporation is authorized to issue is:

1000

**Article V**

The name and Florida street address of the registered agent is:

GARY A DEREMER  
8625 SEAPOINTE COURT  
PORT RICHEY, FL. 34668

I certify that I am familiar with and accept the responsibilities of registered agent.

Registered Agent Signature: GARY DEREMER

P16000001723  
FILED  
January 05, 2016  
Sec. Of State  
jahickman

## **Article VI**

The name and address of the incorporator is:

GARY DEREMER  
8625 SEAPOINTE COURT

PORT RICHEY, FL 34668

Electronic Signature of Incorporator: GARY DEREMER

I am the incorporator submitting these Articles of Incorporation and affirm that the facts stated herein are true. I am aware that false information submitted in a document to the Department of State constitutes a third degree felony as provided for in s.817.155, F.S. I understand the requirement to file an annual report between January 1st and May 1st in the calendar year following formation of this corporation and every year thereafter to maintain "active" status.

## **Article VII**

The initial officer(s) and/or director(s) of the corporation is/are:

Title: P, D  
GARY DEREMER  
8625 SEAPOINTE COURT  
NEW PORT RICHEY, FL. 34668

Title: VP  
CECIL DELCHER  
11702 FOREST HILLS DRIVE  
TAMPA, FL. 33612

## **Article VIII**

The effective date for this corporation shall be:

01/01/2016

## **EXHIBIT B**



## NOTICE

Notice is hereby given that Seminole Waterworks, Inc. has applied to the Board of County Commissioners of Leon County, Florida, for authorization to operate a water system, embracing the following described lands in Leon County, Florida, to wit:

Brewster Subdivision: Located North of U.S. Highway 90 (Mahan Drive), including Brewster Road, Bear Creek Road, Panther Creek Road.

Meadow Hills Subdivision: Located South of Buck Lake Road, including a portion of Buck Lake Road east of Quail Road, Quail Road, Lester Road, Davis Drive, Vernon Road, Meak Road, Dove Road.

Sedgefield Subdivision: Located North of Buck Lake Road, including Sedgefield Road, Springhaven Road, Old Forge Court, Landsdowne Road, Lawndale Road, Grassland Road, Burnwell Road.

Buck Lake Estates Subdivision: Located North of Buck Lake Road, including Charlais Street, Drake Drive, Angus Street, Pintail Drive.

North Lake Meadows Subdivision: Located West of Old Bainbridge Road, including a portion of Old Bainbridge Road north and south of Susannah Drive, Susannah Drive, Newfield Drive, Garrett Road, Nola Court, Marty Court, Olga Court, Kidd Drive.

Plantation Estates Subdivision: Located South of U.S. Highway 90 (Mahan Drive), including a portion of U.S. Hwy. 90 (Mahan Drive) east of Plantation Forest Drive, Plantation Forest Drive, Pineland Drive, Burnt Pine Drive, Foshalee Drive, Rocky Comfort Drive, Shady Rest Lane, Mistletoe Court, Nilo Lane.

The Board of County Commissioners of Leon County, Florida will conduct a public hearing on Tuesday, March 8, 2016, at 6:00 p.m., or as soon thereafter as such matter may be heard, at the County Commission Chambers, 5th Floor, Leon County Courthouse, 301 South Monroe Street, Tallahassee, Florida, to consider the application. All affected or interested persons are invited to present their comments at the public hearing at the time and place set out above.

Anyone wishing to appeal the action of the Board with regard to this matter will need a record of the proceedings and should ensure that a verbatim record is made. Such record should include the testimony and evidence upon which the appeal is to be based, pursuant to Section 286.0105, Florida Statutes.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing a special accommodation to participate in this proceeding should contact Mathieu Cavell or Facilities Management, Leon County Courthouse, 301 South Monroe Street, Tallahassee, Florida 32301, by written request at least 48 hours prior to the proceeding. Telephone: 850-606-5300 or 850-606-5000; 1-800-955-8771 (TTY), 1-800-955-8770 (Voice), or 711 via Florida Relay Service.

Dated this 16th day of February, 2015.

/s/ \_\_\_\_\_  
Bill Proctor  
Chairman  
Board of County Commissioners  
Leon County, Florida

Advertise: February 16 & 23, 2016

# **Board of County Commissioners**

**Leon County, Florida**

## **Agenda**

**Regular Public Meeting**

**Tuesday, March 8, 2016, 3:00 p.m.**

**Search the Agendas**

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**Original Post Date - 2/29/2016 3:00:00 PM**

**Revised Agenda Outline**

**Posted on 3/08/2016**

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### **Invocation and Pledge of Allegiance**

Invocation by Fr. Peter L. Zalewski, Pastor Blessed Sacrament Catholic Church  
Pledge of Allegiance by Commissioner Maddox

### **Awards and Presentations**

- Proclamation Honoring the Elite 8th Graders at Out of the Box Solution Who Won the Youth Basketball of America Division II National Championship (Chairman Bill Proctor)
- Proclamation Declaring March "Believing in Girls" Month in Leon County, Florida (Chairman Bill Proctor)
- Proclamation Declaring March 6-12, 2016 Women in Construction Week (Chairman Bill Proctor)
- Proclamation Recognizing March as American Red Cross Month (Commissioner Desloge)
- Presentation by the Bethel Empowerment Foundation Regarding the Ready 4 Work Conceptual Business Development Program (Reverend R.B. Holmes, Bethel Empowerment Foundation)
- Presentation on the Jim Moran School of Entrepreneurship (Mike Campbell and Susan Fiorito, The Jim Moran Institute of Global Entrepreneurship)

### **Consent**

- Item 1      Approval of Minutes: January 26 and February 9, 2016 Regular Meeting  
                 (Clerk of the Court/Finance/Board Secretary)
- Item 2      Acceptance of the Annual Investment Report for Fiscal Year 2014-2015



(Clerk of the Court/Finance)

- Item 3      Consideration of Full Board Appointment to the Board of Adjustment and Appeals  
(County Administrator/County Administration)
- Item 4      Acceptance of Status Update Regarding Leon County's Television Broadcast Presence  
(County Administrator/Community Media Relations)
- Item 5      Ratification of Appointments to the Minority Women Small Business Enterprise Committee and Water Resources Committee  
(County Administrator/County Administration)
- Item 6      Acceptance of Report on Southside Community Efforts and the Leon County Southside School Project  
(County Administrator/County Administration)
- Item 7      Approval of 2016 Club of Honest Citizens Town and Gown Event to be Held at Tallahassee Community College  
(County Administrator/County Administration)
- Item 8      Approval of Policy No. 16-X "Leon County Succession Management Policy"  
(County Administrator/Human Resources)
- Item 9      Approval of Payment of Bills and Vouchers Submitted for March 8, 2016, and Pre-Approval of Payment of Bills and Vouchers for the Period of March 9 through April 11, 2016  
(County Administrator/Office of Financial Stewardship/Office of Management & Budget)
- Item 10     Approval of the Revised Leon County Driveway and Street Connection Guidelines and Procedures Manual  
(County Administrator/Development Support & Environmental Management/Public Works)
- Item 11     Request to Schedule Two Public Hearings to Consider Proposed Revisions to the Leon County Land Development Code to Provide Private and Charter School Siting Standards for April 12 and May 10, 2016 at 6:00 p.m.  
(County Administrator/Development Support & Environmental Management/Development Services)
- Item 12     Request to Schedule Two Public Hearings to Consider Proposed Amendments to Leon County Land Development Code to Allow Outdoor Shooting Ranges in the Rural Zoning District for May 10 and June 14, 2016 at 6:00 p.m.  
(County Administrator/Development Support & Environmental Management/Development Services)
- Item 13     Request to Schedule the First and Only Public Hearing to Adopt an Ordinance to Regulate Outdoor Dog Friendly Dining Areas for April 12, 2016 at 6:00 p.m.



(County Administrator/Development Support & Environmental  
Management/Development Services)

- Item 14      Ratification of Board Actions taken at the February 9, 2016 Workshop on Infant Mortality  
(County Administration/Human Services and Community Partnerships)
- Item 15      Request to Schedule the First and Only Public Hearing to Consider an Ordinance Amending Section 13- 58 of the Leon County Code of Laws for May 10, 2016 at 6:00 p.m.  
(County Administrator/Economic Vitality/Tourism Development)
- Item 16      Acceptance of the Marketing Status Report from the Division of Tourism Development  
(County Administrator/Economic Vitality/Tourism Development)
- Item 17      Adoption of a Resolution in Support of a Grant Application to Construct a Sidewalk on North Monroe Street between Clara Kee Boulevard and Harriet Drive  
Adoption of a Resolution in Support of a Grant Application to Construct a Sidewalk on North Monroe Street between Clara Kee Boulevard and Harriet Drive
- Item 18      Approval of License Agreement with Babe Ruth League for Use of Fred George Greenway and Park Baseball Field  
(County Administrator/Public Works/Parks and Recreation)
- Item 19      Approve the First Amendment to the Lease Agreement Between Leon County and the Seminole Radio Control Club, Inc.  
(County Administrator/Public Works/Parks and Recreation)
- Item 20      Approval to Award Bid to TALCOR Commercial Real Estate Services, Inc., for the Provision of Nonresidential Real Estate Services  
(County Administrator/Public Works/Facilities Management/Real Estate/Purchasing)
- Item 21      Adoption of Proposed Revisions to the Tallahassee-Leon County Planning Commission and Local Planning Agency Bylaws and Adoption of an Updated Tallahassee-Leon County Planning Department Fee Resolution  
(County Administrator/PLACE/Planning)
- Item 22      Acceptance of the Miccosukee Sense of Place Update.  
(County Administrator/PLACE/Planning)
- Item 23      Adoption of the Lake Jackson Blueway Plan  
(County Administrator/Place/Planning)
- Item 24      Authorization for Staff to Prepare a FY 2016-2017 Budget Request to Hire a Mobility Fee Consultant in Coordination with the City of Tallahassee

(County Administrator/PLACE/Planning)

**Status Reports:** *(These items are included under Consent))*

- Item 25      Acceptance of the Leon County Water Resources Committee 2015 Annual Report  
(County Administrator/PLACE/Planning)
- Item 26      Acceptance of the FY 2014-2015 Annual Audit and Financial Report  
(Clerk of the Court/Finance)
- Item 27      Acceptance of the First Quarter FY 2015-2016 County Grant Program Leveraging Status Report  
(County Administrator/Office of Financial Stewardship/Office of Management & Budget)
- Item 28      Acceptance of the Status Report on the Competitive Provider Reimbursements for the FY 2016 Primary Healthcare Program  
(County Administration/Human Services and Community Partnerships)
- Item 29      Acceptance of Supervised Pretrial Release Division's Annual Report  
(County Administrator/Intervention and Detention Alternatives)
- Item 30      Acceptance of the 2014-15 Annual Report of the Code Enforcement Board and the Code Compliance Program  
(County Administrator/Development Support & Environmental Management/Permit and Code Services)

**Consent Items Pulled for Discussion**

**Citizens to be Heard on Non-Agendaed Items**

3-minute limit per speaker; there will not be any discussion by the Commission

**General Business**

- Item 31      Consideration of Full Board Appointments of Commissioners to the Value Adjustment Board  
(County Administrator/County Administration)
- Item 32      Establishment of the FY 2017 Maximum Discretionary Funding Levels and Initial Budget Policy Guidance  
(County Administrator/Office of Financial Stewardship/Office of Management & Budget)
- Item 33      Approval of the Council on Culture & Arts Capital Improvement Grant Program and Guidelines and Acceptance of a Status Report on Efforts to Streamline Operational Efficiencies  
(County Administrator/Office of Economic Vitality)



- Item 34      Acceptance of Staff Review of the Canopy Roads Citizen Committee and Recommendations to Improve Development Review Efficiency and Increase Proactive Canopy Road Management, Education, and Outreach  
(County Administrator/PLACE/Planning)

**Scheduled Public Hearings, 6:00 p.m.**

- Item 35      First and Only Public Hearing to Consider the Transfer of Six Small Franchise Areas from Rowe Utilities to Seminole Waterworks, Inc.  
(County Administrator/Public Works/Engineering)
- Item 36      First and Only Public Hearing to Consider Amendments to the On-Site Sewage Disposal Systems Ordinance  
(County Administrator/Development Support & Environmental Management/Environmental Health)
- Item 37      First and Only Public Hearing to Consider a Proposed Ordinance to Revise the County's Driveway Connection Permitting, Inspection and Enforcement Process  
(County Administrator/Development Support & Environmental Management/Public Works)

**Citizens to be Heard on Non-Agendaed Items**

3-minute limit per speaker; Commission may discuss issues that are brought forth by speakers.

**COMMENTS/DISCUSSION ITEMS**

Items from the County Attorney

Items from the County Administrator

Discussion Items by Commissioners

**RECEIPT AND FILE**

- None

**Adjourn**

*The next Regular Board of County Commissioners Meeting is scheduled for  
Tuesday, April 12, 2016 at 3:00 p.m.*

**All lobbyists appearing before the Board must pay a \$25 annual registration fee. For registration forms and/or additional information, please see the Board Secretary or visit the County website at [www.leoncountyfl.gov](http://www.leoncountyfl.gov)**

Back

Print

FIND

**Leon County  
Board of County Commissioners  
Cover Sheet for Agenda #35**

**March 8, 2016**

<b>To:</b>	Honorable Chairman and Members of the Board
<b>From:</b>	Vincent S. Long, County Administrator Herbert W.A. Thiele, County Attorney
<b>Title:</b>	First and Only Public Hearing to Consider the Transfer of Six Small Franchise Areas from Rowe Utilities to Seminole Waterworks, Inc.

<b>County Administrator Review and Approval:</b>	Vincent S. Long, County Administrator
<b>County Attorney Review and Approval:</b>	Herbert W.A. Thiele, County Attorney
<b>Department/Division Review and Approval:</b>	Alan Rosenzweig, Deputy County Administrator Tony Park, P.E., Director of Public Works
<b>Lead Staff/Project Team:</b>	Katherine Burke, P.E., Director of Engineering Services

**Fiscal Impact:**

This item has no fiscal impact to the County.

**Staff Recommendation:**

Option #1: Conduct the first and only Public Hearing and approve the transfer of six small franchise areas from Rowe Utilities to Seminole Waterworks, Inc.

**Report and Discussion**

**Background:**

Rowe Utilities is a small, private utility that operates the following six small private systems:

- Brewster Subdivision: Located north of U.S. Highway 90 (Mahan Drive), including Brewster Road, Bear Creek Road, and Panther Creek Road.
- Meadow Hills Subdivision: Located south of Buck Lake Road, including a portion of Buck Lake Road east of Quail Road, Quail Road, Lester Road, Davis Drive, Vernon Road, Meak Road, and Dove Road.
- Sedgefield Subdivision: Located north of Buck Lake Road, including Sedgefield Road, Springhaven Road, Old Forge Court, Landsdowne Road, Lawndale Road, Grassland Road, and Burnwell Road.
- Buck Lake Estates Subdivision: Located north of Buck Lake Road, including Charlais Street, Drake Drive, Angus Street, and Pintail Drive.
- North Lake Meadows Subdivision: Located west of Old Bainbridge Road, including a portion of Old Bainbridge Road north and south of Susannah Drive, Susannah Drive, Newfield Drive, Garrett Road, Nola Court, Marty Court, Olga Court, and Kidd Drive.
- Plantation Estates Subdivision: Located south of U.S. Highway 90 (Mahan Drive), including a portion of U.S. Highway 90 (Mahan Drive) east of Plantation Forest Drive, Plantation Forest Drive, Pineland Drive, Burnt Pine Drive, Foshalee Drive, Rocky Comfort Drive, Shady Rest Lane, Mistletoe Court, and Nilo Lane.



These six systems are existing private systems and received formal approval from the Board at the time of their development.

A company named Seminole Waterworks, Inc. has a contract for purchase of Rowe Utilities and on January 22, 2016, requested a transfer of franchise areas to their company (Attachment #1).

**Analysis:**

The six small water systems were developed in the 1980s and, therefore, were considered grandfathered franchises in 2005 when the Water and Sewer Agreement with the City of Tallahassee was executed that granted it the entirety of the County not already claimed by others. Per the County Attorney's office, there are no statutes or terms in the Water and Sewer Agreement which grant the City of Tallahassee the right of first refusal for the transfer of private water systems. The Agreement merely acknowledges that private systems existed in 2005.

In accordance with Section 18-45 – Procedures for transfer of water and sewer franchise areas – in order to process a franchise request administratively; utilities have to expand from areas adjacent to their existing franchise area and consolidate. Since this purchase is for six separate and distinct areas, this purchase does not comply with the adjacent or adjoining to the geographic area criteria as required in Section 18-45 of the Code. Therefore, the requirements of Section 18-29 which requires the public hearings are triggered.

The ordinance requires that a hearing before the Board of County Commissioners be held after a public notice of the proposed transfer is published once a week for two weeks, no sooner than 20 days in advance of the public hearing. A copy of the notice required by Section 18-29 was published in the Tallahassee Democrat on February 17 and 24, 2016 (Attachment #2).

In addition per Section 18-29, the affected property owners should be notified by mail at least 10 days prior to the public hearing. The same notice that was published in the paper was sent to the approximate 700 customers within the six subdivisions by Seminole Waterworks, Inc. An affidavit confirming the individual property owner notice is included as Attachment #3. Seminole Waterworks indicates in its request for transfer letter (Attachment #1) that it will not be changing or increasing the water rates that Rowe Utilities had in place at the time of purchase. Said rates will remain in place until such time as financial conditions support any such change in rates.

Seminole Water Works, Inc. has provided information to provide reasonable assurance that they have the capabilities to properly operate and maintain the six water systems in accordance with all health and safety requirements included in the current operating permits. Seminole Waterworks, Inc. has stated in the transfer letter that it has a contract with U.S. Water Services Corporation to provide the operating, maintenance, billing, and collection services for the six franchise areas. U.S. Water Services is a large company that specializes in the operation and maintenance of small scale utility systems. As part of the operation and maintenance, U.S. Water Services has provided the County the required utility maintenance bond (Attachment #4).

With the provision of the various documentation, public advertisement and direct notices, for public hearing, Seminole Waterworks, Inc. has met the Code requirements for Board consideration of transfer of the six small franchise areas from Rowe utilities.

**Options:**

1. Conduct the first and only Public Hearing, and approve the transfer of six small franchise areas from Rowe Utilities to Seminole Waterworks, Inc.
2. Conduct the first and only Public Hearing, and do not approve the transfer of the franchise areas.
3. Board direction.

**Recommendation:**

Option #1.

**Attachments:**

1. Seminole Waterworks, Inc. request to transfer franchise areas
2. Legal notice published in Tallahassee Democrat regarding proposed transfer and the public hearing
3. Affidavit of individual property owner notification regarding the change in ownership
4. Utility Maintenance Bond

Back

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## Board of County Commissioners

### Tuesday, March 08, 2016 Meeting - Follow-Up Memo

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**To:** Honorable Chairman and Members of the Board  
**From:** Vincent S. Long, County Administrator  
**Subject:** Follow-up to County Commission Meeting of March 8, 2016

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#### Invocation and Pledge of Allegiance

Invocation by Fr. Pete L. Zalewski, Pastor Blessed Sacrament Catholic Church  
Pledge of Allegiance by Commissioner Maddox

#### Awards and Presentations

- Chairman Proctor presented a Proclamation honoring the Elite 8th Graders at Out of the Box Solution who won the Youth Basketball of America Division II National Championship.
- Chairman Proctor presented a Proclamation declaring March "Believing in Girls" Month in Leon County, Florida.
- Chairman Proctor presented a Proclamation declaring March 6-12, 2016 Women in Construction Week.
- Commissioner Desloge presented a Proclamation recognizing March as American Red Cross Month.
- Presentation of the Ready 4 Work Conceptual Business Development Program
  - Reverend R.B. Holmes, of the Bethel Empowerment Foundation, shared an overview of the program, which aims to support ex-offenders primarily through provision of employment.
  - Lucretia Collins, interim manager for the program, shared local statistics relating to crime rates and those committing crimes and recidivism. The Foundation has secured \$500,000 in non-recurring dollars from the Florida Legislature and requests \$125,000 from both Leon County and the City of Tallahassee to assist with the retrofit of a building and program development.
  - Mark O'Bryan, with Tallahassee Memorial Hospital and Board member, spoke in support of the program.
  - Matt Brown, with TLH State Bank and Board member, spoke in support of the program.
  - Commissioners discussed the value and merits of the program. §
  - **Commissioner Maddox moved, seconded by Lindley directing staff to create an agenda item for the April 12, 2016 meeting reviewing the merits of the**

**program and opportunities for funding.****The motion passed 6-0 with Commissioner Dailey out of chambers.**

Staff: Financial Stewardship: Scott Ross, Wanda Hunter, Andy Johnson

- Presentation regarding the Jim Moran School of Entrepreneurship
  - Mike Campbell and Susan Fiorito, of the Jim Moran Institute of Global Entrepreneurship, provided an update on the soon to be established School of Entrepreneurship and future efforts of the Institute.
  - Commissioner Proctor inquired about engagement of minority students. Mr. Campbell responded that a portion of the endowment is secured specifically for that support.
  - Commissioner Desloge asked about the partnership role of Domi. Mr. Campbell stated the Institute does not have the tools to support entrepreneurs once they graduate and leave campus. The support of Domi has significantly helped to fill this gap.

**Consent**

**ACTION TAKEN:** Commissioner Desloge moved, seconded by Commissioner Dozier to approve the Consent Agenda with the exception of Item #8, which was pulled for discussion; and Item #10, which was removed from the agenda.

**The motion passed 7-0.**

- Item 1      Approval of Minutes: January 26 and February 9, 2016 Regular Meeting  
(Clerk of the Court/Finance/Board Secretary)

**The Board Approved Option #1:**

- 1. Approve the minutes of the January 26, 2016 and February 9, 2016 Regular Meeting**

- Item 2      Acceptance of the Annual Investment Report for Fiscal Year 2014-2015  
(Clerk of the Court/Finance)

**The Board Approved Option #1:**

- 1. Accept the Annual Investment Report for Fiscal Year 2014-2015**

- Item 3      Consideration of Full Board Appointment to the Board of Adjustment and Appeals

(County Administrator/County Administration)

**The Board Approved Option #1:**

- 1. The full Board appoints Shaleen Miller to the Board of Adjustment and Appeals (BOAA) for a term of three years.**

- Item 4      Acceptance of Status Update Regarding Leon County's Television Broadcast Presence

(County Administrator/Community Media Relations)

**The Board Approved Option #1:**

- 1. Accept the status report.**

- Item 5      Ratification of Appointments to the Minority Women Small Business Enterprise



Committee and Water Resources Committee  
(County Administrator/County Administration)

**The Board Approved Option #1 & 2:**

- 1. Ratify Commissioner Maddox's appointment of Ted Parker to the Minority Women Small Business Enterprise Committee for a term of two years.**
- 2. Ratify Commissioner Proctor's appointment of Jo Laurie Penrose to the Water Resources Committee for term of three years.**

- Item 6      Acceptance of Report on Southside Community Efforts and the Leon County Southside School Project  
(County Administrator/County Administration)

**The Board Approved Option #1:**

- 1. Accept the report on Southside community efforts and the Leon County Southside School Project**

- Item 7      Approval of 2016 Club of Honest Citizens Town and Gown Event to be Held at Tallahassee Community College  
(County Administrator/County Administration)

**The Board Approved Option #1:**

- 1. Approve the 2016 Club of Honest Citizens Town and Gown Event to be held at Tallahassee Community College**

- Item 8      Approval of Policy No. 16-X "Leon County Succession Management Policy"  
(County Administrator/Human Resources)

**[Pulled from Consent]**

- Item 9      Approval of Payment of Bills and Vouchers Submitted for March 8, 2016, and Pre-Approval of Payment of Bills and Vouchers for the Period of March 9 through April 11, 2016  
(County Administrator/Office of Financial Stewardship/Office of Management & Budget)

**The Board Approved Option #1:**

- 1. Approve the payment of bills and vouchers submitted for March 8, 2016, and pre-approve the payment of bills and vouchers for the period of March 9 through April 11, 2016.**

- Item 10      Approval of the Revised Leon County Driveway and Street Connection Guidelines and Procedures Manual



(County Administrator/Development Support & Environmental Management/Public Works)[REMOVED]

- Item 11     Request to Schedule Two Public Hearings to Consider Proposed Revisions to the Leon County Land Development Code to Provide Private and Charter School Siting Standards for April 12 and May 10, 2016 at 6:00 p.m.

(County Administrator/Development Support & Environmental Management/Development Services)

**The Board Approved Option #1:**

**1. Schedule two required Public Hearings to consider proposed revisions to the Leon County Land Development Code to provide private and charter school siting standards for April 12 and May 10, 2016 at 6:00 p.m.**

- Item 12     Request to Schedule Two Public Hearings to Consider Proposed Amendments to Leon County Land Development Code to Allow Outdoor Shooting Ranges in the Rural Zoning District for May 10 and June 14, 2016 at 6:00 p.m.

(County Administrator/Development Support & Environmental Management/Development Services)

**The Board Approved Option #1:**

**1. Schedule two required Public Hearings to consider proposed amendments to the Land Development Code to allow outdoor sport shooting ranges in the Rural Zoning District for May 10 and June 14, 2016 at 6:00 p.m.**

- Item 13     Request to Schedule the First and Only Public Hearing to Adopt an Ordinance to Regulate Outdoor Dog Friendly Dining Areas for April 12, 2016 at 6:00 p.m.

(County Administrator/Development Support & Environmental Management/Development Services)

**The Board Approved Option #1:**

**1. Schedule the first and only Public Hearing to adopt an Ordinance to regulate outdoor dog friendly dining areas for April 12, 2016 at 6:00 p.m.**

- Item 14     Ratification of Board Actions taken at the February 9, 2016 Workshop on Infant Mortality

(County Administration/Human Services and Community Partnerships)

**The Board Approved Option #1:**

**1. Ratify Board actions taken at the February 9, 2016 Workshop on Infant Mortality Issues.**

- Item 15     Request to Schedule the First and Only Public Hearing to Consider an Ordinance Amending Section 13- 58 of the Leon County Code of Laws for May 10, 2016 at

6:00 p.m.

(County Administrator/Economic Vitality/Tourism Development)

**The Board Approved Option #1 & 2:**

**1. Schedule first and only public hearing on a proposed Ordinance (Attachment #1) amending Section 13-58 of the Leon County Code of Laws for May 10, 2016 at 6:00 p.m.**

**2. Direct staff to modify County policies regarding the use of alcoholic beverages in County facilities and properties.**

Item 16      Acceptance of the Marketing Status Report from the Division of Tourism Development

(County Administrator/Economic Vitality/Tourism Development)

**The Board Approved Option #1:**

**1. Accept the Marketing Status Report from the Division of Tourism Development.**

Item 17      Adoption of a Resolution in Support of a Grant Application to Construct a Sidewalk on North Monroe Street between Clara Kee Boulevard and Harriet Drive

**The Board Approved Option #1:**

**1. Adopt the Resolution in support of a Grant Application to construct a sidewalk on North Monroe Street between Clara Kee Boulevard and Harriet Drive**

Item 18      Approval of License Agreement with Babe Ruth League for Use of Fred George Greenway and Park Baseball Field

(County Administrator/Public Works/Parks and Recreation)

**The Board Approved Option #1:**

**1. Approve the License Agreement with the Babe Ruth League for use of the Fred George Greenway and Park baseball field (Attachment #1), and authorize the County Administrator to execute.**

Item 19      Approve the First Amendment to the Lease Agreement Between Leon County and the Seminole Radio Control Club, Inc.

(County Administrator/Public Works/Parks and Recreation)

**The Board Approved Option #1:**

**1. Approve the First Amendment to the Lease Agreement between Leon County and the Seminole Radio Control Club, Inc.**



- Item 20      Approval to Award Bid to TALCOR Commercial Real Estate Services, Inc., for the Provision of Nonresidential Real Estate Services  
((County Administrator/Public Works/Facilities Management/Real Estate/Purchasing)

**The Board Approved Option #1:**

1. Approve the award of the solicitation to TALCOR Commercial Real Estate Services, Inc. for the provision of Nonresidential Real Estate Services, authorize staff to negotiate the agreement, and authorize the County Administrator to execute the agreement in a form approved by the County Attorney

- Item 21      Adoption of Proposed Revisions to the Tallahassee-Leon County Planning Commission and Local Planning Agency Bylaws and Adoption of an Updated Tallahassee-Leon County Planning Department Fee Resolution  
(County Administrator/PLACE/Planning)

**The Board Approved Option #1:**

1. Adopt the amended Tallahassee-Leon County Planning Commission and Local Planning Agency Bylaws (Attachment #1) and the updated fee resolution (Attachment #2), based on the recommendation of the Tallahassee-Leon County Planning Commission and the staff report.

- Item 22      Acceptance of the Miccosukee Sense of Place Update.  
(County Administrator/PLACE/Planning)

**The Board Approved Option #1:**

1. Accept the Miccosukee sense of place update.

- Item 23      Adoption of the Lake Jackson Blueway Plan  
(County Administrator/Place/Planning)

**The Board Approved Option #1:**

1. Adopt the Lake Jackson Blueway Plan (Attachment #1) and direct staff to coordinate with the Florida Office of Greenways and Trails to designate this water trail as a unit of the State's Paddling Trail Network.

- Item 24      Authorization for Staff to Prepare a FY 2016-2017 Budget Request to Hire a Mobility Fee Consultant in Coordination with the City of Tallahassee  
(County Administrator/PLACE/Planning)

**The Board Approved Option #1:**

1. Direct staff, in coordination with the City of Tallahassee, to submit a FY 2016-17 budget request for the purpose of procuring a consultant to develop

**a countywide mobility fee framework and ordinance.****Status Reports: (These items are included under Consent))**

- Item 25     Acceptance of the Leon County Water Resources Committee 2015 Annual Report  
(County Administrator/PLACE/Planning)

**The Board Approved Option #1:**

- 1. Accept the Leon County Water Resources Committee Annual Report**

- Item 26     Acceptance of the FY 2014-2015 Annual Audit and Financial Report  
(Clerk of the Court/Finance)

**The Board Approved Option #1:**

- 1. Accept the FY 2014/15 Annual Audit and Financial Report, and authorize the Chairman to sign letter transmitting the report to the Auditor General.**

- Item 27     Acceptance of the First Quarter FY 2015-2016 County Grant Program Leveraging Status Report  
((County Administrator/Office of Financial Stewardship/Office of Management & Budget)

**The Board Approved Option #1:**

- 1. Accept the First Quarter FY 2015-2016 County Grant Program Leveraging Status Report.**

- Item 28     Acceptance of the Status Report on the Competitive Provider Reimbursements for the FY 2016 Primary Healthcare Program  
((County Administration/Human Services and Community Partnerships)

**The Board Approved Option #1:**

- 1. Accept the Status Report on the Competitive Provider Reimbursements for the FY 2016 Primary Healthcare Program.**

- Item 29     Acceptance of Supervised Pretrial Release Division's Annual Report  
((County Administrator/Intervention and Detention Alternatives)

**The Board Approved Option #1:**

- 1. Accept the Supervised Pretrial Release Division's Annual Report (Attachment #1), and authorize staff to submit to the Clerk of the Circuit Court.**

- Item 30     Acceptance of the 2014-15 Annual Report of the Code Enforcement Board and the Code Compliance Program



((County Administrator/Development Support & Environmental Management/Permit and Code Services)

**The Board Approved Option #1:**

- 1. Accept the 2014-2015 Annual Report of the Code Enforcement Board and the Code Compliance Program.**

**Consent Items Pulled for Discussion**

Approval of Policy No. 16-X "Leon County Succession Management Policy"  
(County Administrator/Human Resources)

**Commissioner Proctor requested the item be pulled for discussion.**

Commissioner Proctor wanted the item to be discussed by the Board; expressing appreciation for forward thinking he also encouraged diversity and inclusion of all employees.

Item 8

**Commissioners Dailey moved, seconded by Commissioner Maddox to approve Option #1:**

- 1. Approve Policy No. 16-X "Leon County Succession Management Policy".**

**The motion passed 7-0.**

**Citizens to be Heard on Non-Agendaed Items**

3-minute limit per speaker; there will not be any discussion by the Commissionu>  
Speakers:

None

**General Business**

Item 31      Consideration of Full Board Appointments of Commissioners to the Value Adjustment Board  
(County Administrator/County Administration)

**Commissioner Dozier moved, seconded by Commissioner Desloge to appoint Commissioner Maddox and Sauls to the Value Adjustment Board for terms of two years.**

**The motion passed 7-0.**

Item 32      Establishment of the FY 2017 Maximum Discretionary Funding Levels and Initial Budget Policy Guidance  
(County Administrator/Office of Financial Stewardship/Office of Management & Budget)

**Commissioner Maddox moved, seconded by Commissioner Desloge to Approve Options #1, 2, 3, 4 & 5**



1. Establish the Community Human Services Partnership (CHSP) funding level for FY2017 at \$1,200,000.
2. Establish the maximum discretionary funding levels as follows:
  - a. Homeless Shelter Construction: \$100,000
  - b. Legal Services of North Florida (additional funding): \$125,000
  - c. Domestic Violence Coordinating Council: \$25,000
3. Maintain the special event funding account as follows:

**Special Event Agencies**  
**2017 Funding**

**FY**

Celebrate America 4th of July Celebration  
 \$2,500

Dr. Martin Luther King Celebration  
 \$4,500

NAACP Freedom Fund Award (Tallahassee NAACP)  
 \$1,000

Soul Santa (Frenchtown \$2,500 and Walker Ford \$1,500)  
 \$4,000

County Sponsored Tables/Community Events  
**\$15,000**

Total  
 \$27,000

4. Prepare a budget discussion item regarding current outside agency service contracts to evaluate if the funding continues to align with current Board priorities and to ensure this approach continues to be the most efficient and effective method for service delivery. The following entities will be included in the discussion item: TMH Trauma Center; Keep Tallahassee-Leon County Beautiful; Oasis Center; Tallahassee Trust for Historic Preservation; St. Francis Wildlife; Disc Village; Whole Child Leon; UPHS; and the Domestic Violence Coordinating Council.

5. Direct staff to work with the City of Tallahassee, the United Way and community agencies in evaluating a two year grant funding cycle for CHSP to commence in FY2018.

**The motion passed 7-0.**

Item 33      Approval of the Council on Culture & Arts Capital Improvement Grant Program and Guidelines and Acceptance of a Status Report on Efforts to Streamline Operational Efficiencies  
 (County Administrator/Office of Economic Vitality)

In light of the Cultural Plan Committee sun setting in August 2016, **Commissioner Dozier requested an amendment directing staff to create an agenda examining the creation of an Arts and Culture committee.**

**Commissioner Maddox moved, seconded by Commissioner Desloge to Approve Options #1 & 2 as amended:**

**1. Approve the Council on Culture & Arts Capital Improvement Grant Program and Guidelines.**

**2. Accept status report on efforts to streamline operational efficiencies with the Council on Culture & Arts and direct staff to create an agenda examining the creation of an Arts and Culture committee to be housed within the Division of Tourism.**

**The motion passed 7-0.**

**Staff: Economic Vitality: Cristina Paredes**

Item 34      Acceptance of Staff Review of the Canopy Roads Citizen Committee and Recommendations to Improve Development Review Efficiency and Increase Proactive Canopy Road Management, Education, and Outreach  
(County Administrator/PLACE/Planning)

Cherie Bryant provided an overview presentation of the agenda.

**Commissioner Lindley moved, seconded by Commissioner Dailey to approve Options #1, 2, 3, & 4 with an amendment of Option #2a that would retain all current regulatory review and provide orientation to new committee members.**

**Commissioner Dailey provided suggested language to modify the proposed amendment of option #4b. The amendment was accepted by the maker of the motion.**

Twenty-seven speakers addressed the topic.

**Commissioner Dozier requested an additional amendment to add language providing for bi-monthly meetings of the CRCC and the ability for the CRCC to call additional meetings as needed. The amendment was accepted by the maker of the motion.**

**Commissioner Lindley moved, seconded by Commissioner Dailey to Approve Options #1, 2, 3, & 4 as amended:**

**1. Accept staff's report and direct staff to continue to support the Canopy Road Citizen Committee (CRCC) in updating and implementing the Canopy Roads Management Plan and public outreach and education efforts.**



2. Direct staff to prepare ordinance amendments to further improve development review efficiency that:

a. Clarifies the CRCC will retain all current regulatory review and provide orientation to new committee members.

b. Adds a requirement for review of all proposed infrastructure projects, including utilities installation and sidewalks in the CRPZ, by formalizing a technical staff committee with membership from Public Works, Planning, and Development Support and Environmental Management (DSEM) to be called the Canopy Road Protection Interdepartmental Committee.

c. Includes the establishment of more objective criteria for the evaluation of projects impacting the CRPZ.

3. Direct staff to reassign the County Urban Forester position as dedicated support staff to the expanded protection of the Canopy Road System.

4. Direct staff to amend all necessary documents for purposes of:

a. Modifying the Composition of the Canopy Roads Committee membership to the following: Twelve total members; five appointed by the County and five appointed by the City of which one County and one City appointee shall live on a canopy road; the remaining two members shall be approved by the County and City appointees: a business leader nominated by the Greater Tallahassee Chamber of Commerce and a certified arborist.

b. Requiring the CRCC to meet at least once annually for the purpose of formalizing an annual report. Furthermore, the CRCC will schedule to meet bi-monthly and have the authority to meet on an as needed basis as determined by the Committee, for the purposes of updating and implementing the Canopy Roads Management Plan and for specific project review.

The motion passed 7-0.

#### **Scheduled Public Hearings, 6:00 p.m.**

Item 35 First and Only Public Hearing to Consider the Transfer of Six Small Franchise Areas from Rowe Utilities to Seminole Waterworks, Inc.  
(County Administrator/Public Works/Engineering)

Speaker: John White, president of Meadow Hills homeowner association, expressed concerns of the transfer regarding the internal working operations of both companies.

Commissioner Proctor requested clarification of the role of the Board in regards to the Franchise. The County Attorney stated the BCC does not have regulatory authority regarding the concerns raised by Mr. White.

Commissioner Desloge offered an amendment requesting staff send a letter to Seminole Waterworks, Inc. encouraging the company to consider the questions raised by Mr. White.

Commissioner Lindley moved, seconded by Commissioner Desloge to Approve Option #1 as amended:

1. Conduct the first and only Public Hearing and approve the transfer of six small franchise areas from Rowe Utilities to Seminole Waterworks, Inc. and direct staff to send a letter to Seminole Water Works.

*The motion passed 7-0.*

Staff: Public Works: Tony Parks

Item 36      First and Only Public Hearing to Consider Amendments to the On-Site Sewage Disposal Systems Ordinance  
(County Administrator/Development Support & Environmental Management/Environmental Health)

At the request of Commissioner Proctor, Alex Mahon provided clarification on the 24-inch separation requirement. He expressed the standard is consistent with current Wakulla County requirements and State requirements for all newly installed systems.

Speaker: Mike Sundin, a septic vendor, suggested the environmental benefits of the 24-inch requirement for replacement systems do not justify the cost to property owners.

Speaker: Brian Miller, a septic vendor, suggested the environmental benefits of the 24-inch requirement for replacement systems do not justify the cost to property owners.

Speaker: Marianne McCall recently repaired her septic system and worries of financial hardship for future repairs or replacement.

Speaker: Ainé Ryan, a septic vendor, expressed support for only a 12-inch requirement given high cost of a 24-inch standards.

Speaker: Bart Bibler spoke in favor of the 24-inch standard.

Commissioners inquired about funding alternatives to help alleviate future financial burden to property owners. The County Administrator affirmed that staff is exploring.

Chairman Proctor indicated that he would not support the motion as the action would negatively impact the economically challenged residents of the County.

Commissioner Dozier moved, seconded by Commissioner Lindley to Approve Option #1:

1. Conduct the first and only Public Hearing and adopt proposed amendments to the On-site Sewage Disposal Systems Ordinance



## **EXHIBIT C**

# **BOARD OF COUNTY COMMISSIONERS LEON COUNTY, FLORIDA**

## **AGENDA**

### **REGULAR MEETING**

County Commission Chambers  
Leon County Courthouse, Fifth Floor  
301 South Monroe Street  
Tallahassee, FL 32301

**Tuesday, June 20, 2017  
3:00 p.m.**

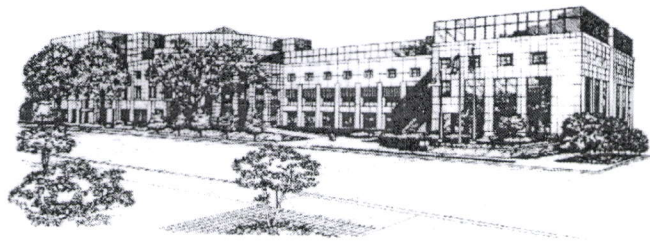
### **COUNTY COMMISSIONERS**

John E. Dailey, Chairman  
District 3

Bill Proctor  
District 1

Bryan Desloge  
District 4

Mary Ann Lindley  
At-Large



Jimbo Jackson  
District 2

Kristin Dozier  
District 5

Nick Maddox, Vice Chair  
At-Large

Vincent S. Long  
County Administrator

Herbert W. A. Thiele  
County Attorney

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The Leon County Commission meets the second and fourth Tuesday of each month. Regularly scheduled meetings are held at 3:00 p.m. The meetings are televised on Comcast Channel 16. A tentative schedule of meetings and workshops is attached to this agenda as a "Public Notice." Commission Meeting Agendas are available on the Leon County Home Page at: [www.leoncountyfl.gov](http://www.leoncountyfl.gov). Minutes of County Commission meetings may be found at the Clerk of Courts Home Page at [www.clerk.leon.fl.us](http://www.clerk.leon.fl.us).

Please be advised that if a person decides to appeal any decision made by the Board of County Commissioners with respect to any matter considered at this meeting or hearing, such person will need a record of these proceedings, and for this purpose, such person may need to ensure that verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based. The County does not provide or prepare such record (Sec. 286.0105, Florida Statutes).

In accordance with Section 286.26, Florida Statutes, persons needing a special accommodation to participate in this proceeding should contact the ADA Coordinator by written or oral request at least 48 hours prior to the proceeding, at 850-606-5011 or Facilities Management at 850-606-5000, or 7-1-1 (TTY and Voice) via Florida Relay Service. Accommodation Request Forms are available on the website [www.LeonCountyFl.gov/ADA](http://www.LeonCountyFl.gov/ADA).

# Board of County Commissioners

Leon County, Florida

## Agenda

Regular Public Meeting

Tuesday, June 20, 2017, 3:00 p.m.

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### INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation by Mr. Taylor Phillips, Chaplain at Westminster Oaks

Pledge of Allegiance by Commissioner Kristin Dozier

### AWARDS AND PRESENTATIONS

- Proclamation Recognizing Camille Schneider as the 2017 Juvenile Diabetes Research Foundation (JDRF) Tallahassee, One Walk Ambassador  
(Chairman Dailey)

### CONSENT

1. Minutes: May 9, 2017 Regular Meeting  
(Clerk of the Court/)
2. Payment of Bills and Vouchers  
(County Administrator/ Office of Financial Stewardship)
3. Request to Schedule the First and Only Public Hearing to Consider an Ordinance Amending Chapter 10 to Clarify the Parking and Loading Surface Standards Inside the USA for July 11, 2017 at 6:00 p.m.  
(County Administrator/ Development Support & Environmental Management)
4. Joint Project Agreement with the Space at Feather Oaks for the Installation of a Trail Crossing to the Miccosukee Greenway  
(County Administrator/ Public Works/ Engineering Services/ Parks & Recreation)
5. Interagency Management Control Agreement between Leon County and the Leon County Sheriff Regarding Access to the National Crime Information Center through Florida Department of Law Enforcement's Florida Criminal Justice Network  
(County Administrator/ Office of Information & Technology/ Office of Intervention & Detention Alternatives)
6. Florida Department of Health Emergency Medical Services Matching Grants  
(County Administrator/ Emergency Medical Services)

Status Reports: *(These items are included under Consent.)*

7. Status Report on Legislation Permitting Industrial Hemp Pilot Programs  
(County Administrator/ County Administration)



8. Status Report on the National Opioid Epidemic and Public Education Initiatives to Combat Opioid Related Deaths  
(County Administrator/ Intervention & Detention Alternatives/ Human Services & Community Partnerships)

**CONSENT ITEMS PULLED FOR DISCUSSION**

**CITIZENS TO BE HEARD ON NON-AGENDAED ITEMS**

3-minute limit per speaker; there will not be any discussion by the Commission.

**GENERAL BUSINESS**

9. Negotiate and Execute a Contract for External Auditing Services  
(County Administrator/ Office of Financial Stewardship)
10. Proposed Revisions to County Policy No. 96-1, "Purchasing and Minority, Women and Small Business Enterprise Policy"  
(County Administrator/ Office of Financial Stewardship/ Purchasing)
11. 2017 Florida Legislative Session Final Report and Request to Schedule the Board Workshop on 2018 State and Federal Legislative Priorities and a 2018 Community Legislative Dialogue Meeting  
(County Administrator/ County Administration)
12. Bid Award to Oglesby Construction, Inc. for Installation and Maintenance of Striping and Pavement Markings  
(County Administrator/ Public Works)
13. Full Board Appointments to the Advisory Committee on Quality Growth  
(County Administrator/ County Administration)
14. Full Board Appointments to the Board of Adjustments and Appeals, the CareerSource Capital Region Board and the Planning Commission  
(County Administrator/ County Administration)

**SCHEDULED PUBLIC HEARINGS, 6:00 P.M.**

15. Second Public Hearing on a Development Agreement between Leon County and Edward M. Mitchell, Jr.  
(County Administrator/ County Attorney/ Development Support & Environmental Management/ Public Works)
16. First and Only Public Hearing to Adopt a Proposed Ordinance Amending the Canopy Road Protection Requirements  
(County Administrator/ Development Support & Environmental Management/ Environmental Services)
17. First and Only Public Hearing Authorizing the Florida Public Service Commission to Regulate Private Water and Wastewater Utilities  
(County Administrator/ Office of Financial Stewardship/ Office of Management & Budget)

# Leon County Board of County Commissioners

## Agenda Item #17

June 20, 2017

**To:** Honorable Chairman and Members of the Board

**From:** Vincent S. Long, County Administrator  
Herbert W.A. Thiele, County Attorney

**Title:** First and Only Public Hearing for Adoption of the Revised Public Water and Sewage Disposal Systems Ordinance and Authorization to Delegate Regulatory Control to the Florida Public Service Commission

<b>Review and Approval:</b>	Vincent S. Long, County Administrator Herbert W.A. Thiele, County Attorney
<b>Department/ Division Review:</b>	Alan Rosenzweig, Deputy County Administrator Patrick T. Kinni, Deputy County Attorney Scott Ross, Director, Office of Financial Stewardship Tony Park, Director, Department of Public Works Charles Wu, Director, Division of Engineering
<b>Lead Staff/ Project Team:</b>	Josh Pascua, Management & Budget Analyst

### Statement of Issue:

As directed by the Board at the April 26, 2017, Budget Workshop this public hearing considers the adoption of the revised Public Water and Sewage Disposal Systems ordinance and authorization to delegate regulatory control to the Public Services Commission.

### Fiscal Impact:

This item has a potential fiscal impact. A review of other counties that regulate water/sewage disposal systems within their jurisdictions indicates that each individual rate review could cost approximately \$100,000.

### Staff Recommendation:

- Option #1: Conduct first and only public hearing and adopt proposed changes to the Leon County Public Water and Sewage Disposal Systems Ordinance (Attachment #1).
- Option #2: Adopt resolution transferring regulatory control of water/sewage disposal systems to the Public Service Commission (Attachment #2).



## **Report and Discussion**

### **Background:**

At the April 25, 2017, Budget Workshop the Board directed staff to schedule the first and only public hearing to authorize the Public Services Commission (PSC) to regulate water and sewage systems in the unincorporated areas of the County.

The Board presently regulates systems pursuant to its authority as a charter county and Section 367, Florida Statutes. The County's 'Public Water and Sewage Disposal Systems' ordinance (Ordinance) further outlines the County's authority to fix rates, fees, and other charges related to water and sewage disposal systems.

With the adoption of a resolution, the County will no longer regulate seven systems that fall under PSC jurisdiction for a minimum period of 10 years. However, the PSC does not regulate systems that service 100 or fewer persons; staff is aware of five systems that currently meets this criteria (Attachment #3). Therefore, the County shall retain jurisdiction to regulate all systems exempted from the jurisdiction of the PSC; with the limited exception of the rate fixing authority over City of Tallahassee provided water and sewage disposal, pursuant to Section 367.171(8), Florida Statutes.

### **Analysis:**

The County recently received a request from Seminole Water Works to impose a rate increase (Attachment #4). Before any system can raise its rates, the County must approve the rate change. The County is required to follow the same detailed statutory rules as the PSC in considering any proposed rate increases, which would include the evaluation of a formal rate study. System rate fixing is a highly technical and specialized process that would require industry professionals to assist the County in evaluating any proposed rate increases. A review of other jurisdictions indicates that a system rate evaluation could cost the County approximately \$100,000.

Alternatively, Chapter 367, Florida Statutes, provides that counties may invoke the regulatory jurisdiction of the PSC over those systems not exempted by Section 367.022, Florida Statutes. The PSC then manages the regulatory responsibility, including the responsibility for review and approval of rate changes.

Currently, 37 of 67 Florida counties (Attachment #5) have authorized the PSC to regulate systems in their counties. As reflected in Attachment #5, the vast majority of mid and large size counties are regulated by the PSC. The PSC is a five member board that regulates investor-owned electric, natural gas, water, and sewage disposal systems throughout the state. As a Charter county, Chapter 367, Florida Statutes, specifically excludes Leon County from PSC jurisdiction. However, by adoption of a resolution, the Board may choose to invoke the jurisdiction of the PSC (Attachment #2). Such authorization may be rescinded after a minimum period of 10 years.



Title: First and Only Public Hearing for Adoption of the Revised Public Water and Sewage Disposal Systems Ordinance and Authorization to Delegate Regulatory Control to the Florida Public Service Commission

June 20, 2017

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Additionally, staff is recommending that the existing County Ordinance should be modified to reflect and clarify this regulatory change (Attachment #6). Under the proposed revisions to the Ordinance, the County will retain regulatory authority over systems not falling within the jurisdiction of the PSC.

**Options:**

1. Adopt proposed changes to the Leon County Public Water and Sewage Disposal Systems Ordinance (Attachment #1).
2. Adopt resolution transferring regulatory control of water/sewage disposal systems to the Public Service Commission (Attachment #2).
3. Do not adopt resolution transferring regulatory control of water/sewage disposal systems to the Public Service Commission.
4. Do not adopt proposed changes to the Leon County Public Water and Sewage Disposal Systems Ordinance.
5. Board Direction.

**Recommendation:**

Options #1 and #2.

**Attachments:**

1. Leon County Public Water and Sewage Disposal Systems Ordinance (as revised)
2. Resolution transferring regulatory control of Leon County water/sewage disposal systems in to the Public Service Commission
3. Leon County regulated water and sewage disposal systems
4. Rate increase request from Seminole Waterworks, Inc.
5. Public Service Commission regulated and non-regulated Florida Counties
6. Leon County Public Water and Sewage Disposal Systems Ordinance (with proposed revisions shown)

ORDINANCE NO. 2017 - \_\_\_\_\_

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, AMENDING CHAPTER 18, ARTICLE II, DIVISION 1 OF THE CODE OF LAWS OF LEON COUNTY, FLORIDA, REGARDING PUBLIC WATER AND SEWAGE DISPOSAL SYSTEMS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the Board of County Commissioners desires to enact an ordinance amending Chapter 18, Article II, Division 1 of the Leon County Code of Laws, relating to Public Water and Sewage Disposal Systems;

**BE IT ORDAINED** by the Board of County Commissioners of the County of Leon, Florida, as follows, that:

**Section 1.** The Code of Laws of Leon County, Florida, is hereby amended by repealing Division 1, Sections 18-26 through 18-45, of Article II of Chapter 18, in its entirety.

**Section 2.** The Code of Laws of Leon County, Florida, is hereby amended by adding a new Division 1 to Article II of Chapter 18, to be entitled "Generally," which shall read as follows.

**ARTICLE II. PUBLIC WATER AND SEWAGE DISPOSAL SYSTEMS**

**DIVISION 1. GENERALLY**

**Sec. 18-26. Intent.**

The intent of this article is to delineate the jurisdiction of water system and sewage disposal system regulation.

**Sec. 18-27. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Commission* shall mean the Florida Public Service Commission.

*Depreciation* shall mean depreciation on a straight-line basis over the useful life of the asset, unless the term of the authorization is less than the useful life of the asset, in which event the county may authorize depreciation over the term of the authorization.



1  
2       *General obligation bonds* shall mean general obligations of the county which are payable  
3 from unlimited ad valorem taxes or from such taxes and additionally secured by a pledge of  
4 water service charges or sewer service charges or special assessments, or all of them.  
5

6       *Public water system* or *public sewage disposal system* shall mean any *water* or *sewage*  
7 *disposal system* serving more than eight persons.  
8

9       *Rate fixing authority* shall mean the authority to fix and collect rates, fees and other  
10 charges for the service and facilities furnished by any such *public water system* or *public sewage*  
11 *disposal system*.  
12

13       *Revenue bonds* shall mean special obligations of the county which are payable solely  
14 from water and sewage disposal service charges and which shall in no way pledge the property,  
15 credit or general tax revenue of the county.  
16

17       *Service revenue* shall mean all revenues received by the system owner from users of the  
18 system for water and sewage disposal services, including systems charges.  
19

20       *Sewage* shall include any substance that contains any of the waste products, excrement or  
21 other discharge from the bodies of human beings or animals as well as such other wastes as  
22 normally emanate from dwellings, or commercial or industrial establishments.  
23

24       *Sewage disposal system* shall mean and shall include any plant, system, facility or  
25 property used or useful or having the present capacity for future use in connection with the  
26 collection, treatment, purification or disposal of sewage, and, without limiting the generality of  
27 the foregoing definition, shall embrace treatment plants, pumping stations, intercepting sewers,  
28 pressure lines, mains, and all necessary appurtenances and equipment and shall include all  
29 property, rights, easements and franchises relating to any such system and deemed necessary or  
30 convenient for the operation thereof. The term "sewage disposal system" shall also include all  
31 sanitary sewers within the county and shall embrace sewer mains and laterals for the reception of  
32 sewage from premises connected therewith and for carrying such sewage to some part of the  
33 sewage disposal system.  
34

35       *Sewage treatment plant* shall mean that part of a sewage disposal system which is used in  
36 connection with the treatment or purification of sewage.  
37

38       *Systems* shall mean either or both a *public water system* or *public sewage disposal*  
39 *system*.  
40

41       *Water system* shall mean and shall include any plant, wells, pipes, tanks, reservoirs,  
42 system, facility or property used or useful or having the present capacity for future use in  
43 connection with the obtaining and supplying water for human consumption, fire protection,  
44 irrigation, consumption by business, or consumption by industry, and, without limiting the  
45 generality of the foregoing definition, shall embrace all necessary appurtenances and equipment  
46 and shall include all property, rights, easements and franchises relating to any such system and



1 deemed necessary or convenient for the operation thereof. The term "water system" shall also  
2 include all water pipes or lines, valves, meters and other water-supplying equipment within the  
3 county and shall embrace water mains and laterals for the carrying of water to the premises  
4 connected therewith and for carrying such water from some part of the water supply system.  
5

6 **Sec. 18-28. Jurisdiction and authority, generally.**  
7

8 (a) *Jurisdiction.*  
9

10 (1) The county designates to the commission regulatory authority over public water  
11 systems and public sewage disposal systems serving or proposing to serve over 100 persons.  
12

13 (2) The county shall retain sole regulatory authority over those public water systems  
14 and public sewage disposal systems serving or proposing to serve 100 or less persons but more  
15 than eight persons, and those systems exempt from the jurisdiction of the commission, unless  
16 otherwise provided herein.  
17

18 (3) The county shall retain regulatory authority over the abandonment of any system.  
19

20 (b) *County authority for implementation.* The county is hereby authorized and empowered:  
21

22 (1) To purchase or construct and to improve, extend, enlarge and reconstruct a water  
23 system or systems or sewage disposal system or systems, or both, within such county and any  
24 adjoining county or counties and to operate, manage and control all such systems purchased or  
25 constructed and all properties pertaining thereto, and to furnish and supply water and sewage  
26 collection and disposal services to any of such counties and to any governmental entity and any  
27 person in any of such counties.  
28

29 (2) To issue water revenue bonds and/or sewer revenue bonds or general obligation  
30 bonds of the county to pay all or a part of the cost of such purchase and/or construction or  
31 reconstruction.  
32

33 (3) To receive and accept from the federal government or any agency thereof grants  
34 for or in aid of the planning, purchase, construction, reconstruction or financing of any facility,  
35 and to receive and accept contributions from any source of money, property, labor or other things  
36 of value to be held, used and applied only for the purpose for which such grants and  
37 contributions may be made.  
38

39 (4) To acquire in the name of the county by gift, purchase as hereinafter provided or  
40 by the exercise of the right of eminent domain, such lands and rights and interests therein,  
41 including lands under water and riparian rights, and to acquire such personal property as it may  
42 deem necessary for the efficient operation or for the extension of or the improvement of any  
43 facility purchased or constructed under the provisions of this article and to hold and dispose of  
44 all real and personal property under its control.  
45



1 (5) To make and enter into all contracts and agreements necessary or incidental to the  
2 performance of its duties and the execution of its powers under this article and to employ such  
3 consulting and other engineers, superintendents, managers, construction and accounting experts  
4 and attorneys and such other employees and agents as it may deem necessary in its judgment and  
5 to fix their compensation.  
6

7 (6) To enter into contracts with the government of the United States or any agency or  
8 instrumentality thereof or with any other county or with any governmental entity, private  
9 corporation, co-partnership, association, or individual providing for or relating to the acquisition  
10 and supplying of water and the collection, treatment and disposal of sewage.  
11

12 (7) To acquire by gift or purchase at a price to be mutually agreed upon or the  
13 exercise of the right of eminent domain, any of the facility or portions thereof, provided for by  
14 this article, which shall, prior to such acquisition, have been owned by any person.  
15

16 (8) To enter into agreements and contracts with building contractors erecting  
17 improvements within any subdivision within the county, the terms of which such agreements or  
18 contracts may provide that such building contractors shall install within such subdivision water  
19 systems and sewage disposal systems, to be approved by the county or to run the mains and lines  
20 of such systems to a point or location to be agreed upon, at which said point or location such  
21 mains and lines shall be connected to the water system or to the sewage disposal system owned  
22 or authorized by the county. In the event such agreements or contracts are entered into, they shall  
23 provide that the systems or the connection of the mains or lines within the subdivision to the  
24 water or sewer facilities owned or authorized by the county such systems, mains, lines and  
25 equipment running to the various privately owned parcels of land within such subdivision shall  
26 become the property of the county and shall become a part of the county water system or sewage  
27 disposal system.  
28

29 (9) To restrain, enjoin or otherwise prevent any person or corporation, public or  
30 private, from contaminating or polluting any source of water supply from which is obtained  
31 water for human consumption to be used in any water supply system or water system  
32 improvement as authorized by this article, and to restrain, enjoin or otherwise prevent the  
33 violation of any provision of this article or any resolution, rule or regulation adopted pursuant to  
34 the powers granted by this article.  
35

36 (10) To acquire by gift or purchase, at such price and upon such deferred or other  
37 terms as may be mutually agreed upon, all the capital stock of any domestic or foreign  
38 corporation which, prior to such acquisition, shall have owned or operated any of the facilities or  
39 portions thereof provided for by this article; to pledge the revenues from the facilities as security  
40 for payment of the purchase price for such stock; and to operate the facilities through the  
41 corporation so acquired or to dissolve such corporation and operate the facilities in any other  
42 manner authorized by law.  
43

44 **Sec. 18-29. Authorization to operate public water and sewage disposal systems.**  
45



1 (a) *County sole authority.* The county has determined that it will be the sole local  
2 governmental entity to authorize the planning, construction and operation of water systems and  
3 sewage disposal systems within the unincorporated area of the county and will provide such  
4 services when it deems it appropriate. No authorization for the construction or operation of any  
5 water or sewage disposal system within the unincorporated area of the county shall be granted  
6 unless the county specifically determines that it is in the best interest of the citizens of the  
7 county.

8  
9 (b) *Nature of authorization.* An authorization under this section:

10  
11 (1) Shall be granted for such time as may be established by the county.

12  
13 (2) Unless specifically stated otherwise by the county, shall grant to the water or  
14 sewage disposal system owner the exclusive right within a specific geographical area to own,  
15 acquire, construct, operate and maintain the system specified in the authorization. The owner of  
16 such authorized system shall be required to serve upon request any owner, tenant, occupant on  
17 each parcel of land within the authorized area which abuts upon a public easement or right-of-  
18 way wherein is constructed, or pursuant to the terms of the authorization, will be constructed a  
19 public water or sewage disposal system.

20  
21 (3) May be made nonexclusive upon such reasonable terms and conditions as are  
22 established by the county.

23  
24 (4) Acceptance by the owner of the authorization for the system from the county  
25 conveys to the county, in the event of default by the owner, the right to enter upon the premises,  
26 possess, keep and maintain all system records, operate the system and perform such repairs and  
27 maintenance of the system as are necessary to provide the services required by the system. At  
28 such time as the county assumes the operation of the system, it shall become the owner of the  
29 system and thereafter shall receive all revenues from the system.

30  
31 **Sec. 18-30. Rate fixing authority.**

32  
33 (a) The county shall have rate fixing authority for those systems serving or proposing to  
34 serve 100 or less persons but more than eight persons.

35  
36 (b) Those exempted from the county's rate fixing authority include:

37  
38 (1) Systems under the jurisdiction of the commission, including those systems  
39 serving or proposing to serve over 100 persons.

40  
41 (2) Systems owned, operated, managed, or controlled by governmental authorities,  
42 including water or sewage disposal systems operated by private firms under water or sewage  
43 disposal system privatization contracts, and nonprofit corporations formed for the purpose of  
44 acting on behalf of a political subdivision with respect to a water system or sewage disposal  
45 system.



1   **Sec. 18-31. Operation of systems.**  
2

3   (a)   *Water franchise areas.* All current franchisees and applicants for future franchise areas  
4 shall fully comply with all provisions set forth in this article concerning such franchises.  
5

6   (b)   *Sewer franchise areas.* All current franchisees and applicants for future franchise areas  
7 shall fully comply with all provisions set forth this article concerning such franchises.  
8

9   (c)   *Procedure for transfer of water and sewer franchise areas.*  
10

11       (1)   *General.* The board of county commissioners hereby delegates to the county  
12 administrator, or his designee, the authority to grant transfers of the authorization to provide  
13 water and/or sewer service from a current franchise area holder to another person where all of the  
14 following conditions are met:  
15

- 16           a.   The authorization to provide water and/or sewer service for a specific  
17 geographical area has been previously granted by the county to the current  
18 franchise area holder;  
19
- 20           b.   The current franchise area holder agrees to relinquish any and all rights to  
21 provide water and/or sewer service for the specific geographic area, yet  
22 there are property owner(s) in that area in need of such service;  
23
- 24           c.   Another utility provider (hereinafter "applicant") is willing to provide  
25 water and/or sewer service in the subject geographic area; and  
26
- 27           d.   The applicant has an established service area on property adjoining,  
28 adjacent or appurtenant to the subject geographical area.  
29

30       (2)   *Required information.* The following information shall be submitted with the  
31 application for franchise area transfer:  
32

- 33           a.   Written confirmation from the originally authorized franchise area holder  
34 relinquishing any and all rights to provide water and/or sewer service for  
35 the subject geographical area.  
36
- 37           b.   Written confirmation from the applicant that they are willing to add the  
38 geographical area in question to their existing authorized franchise area  
39 and provide water and/or sewer service to property owner(s) in need of  
40 such services.  
41
- 42           c.   A boundary description on a copy of the county property appraiser's map  
43 of the geographical area to be transferred.  
44

- d. A copy of the most recent assessment roll of the county property appraiser showing the name, address, item number and description to all property within the area for which authorization is sought.
- e. Conceptual drawings indicating tentatively the system to be constructed, plant location, location of collection system, implementation schedule and any other general information that will determine when and where services will be supplied within the area described.
- f. Written consent of the property owner(s) of all property subject to the franchise area transfer.

(d) *Application procedure for construction, operation, etc., of system.*

(1) *Submission of preapplication.* Any person who desires to construct, operate or own a water system or sewage disposal system within the unincorporated area of the county shall first submit a preapplication to the county administrator.

(2) *Required information.* The following data shall be submitted with the preapplication:

- a. A boundary description on a copy of the county property appraiser's map of the geographical area for which authorization to operate such system is sought.
- b. A copy of the most recent assessment roll of the county property appraiser showing the name, address, item number and description of all property within the area for which authorization is sought.
- c. Conceptual drawings indicating tentatively the system to be constructed, plant location, location of collection system, implementation schedule and any other general information that will determine when and where services will be supplied within the area described.
- d. Information as to the proposed method of financing the water or sewage system for which authorization to construct or operate such system is sought.

(3) *Fee.* A preapplication fee shall be paid to the county prior to the scheduling of a public hearing on the preapplication. The required preapplication fee shall be set forth in a resolution duly adopted by the board of county commissioners.

(4) *Service of notice by mail.* All property owners within the area for which authorization is sought shall be notified of such preapplication and of the time and place set for public hearing thereon at least ten days prior to the date of the hearing by mail to the address shown on the property appraiser's assessment roll.



1  
2 (5) *Public notice of hearing.* Public notice of the hearing on the preapplication shall  
3 be published once each week for two successive weeks in a newspaper of general circulation  
4 published in the county, the first publication to be no sooner than 20 days prior to the hearing  
5 and in substantially the following form:  
6

7 Notice is hereby given that \_\_\_\_\_ has applied to the Board of County  
8 Commissioners of Leon County, Florida, for authorization to operate a water/sewage  
9 disposal system, embracing the following described lands in Leon County, Florida, to  
10 wit:  
11

12 (Description of area by public road, street, or landmark)  
13

14 Said Board of County Commissioners will hold a public hearing at  
15 \_\_\_\_\_ o'clock \_\_\_\_m., on said application in the meeting  
16 room of the Board of County Commissioners of Leon County, Florida, on the  
17 \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and all  
18 persons affected or interested in such application are invited to be present at said time and  
19 place to voice their approval or disapproval of said application.  
20

21 Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.  
22

23 /s/ \_\_\_\_\_  
24 Chairman, Board of County Commissioners  
25 Leon County, Florida  
26

27 (6) *Submission of application, fee.* Upon completion of the preapplication procedure  
28 and upon receiving approval of the conceptual plans by the county administrator, the applicant  
29 may proceed to submit an application for authorization to construct and operate a water or  
30 sewage disposal system in the area for which a preapplication has been approved or any portion  
31 thereof in the unincorporated area of the county, along with an application fee. The required  
32 application fee shall be set forth in a resolution duly adopted by the board of county  
33 commissioners.  
34

35 (7) *Required information.* The following data shall be submitted with the application:  
36 a. Legal descriptions of all properties upon which treatment facilities, wells, life stations, pump  
37 stations or other portions of the water or sewage disposal systems will be located other than  
38 mains and lines.  
39

40 a. Legal descriptions of all properties upon which treatment facilities, wells,  
41 lift stations, pump stations, or other portions of the water or sewage  
42 disposal systems will be located other than mains and lines.  
43

44 b. A description of the facilities to be provided, including a construction  
45 schedule showing dates upon which the facilities will be constructed in  
46 each portion of the geographical area for which authorization is sought.



- c. A set of plans and specifications prepared under the direction and supervision of a registered professional engineer for the system to be built, together with a copy of the operating procedures for such system.
- d. A list of the proposed rates and fees to be charged to users of the system.
- e. An estimate of operating costs and revenues on an annual basis for the first three years of operation.
- f. An estimate of the total capital requirements of the system and the amount of anticipated indebtedness, terms for the repayment of the indebtedness, and the security required therefor.
- g. Copies of any agreements between the system owner and other persons relating to the construction or operation of the system.
- h. Instruments of transfer in the event the system is to be transferred to the county at the end of the authorization period.
- i. Such other data as the county may deem appropriate.

(8) *Exemption.* The provisions of this section shall not apply to applications to construct, operate or own a water system or sewage disposal system within the unincorporated area of the county, which rights are granted pursuant to a validly adopted and properly executed interlocal agreement with another governmental entity.

(e) *Construction plans.*

(1) All construction must be in accordance with the approved application. No substantial deviation shall be authorized unless approved in advance in writing by the county.

(2) Prior to the commencement of construction, the owner shall obtain and deliver to the county a performance bond in an amount to be determined by the county and with a surety approved by the county or other acceptable security which shall guarantee the completion of all construction and the payment for all labor and materials used in such construction. The county may waive the requirement for a performance bond upon the receipt of other adequate assurance of the owner's ability to perform its obligations under the authorization.

(3) Within 90 days following completion of any construction authorized by the county, the owner shall submit as-built plans certified by the engineer that the system as installed is in substantial compliance with the approved application and meets or exceeds the minimum construction standards set forth in section 18-31(f).

(4) When all of the requirements hereof are met, the county shall issue a written authorization to place the system in service. No system shall be placed in service until such authorization is obtained.

(f) *Minimum standards - Construction.*

(1) *Water systems.* Water systems shall be of a design which will ensure an adequate, safe supply of water at all times. All design and construction shall be under the supervision of a registered professional engineer. All design and construction shall be in accordance with the policies, standards and specifications for water systems in the county and all other applicable regulatory agencies, according to generally accepted engineering practices.

- a. Water shall be obtained from a source which, in its natural state or with the treatment prescribed, shall meet or exceed the minimum standards for drinking water established by the state department of environmental protection.
- b. All water supplies shall be disinfected by chlorination or other approved method before distribution to the user. All parts of the water system in contact with the water to be distributed shall be disinfected before being placed in operation. Disinfection shall be in accordance with the requirements of the state department of environmental protection.
- c. All necessary meters shall be furnished by the public system owner and shall remain the property of the public system owner.

(2) *Sewage disposal systems.* Sewage disposal systems shall be designed by a registered professional engineer and shall be in accordance with the policies, standards and specifications for sewage disposal systems of the county and all other applicable regulatory agencies according to generally accepted engineering practices.

- a. No sewage treatment plant may be constructed within 300 feet of an existing residential or commercial structure.
- b. Disposal of sewage disposal system effluent and sludge shall be in accordance with the regulations of the state department of environmental protection.

(g) *Operation of system, generally.*

(1) *Office.* Each water or sewage disposal system owner shall maintain:

- a. A current record of customer accounts.



- b. A record of all interruptions of service affecting ten percent or more of its system users, including the date, time, duration and cause of the interruption and the steps taken to prevent its recurrence.
- c. A record of each complaint received showing the name and address of the complainant, the telephone number, nature of the complaint, date received, the disposition of the complaint and the date thereof.
- d. A telephone through which the system owner is able to respond to emergency situations on a 24-hour-a-day basis.

(2) *Bookkeeping.* Each system owner shall maintain its records in accordance with generally accepted accounting principles.

(h) *Minimum standards - Operations.*

(1) *Water systems.* Water supplied from a public water system shall be satisfactory for drinking, culinary and domestic purposes meeting the quality standards of the state department of environmental protection and all other applicable regulatory agencies.

- a. Copies of the analysis results made pursuant to the regulations of the state department of environmental protection or any other applicable regulatory agency shall be made available for public inspection.
- b. The county shall be immediately notified by the system owner of the results of all tests failing to meet the applicable standards.
- c. All public water systems shall be operated by a person licensed by the state department of environmental protection for the operation of such public water system.

(2) *Sewage disposal systems.* All sewage disposal systems shall be operated by a person licensed by the state department of environmental protection for the operation of such sewage disposal system.

- a. All sewage disposal systems shall be operated in accordance with the standards for the operation of such systems as established by the state department of environmental protection or any other applicable regulatory agency.
- b. The treatment and discharge of industrial and toxic wastes will be in accordance with the United States Environmental Protection Agency's rules and regulations for pretreatment of existing and new sources of pollution.

(i) *Connections to public water and sewage disposal systems.*



1  
2 (1) No use shall be made of a public water or sewage disposal system until  
3 application for such use is made to the system owner and payment of security deposit and a  
4 connection or reconnection charge, and where appropriate, a capital facilities charge.  
5

6 (2) Security deposits shall be held by the system owner until the use of the system is  
7 terminated, at which time such deposit shall be applied against any water or sewage disposal bill  
8 due the system owner, and any unused portion shall be then refunded to the user. In the event  
9 service is terminated and the user does not claim the funds within 12 months after service is  
10 discontinued, such unclaimed deposit shall become the property of the system owner.  
11

12 (3) A system owner may refuse service to any person who is delinquent in payments  
13 otherwise owed to the system owner.  
14

15 (4) At the request of a user, water or sewage disposal services may be temporarily  
16 disconnected to accommodate the user's temporary absence. Should the duration of such  
17 temporary disconnection exceed eight months, reconnection shall be permissible only upon a  
18 renewed application and payment of the appropriate application fee.  
19

20 (5) Temporary services such as for circuses, fairs, carnivals, construction activities,  
21 and the like shall be granted upon written application and accompanied by a deposit sufficient to  
22 cover the system owner's estimate of the costs of water or sewage disposal services to be utilized  
23 by the user.  
24

25 (j) *Billing and meter reading procedures.*  
26

27 (1) Services for water and sewage disposal facility usage shall be billed periodically  
28 by the system owner, where applicable, based on meters which are read periodically and, where  
29 not applicable, based on standard charges on file with the county.  
30

31 (2) Where meters are used in water or sewage disposal systems, the bill shall include  
32 the following:  
33

- 34 a. The meter reading at the commencement of the period.  
35  
36 b. The meter reading at the end of the period.  
37  
38 c. The quantity of usage during the period.  
39  
40 d. The charge and date of billing.  
41

42 (3) Where a meter is utilized and such meter is destroyed, the user will be billed  
43 based on his average usage for the previous six months.  
44

1 (4) Where a user receives both water service and sewage disposal service from a  
2 single system owner, all bills for services rendered by such owner shall be contained on a single  
3 bill.  
4

5 (5) If a user requests that the accuracy of a meter be checked and the meter is found  
6 to be accurate, the expense of the test shall be born by the user. If the meter is found not to be  
7 accurate within three percent, the expense of the test shall be born by the system owner and  
8 billing adjustments for a period not to exceed six months will be made.  
9

10 (k) *Emergency restrictions on water.* In time of emergency, the county may restrict or  
11 suspend the use of water systems.  
12

13 **Sec. 18-32. Complaints and appeals; abandonment; default; unlawful acts; and penalties.**  
14

15 (a) *Complaints and appeals.*  
16

17 (1) *Complaint procedure.* Each system owner shall maintain a capability for  
18 responding to user complaints within 24 hours after receipt of the complaint. Each authorized  
19 owner shall file with the county its established procedures for receiving, acting upon and  
20 resolving user complaints.  
21

22 a. This procedure shall be utilized for handling all complaints with regard to  
23 terminations of service, refusals to grant or extend service, unsatisfactory  
24 or poor quality of water, failure to comply with terms of the authorization,  
25 billing errors or errors dealing with meter readings.  
26

27 b. In the event that a user complaint is not resolved to the mutual satisfaction  
28 of a user and the system owner, either the user or the system owner may  
29 request that the matter be resolved by a person designated by the county  
30 for such purpose.  
31

32 c. All other complaints not specifically designated in subsection (2) of this  
33 section shall be handled in the manner set forth above.  
34

35 (2) *Appeals.* Any aggrieved person may appeal a decision by the county administrator  
36 to declare a water or sewage system in default of its authorization, the refusal to grant a rate  
37 increase hearing, disagreement regarding the plans, documents and specifications submitted with  
38 an application for a system authorization.  
39

40 a. The procedure for such appeal shall be as follows:  
41

42 1. The aggrieved party shall, in writing, request an appeal to the  
43 Board of County Commissioners designating the specific activity  
44 of the county administrator sought to be reviewed.  
45



1                   2.     At least 20 days' notice of the time and place of the hearing shall  
2                   be given. Each party at such hearing shall have the opportunity to  
3                   present evidence, cross-examine witnesses and submit such  
4                   information as they deem appropriate supporting their respective  
5                   positions. Any party is entitled to be represented by an attorney at  
6                   such hearing.

7  
8                   3.     In lieu of hearing the appeal itself, the Board of County  
9                   Commissioners may appoint a hearing examiner who shall  
10                  promptly render to the Board of County Commissioners written  
11                  findings of fact and conclusions of law with regard to the issue  
12                  presented.

13  
14                  4.     Probative effect shall be given to evidence which would be  
15                  admissible in civil proceedings in the courts of this state; but in  
16                  receiving such evidence, the exclusionary rules of evidence shall  
17                  not be used to prevent the receipt of evidence having substantial  
18                  probative effect.

19  
20                  5.     When the appeal is heard by the Board of County Commissioners,  
21                  the Board of County Commissioners shall render its final order in  
22                  writing within 90 days of the final hearing; or in the event that the  
23                  matter was heard by a hearing examiner, the Board of County  
24                  Commissioners shall render its final order within 45 days of the  
25                  receipt of the hearing examiner's findings of fact and conclusions  
26                  of law.

27  
28                  b.     An aggrieved party will be deemed to have exhausted his administrative  
29                  remedies upon the rendition of the final order of the Board of County  
30                  Commissioners.

31  
32       (b)     *Abandonment.* The following shall apply to all systems:

33  
34               (1)     A person, lessee, trustee, or receiver that owns, operates, manages, or controls a  
35               system may not abandon the system without giving 60 days' prior written notice to the county  
36               and to the commission. Any such abandonment shall constitute a violation of this Article, and a  
37               violation of Chapter 367, Florida Statutes.

38  
39               (2)     After receiving any notice of abandonment, the county may petition the circuit  
40               court to appoint a receiver, which may be the county or any other person deemed appropriate.  
41               The receiver shall operate the system from the date of abandonment until such time as the  
42               receiver disposes of the property of the system in a manner designed to continue the efficient and  
43               effective operation of service.

44  
45               (3)     The notification of abandonment to the county and commission is sufficient cause  
46               for revocation, suspension, or amendment of authorization for operation of the system as of the



1 date of abandonment. The receiver operating such system shall be considered to hold a  
2 temporary authorization from the county and commission, and the approved rates of the system  
3 shall be deemed to be the interim rates of the receiver until modified by the commission.  
4

5 (c) *Default.*  
6

7 (1) The following shall constitute default by the owner of an authorized system:  
8

- 9 a. The failure to meet or exceed the minimum construction or operation  
10 standards set forth in sections 18-31(f) and 18-31(h).  
11  
12 b. The failure to meet construction schedules submitted as part of the  
13 application procedure.  
14  
15 c. The violation of the lawful order of the county or other applicable  
16 regulatory agency pertaining to the operation and maintenance of such  
17 system.  
18  
19 d. Refusal to provide service required by the authorization granted.  
20  
21 e. Such other action or inaction as will substantially affect the general health,  
22 safety and welfare of the citizens residing in or whose property is located  
23 within the authorized area.  
24

25 (2) In the event of such default, the county shall give written notice of such default to  
26 the owner of the system. Unless such default is cured within 30 days of receipt of such written  
27 notice of default, or if such cure cannot be reasonably accomplished within 30 days and is not  
28 being actively and expeditiously pursued, then such authorization may be revoked. Upon such  
29 revocation, such system shall become the property of the county.  
30

31 (d) *Unlawful acts.* It shall be unlawful:  
32

33 (1) For any person to remain in or engage in the business of constructing or operating  
34 a water system or sewage disposal system within the unincorporated area of the county without  
35 first complying with the terms of this article.  
36

37 (2) To interconnect a privately owned water system or sewage disposal system to a  
38 public water or sewage disposal system without proper authorization.  
39

40 (3) To reconnect to the public water or sewage disposal system without first  
41 complying with the terms of this article.  
42

43 (4) For any person to tap, cut-in, connect to, or in any manner use any line or part of a  
44 public water or sewage disposal system without proper authorization.  
45

1 (5) To prevent or impede an authorized employee access to any portion of a water or  
2 sewage disposal system including meters.

3  
4 (6) To construct or operate a water or sewage disposal system without first having  
5 obtained all permits required by other regulatory agencies.

6  
7 (7) To allow septic tank and portable toilet waste to be introduced into a public  
8 sewage disposal system except when specifically authorized by the system owner.

9  
10 (8) To maintain any privy, sewage disposal system pipe or drain so as to dispose or  
11 discharge the contents thereof into the atmosphere or on the surface of the ground, or so as to  
12 endanger any source of drinking water; nor shall any person discharge into any watercourse,  
13 storm sewer, drain or body of water any sewage or sewage effluent unless a permit for such  
14 discharge shall have been issued therefor by the county.

15  
16 (9) To introduce into a sewage disposal system any material in such quantity as will  
17 be harmful to the system.

18  
19 (e) *Penalties.*

20  
21 (1) Upon failure of any water system or sewage disposal system user to pay, when  
22 required, all authorized charges, the use of such systems may be discontinued.

23  
24 (2) Any person violating this article shall be punished in accordance with section 1-9.

25  
26 **Section 3.** **Conflicts.** All ordinances or parts of ordinances in conflict with the  
27 provisions of this ordinance are hereby repealed to the extent of such conflict, except to the  
28 extent of any conflicts with the Tallahassee-Leon County 2010 Comprehensive Plan as amended,  
29 which provisions shall prevail over any parts of this ordinance which are inconsistent, either in  
30 whole or in part, with the said Comprehensive Plan.

31  
32 **Section 4.** **Severability.** If any provisions or portion of this Ordinance is declared by  
33 any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all  
34 remaining provisions and portions of this Ordinance shall remain in full force and effect.

35  
36 **Section 5.** **Effective Date.** This ordinance shall have effect upon becoming law.

DONE, ADOPTED AND PASSED by the Board of County Commissioners of Leon  
County, Florida, this 20th day of June, 2017.

LEON COUNTY, FLORIDA

By: \_\_\_\_\_  
John E. Dailey, Chairman  
Board of County Commissioners

ATTESTED BY:  
GWENDOLYN MARSHALL, CLERK  
OF COURT AND COMPTROLLER  
LEON COUNTY, FLORIDA

By: \_\_\_\_\_  
Clerk

APPROVED AS TO FORM:  
COUNTY ATTORNEY'S OFFICE  
LEON COUNTY, FLORIDA

By: \_\_\_\_\_  
Herbert W. A. Thiele, Esq.  
County Attorney



**RESOLUTION NO. R17-\_\_\_\_\_****A RESOLUTION OF THE LEON COUNTY BOARD OF COUNTY COMMISSIONERS INVOKING THE JURISDICTION OF THE FLORIDA PUBLIC SERVICE COMMISSION OVER WATER AND WASTEWATER SYSTEMS; PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the Leon County Board of County Commissioners (the "Board") currently regulates water and wastewater systems under its authority as a charter county and Chapter 367, Florida Statutes; and

WHEREAS, Chapter 367, Florida Statutes, details the procedure by which the County may transfer this regulatory power to the Public Service Commission for a minimum period of 10 years; and

WHEREAS, the Board has determined that it is in the best interest of Leon County that water and wastewater systems be regulated by the Public Service Commission, which has adequate resources to regulate those systems; and

WHEREAS, pursuant to Section 125.66, Florida Statutes (2016), the Board has advertised a public hearing to review the transfer of regulatory jurisdiction of water and wastewater systems to the Public Service Commission;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Leon County, Florida, that:

1. The Board hereby invokes the jurisdiction of the Florida Public Service Commission pursuant to Section 367.171, Florida Statutes, effective immediately.
2. The County Administrator shall immediately notify and provide a certified copy of this Resolution to the Public Service Commission.

DONE AND ADOPTED by the Board of County Commissioners of Leon County, Florida, on  
this the 20th day of June, 2017.

LEON COUNTY, FLORIDA

BY: \_\_\_\_\_  
John E. Dailey, Chairman  
Board of County Commissioners

ATTEST:

GWENDOLYN MARSHALL, CLERK OF  
COURT AND COMPTROLLER  
LEON COUNTY, FLORIDA

BY: \_\_\_\_\_  
Clerk

APPROVED AS TO FORM:  
OFFICE OF THE COUNTY ATTORNEY  
LEON COUNTY, FLORIDA

BY: \_\_\_\_\_  
Herbert W. A. Thiele  
County Attorney

**Leon County Regulated Private Water and Wastewater Systems**

**Private Utilities To Be Regulated Under Public Service Commission**

Type	Company	Franchise Location
Wastewater	Lake Bradford Partners LLC	Lake Bradford Estates
Wastewater	Grand Village Mobile Home Park LLC	Grand Village Mobile Home Park
Wastewater	Western Estates Mobile Home Park LLC	Western Estates Mobile Home Park
Water	Seminole Waterworks Inc.	Meadow Hills Subdivision Sedgefield Subdivision Brewster Subdivision Buck Lake Estates Subdivision North Lake Meadow Subdivision Plantation Estates Subdivision
Water	Blount's Landing Water System	Blount's Landing
Water	Lake Bradford Partners LLC	Lake Bradford Estates
Water	Twin Lakes Mobile Home Park LLC	Twin Lakes Mobile Home Park

**Private Utilities Serving Fewer Than 100 People (To Remain Under Leon County  
Regulatory Authority)**

Type	Company	Franchise Location
Water	Dogwood MHP	Dogwood Mobile Home Park
Water	Grand Village MHP West	Grand Village Mobile Home Park West
Water	Grand Village MHP East	Grand Village Mobile Home Park East
Water	Eagle's Nest MHP	Eagle's Nest Mobile Home Park
Water	Burgess Circle Subdivision	Burgess Circle Subdivision



# SEMINOLE WATERWORKS, INC.

April 14, 2017

Leon County Board of County Commissioners  
301 S. Monroe Street, 5th Floor  
Tallahassee, FL 32301

**RE: Seminole Waterworks, Inc. request for rate increase**

Dear Commissioners:

On January 29, 2016, Seminole Waterworks, Inc. (Seminole) purchased Rowe Utilities' water assets for the existing water systems within Leon County, Florida. On March 8, 2016, the Leon County Board of County Commissioners approved the transfer of the existing franchises from Rowe Utilities to Seminole at its regularly scheduled board meeting.

The owners of Seminole are Water and Wastewater Industry Professionals; they have over 30 years of experience in providing water and wastewater services to customers throughout the State of Florida. USWSC is a Florida based contract operating company providing services to more than 1,000 systems statewide, with customers such as; McDill AFB, the FGUA, City of North Lauderdale, Hillsborough County, and a host of other systems.

In addition to Seminole, the owners of the utility also own sixteen (16) water and wastewater utilities regulated by the Florida Public Service Commission located throughout the State of Florida.

Pursuant to Section 367.171(3), Florida Statutes (F.S.):

(3) In consideration of the variance of powers, duties, responsibilities, population, and size of municipalities of the several counties and in consideration of the fact that every county varies from every other county and thereby affects the functions, duties, and responsibilities required of its county officers and the scope of responsibilities which each county may, at this time, undertake, the Counties of Alachua, Baker, Bradford, Calhoun, Charlotte, Collier, Dixie, Escambia, Flagler, Gadsden, Gilchrist, Glades, Hamilton, Hardee, Hendry, Hernando, Hillsborough, Holmes, Indian River, Jefferson, Lafayette, Leon, Liberty, Madison, Manatee, Miami-Dade, Okaloosa, Okeechobee, Polk, St. Lucie, Santa Rosa, Sarasota, Suwannee, Taylor, Union, Wakulla, and Walton are excluded from the provisions of this chapter until such time as the board of county commissioners of any such county, acting pursuant to the provisions of subsection (1), makes this chapter applicable to such county or until the Legislature, by appropriate act, removes one or more of such counties from this exclusion. (emphasis added)

In reference to the rate setting provisions of Chapter 367, F.S., Section 367.171(8), F.S. hereby states:

(8) Each county which is excluded from the provisions of this chapter shall regulate the rates of all utilities in that county which would otherwise be subject to regulation by the

April 14, 2017

Letter to Leon County Board of County Commissioners

commission pursuant to s. 367.081(1), (2), (3), and (6). The county shall not regulate the rates or charges of any system or facility which would otherwise be exempt from commission regulation pursuant to s. 367.022(2). For this purpose the county or its agency shall proceed as though the county or agency is the commission.

To our knowledge, Leon County has not adopted any regulation ordinances related to the ratemaking provisions contained in Section 387.081, F.S. Without any established rules, regulations, or procedures to follow to allow a private water utility to recover its prudent costs, the utility is at a disadvantage to recover these costs.

Seminole operates these water systems under the same rules and regulations prescribed by the Florida Public Service Commission. The rates were not changed due to the change in ownership.

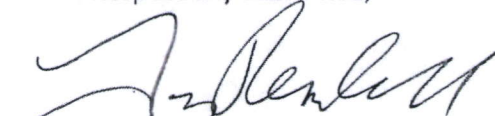
Since purchasing the utility, Seminole Waterworks, Inc. has incurred significant capital costs and extraordinary expenses. As a result of the hurricane that hit the Tallahassee area, Seminole incurred over \$2,300 in expenses related to generator rentals and repairs. In addition since purchasing the utility, Seminole experienced several water well failures due to well motors breaking and needing to be replaced. Since January 2016, Seminole has incurred capital expenditures of **\$61,270** in unanticipated repairs and/or replacements. The support documentation is readily available for review. Again, without an approved established procedure to request rate relief, Seminole has no way to recover these costs.

Prior to the purchase of the utility by Seminole, the former owner (Rowe Utilities) did implement regular rate increases by sending notices to its customers. The most recent increase incurred in December 2015, prior to the purchase. The increase at that time was an across the board nine percent (9%) increase. Prior to that time, the previous increase occurred in 2013. (See attached notices) Rowe Utilities indicated that it regularly increased rates by three percent (3%) on an annual basis for inflationary increases in expenses.

In early February 2017, Seminole sent a customer notice to its customer indicating the water rates would go up by 2.7% effective March 1, 2017. At the request of Mr. Tony Parks, Seminole subsequently sent a notice to its customer indicating that the rate increase would not go into effect. Seminole hereby requests that the Board of County Commissioner of Leon County approve this 2.7% increase in order for the utility to recover its prudent investments and increased operating expenses. This increase is less than the previous owner's prior increases, and the rates have not changed in over a year.

If you'd like to discuss further, please do not hesitate to contact me at (727) 848-8292.

Respectfully Submitted,



Troy Rendell  
Manager of Regulated Utilities  
// for Seminole Waterworks, Inc.



## **ROWE UTILITIES, LLC**

P.O. DRAWER 1389  
TALLAHASSEE, FL 32302  
Phone: (850) 576-1271

To all Rowe Utilities, LLC customers:

The following rates will be in effect starting December 1, 2015.

This increase will appear on your January 1, 2016 bill.

### **MONTHLY WATER RATES**

Basic Service	\$21.00
0 – 5000 Gallons	\$ 2.64 per 1,000 gals used
5001- 20000 Gallons	\$ 2.92 per 1,000 gals used
20001 and over	\$ 3.25 per 1,000 gals used

Disconnect/Reconnection Fee: \$165.00 (This is the fee for non-payment shutoff and reconnect)

Return Check Fee:   \$25.00 (if check value is <\$50.00)  
                              \$30.00 (if check value is between \$50.00 and \$300.00)

Our late fee structure will remain at 10%, calculated on the total bill owed. Feel free to call our office @ 576-1271 with any questions you may have.



## **ROWE UTILITIES, LLC**

P.O. DRAWER 1389  
TALLAHASSEE, FL 32302  
Phone: (850) 576-1271

To all Rowe Utilities, LLC customers:

Effective January 1, 2013 Rowe Utilities will be increasing our rates and fees, due to the increase in the costs of maintaining our systems. (The changes are in bold)

This increase will appear on your February 1, 2013 bill.

### **MONTHLY WATER RATES**

Basic Service	<b>\$19.25</b>
0 – 5000 Gallons	\$ 2.40 per 1,000 gals used
5001- 20000 Gallons	\$ 2.65 per 1,000 gals used
20001 and over	\$ 2.95 per 1,000 gals used

Disconnect/Reconnection Fee : **\$150.00** (This is the fee for non-payment shutoff and reconnect)

Return Check Fee: \$25.00

Our late fee structure will remain at 10%, calculated on the total bill owed. Feel free to call our office @ 576-1271 with any questions you may have.

# SEMINOLE WATERWORKS, INC.

## NOTICE TO CUSTOMERS OF SEMINOLE WATERWORKS, INC.

The existing water rates will be increased effective March 1, 2017. This adjustment in rates are affected by increases in non-controllable expenses subject to inflationary pressures, such as chemicals, purchased power, and other general operation and maintenance costs. In addition, the Violation Reconnection Charge is being lowered down to \$95.00 and the customer deposit amount is being increased to \$65.00.

Water rates will increase by 2.7% effective March 1, 2017. The utility's existing rates and new rates based on monthly billing are contained in this notice below.

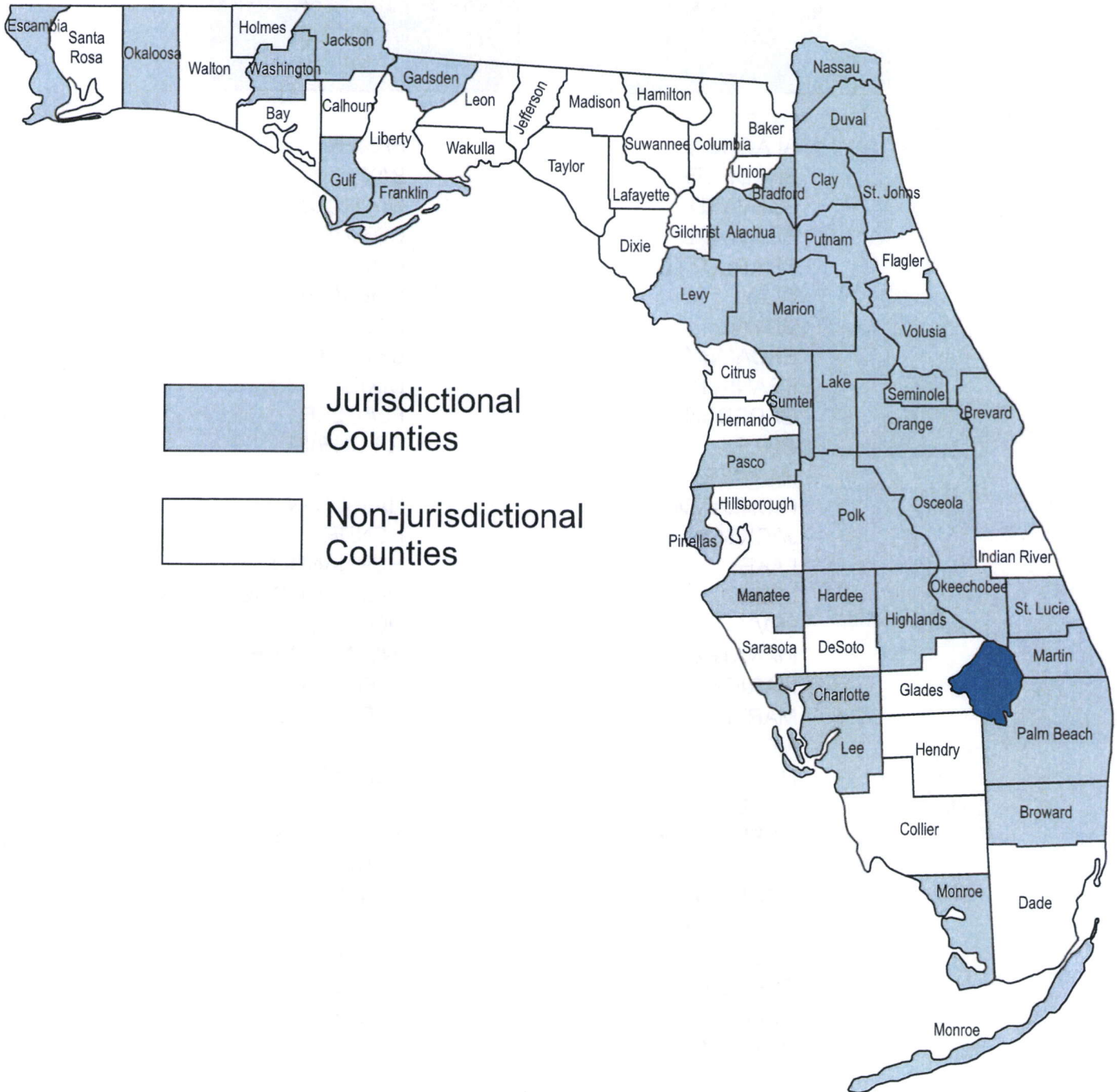
If you should have any questions, you may call the utility at 888-228-2134. Please be sure to have your account number handy for quick reference.

### SEMINOLE WATERWORKS, INC. RATE INCREASE EFFECTIVE MARCH 1, 2017

<u>Water Monthly Rates</u>	<u>Existing Rate</u>	<u>New Rates</u>
<u>Base Facility Charge:</u>		
5/8 X 3/4" meter	\$ 21.00	\$ 21.57
<u>Gallonge Charges:</u>		
0 - 5,000 gallons	\$ 2.64	\$ 2.71
5,001 - 20,000 gallons	\$ 2.92	\$ 3.00
Over 20,000 gallons	\$ 3.25	\$ 3.34
<u>Misc. Charges/Fees:</u>		
Returned Check Charge - NSF	\$ 25.00	(if check value < \$50.00)
	\$ 30.00	(if check value > \$50.00 and \$300.00)
	\$ 40.00	(or 5% greater amount if check value > \$300)
Violation Reconnection Fee:	\$ 165.00	\$ 95.00
(This is a fee for non-payment shutoff and reconnect)		
Late Fees:	10%	(calculated on bill owed)
Set Up Fee:	\$ 50.00	
Credit Card Convenience:	\$ 2.60	
Deposits:	\$ 50.00	\$ 65.00

## WATER & WASTEWATER

# 37 Jurisdictional Counties





WATER AND WASTEWATER

**PSC JURISDICTIONAL AND NON-JURISDICTIONAL COUNTIES**

**JURISDICTIONAL  
COUNTIES  
(37)**

ALACHUA  
BRADFORD  
BREVARD  
BROWARD  
CHARLOTTE  
CLAY  
DUVAL  
ESCAMBIA  
FRANKLIN  
GADSDEN  
GULF  
HARDEE  
HIGHLANDS  
JACKSON  
LAKE  
LEE  
LEVY  
MANATEE  
MARION  
MARTIN  
MONROE  
NASSAU  
OKALOOSA  
OKEECHOBEE  
ORANGE  
OSCEOLA  
PALM BEACH  
PASCO  
PINELLAS  
POLK  
PUTNAM  
SEMINOLE  
ST. JOHNS  
ST. LUCIE  
SUMTER  
VOLUSIA  
WASHINGTON

**NON-JURISDICTIONAL  
COUNTIES  
(30)**

BAKER  
BAY  
CALHOUN  
CITRUS  
COLLIER  
COLUMBIA  
DADE  
DESOTO  
DIXIE  
FLAGLER  
GILCHRIST  
GLADES  
HAMILTON  
HENDRY  
HERNANDO  
HILLSBOROUGH  
HOLMES  
INDIAN RIVER  
JEFFERSON  
LAFAYETTE  
LEON  
LIBERTY  
MADISON  
SANTA ROSA  
SARASOTA  
SUWANEE  
TAYLOR  
UNION  
WAKULLA  
WALTON

ORDINANCE NO. 2017 - \_\_\_\_\_

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, AMENDING CHAPTER 18, ARTICLE II, DIVISION 1 OF THE CODE OF LAWS OF LEON COUNTY, FLORIDA, REGARDING PUBLIC WATER AND SEWAGE DISPOSAL SYSTEMS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the Board of County Commissioners desires to enact an ordinance amending Chapter 18, Article II, Division 1 of the Leon County Code of Laws, relating to Public Water and Sewage Disposal Systems;

**BE IT ORDAINED** by the Board of County Commissioners of the County of Leon, Florida, as follows, that:

**Section 1.** The Code of Laws of Leon County, Florida, is hereby amended by repealing Division 1, Sections 18-26 through 18-45, of Article II of Chapter 18, in its entirety.

**Section 2.** The Code of Laws of Leon County, Florida, is hereby amended by adding a new Division 1 to Article II of Chapter 18, to be entitled "Generally," which shall read as follows.

**ARTICLE II. PUBLIC WATER AND SEWAGE DISPOSAL SYSTEMS**

**DIVISION 1. GENERALLY**

**Sec. 18-26. Intent.**

The intent of this article is to delineate the jurisdiction of water system and sewage disposal system regulation.

**Sec. 18-27. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Commission* shall mean the Florida Public Service Commission.

*Depreciation* shall mean depreciation on a straight-line basis over the useful life of the asset, unless the term of the authorization is less than the useful life of the asset, in which event the county may authorize depreciation over the term of the authorization.



1  
2       *General obligation bonds* shall mean general obligations of the county which are payable  
3 from unlimited ad valorem taxes or from such taxes and additionally secured by a pledge of  
4 water service charges or sewer service charges or special assessments, or all of them.

5  
6       *Public water system* or *public sewage disposal system* shall mean any water or sewage  
7 disposal system serving more than eight persons.

8  
9       *Rate fixing authority* shall mean the authority to fix and collect rates, fees and other  
10 charges for the service and facilities furnished by any such public water system or public sewage  
11 disposal system.

12  
13       *Revenue bonds* shall mean special obligations of the county which are payable solely  
14 from water and sewage disposal service charges and which shall in no way pledge the property,  
15 credit or general tax revenue of the county.

16  
17       *Service revenue* shall mean all revenues received by the system owner from users of the  
18 system for water and sewage disposal services, including systems charges.

19  
20       *Sewage* shall include any substance that contains any of the waste products, excrement or  
21 other discharge from the bodies of human beings or animals as well as such other wastes as  
22 normally emanate from dwellings, or commercial or industrial establishments.

23  
24       *Sewage disposal system* shall mean and shall include any plant, system, facility or  
25 property used or useful or having the present capacity for future use in connection with the  
26 collection, treatment, purification or disposal of sewage, and, without limiting the generality of  
27 the foregoing definition, shall embrace treatment plants, pumping stations, intercepting sewers,  
28 pressure lines, mains, and all necessary appurtenances and equipment and shall include all  
29 property, rights, easements and franchises relating to any such system and deemed necessary or  
30 convenient for the operation thereof. The term "sewage disposal system" shall also include all  
31 sanitary sewers within the county and shall embrace sewer mains and laterals for the reception of  
32 sewage from premises connected therewith and for carrying such sewage to some part of the  
33 sewage disposal system.

34  
35       *Sewage treatment plant* shall mean that part of a sewage disposal system which is used in  
36 connection with the treatment or purification of sewage.

37  
38       *Systems* shall mean either or both a public water system or public sewage disposal  
39 system.

40  
41       *Water system* shall mean and shall include any plant, wells, pipes, tanks, reservoirs,  
42 system, facility or property used or useful or having the present capacity for future use in  
43 connection with the obtaining and supplying water for human consumption, fire protection,  
44 irrigation, consumption by business, or consumption by industry, and, without limiting the  
45 generality of the foregoing definition, shall embrace all necessary appurtenances and equipment  
46 and shall include all property, rights, easements and franchises relating to any such system and



1 deemed necessary or convenient for the operation thereof. The term "water system" shall also  
2 include all water pipes or lines, valves, meters and other water-supplying equipment within the  
3 county and shall embrace water mains and laterals for the carrying of water to the premises  
4 connected therewith and for carrying such water from some part of the water supply system.  
5

6 **Sec. 18-28. Jurisdiction and authority, generally.**  
7

8 (a) *Jurisdiction.*  
9

10 (1) The county designates to the commission regulatory authority over public water  
11 systems and public sewage disposal systems serving or proposing to serve over 100 persons.  
12

13 (2) The county shall retain sole regulatory authority over those public water systems  
14 and public sewage disposal systems serving or proposing to serve 100 or less persons but more  
15 than eight persons, and those systems exempt from the jurisdiction of the commission, unless  
16 otherwise provided herein.  
17

18 (3) The county shall retain regulatory authority over the abandonment of any system.  
19

20 (b) *County authority for implementation.* The county is hereby authorized and empowered:  
21

22 (1) To purchase or construct and to improve, extend, enlarge and reconstruct a water  
23 system or systems or sewage disposal system or systems, or both, within such county and any  
24 adjoining county or counties and to operate, manage and control all such systems purchased or  
25 constructed and all properties pertaining thereto, and to furnish and supply water and sewage  
26 collection and disposal services to any of such counties and to any governmental entity and any  
27 person in any of such counties.  
28

29 (2) To issue water revenue bonds and/or sewer revenue bonds or general obligation  
30 bonds of the county to pay all or a part of the cost of such purchase and/or construction or  
31 reconstruction.  
32

33 (3) To receive and accept from the federal government or any agency thereof grants  
34 for or in aid of the planning, purchase, construction, reconstruction or financing of any facility,  
35 and to receive and accept contributions from any source of money, property, labor or other things  
36 of value to be held, used and applied only for the purpose for which such grants and  
37 contributions may be made.  
38

39 (4) To acquire in the name of the county by gift, purchase as hereinafter provided or  
40 by the exercise of the right of eminent domain, such lands and rights and interests therein,  
41 including lands under water and riparian rights, and to acquire such personal property as it may  
42 deem necessary for the efficient operation or for the extension of or the improvement of any  
43 facility purchased or constructed under the provisions of this article and to hold and dispose of  
44 all real and personal property under its control.  
45



1 (5) To make and enter into all contracts and agreements necessary or incidental to the  
2 performance of its duties and the execution of its powers under this article and to employ such  
3 consulting and other engineers, superintendents, managers, construction and accounting experts  
4 and attorneys and such other employees and agents as it may deem necessary in its judgment and  
5 to fix their compensation.

6  
7 (6) To enter into contracts with the government of the United States or any agency or  
8 instrumentality thereof or with any other county or with any governmental entity, private  
9 corporation, co-partnership, association, or individual providing for or relating to the acquisition  
10 and supplying of water and the collection, treatment and disposal of sewage.

11  
12 (7) To acquire by gift or purchase at a price to be mutually agreed upon or the  
13 exercise of the right of eminent domain, any of the facility or portions thereof, provided for by  
14 this article, which shall, prior to such acquisition, have been owned by any person.

15  
16 (8) To enter into agreements and contracts with building contractors erecting  
17 improvements within any subdivision within the county, the terms of which such agreements or  
18 contracts may provide that such building contractors shall install within such subdivision water  
19 systems and sewage disposal systems, to be approved by the county or to run the mains and lines  
20 of such systems to a point or location to be agreed upon, at which said point or location such  
21 mains and lines shall be connected to the water system or to the sewage disposal system owned  
22 or authorized by the county. In the event such agreements or contracts are entered into, they shall  
23 provide that the systems or the connection of the mains or lines within the subdivision to the  
24 water or sewer facilities owned or authorized by the county such systems, mains, lines and  
25 equipment running to the various privately owned parcels of land within such subdivision shall  
26 become the property of the county and shall become a part of the county water system or sewage  
27 disposal system.

28  
29 (9) To restrain, enjoin or otherwise prevent any person or corporation, public or  
30 private, from contaminating or polluting any source of water supply from which is obtained  
31 water for human consumption to be used in any water supply system or water system  
32 improvement as authorized by this article, and to restrain, enjoin or otherwise prevent the  
33 violation of any provision of this article or any resolution, rule or regulation adopted pursuant to  
34 the powers granted by this article.

35  
36 (10) To acquire by gift or purchase, at such price and upon such deferred or other  
37 terms as may be mutually agreed upon, all the capital stock of any domestic or foreign  
38 corporation which, prior to such acquisition, shall have owned or operated any of the facilities or  
39 portions thereof provided for by this article; to pledge the revenues from the facilities as security  
40 for payment of the purchase price for such stock; and to operate the facilities through the  
41 corporation so acquired or to dissolve such corporation and operate the facilities in any other  
42 manner authorized by law.

43  
44 **Sec. 18-29. Authorization to operate public water and sewage disposal systems.**  
45



(a) *County sole authority.* The county has determined that it will be the sole local governmental entity to authorize the planning, construction and operation of water systems and sewage disposal systems within the unincorporated area of the county and will provide such services when it deems it appropriate. No authorization for the construction or operation of any water or sewage disposal system within the unincorporated area of the county shall be granted unless the county specifically determines that it is in the best interest of the citizens of the county.

(b) *Nature of authorization.* An authorization under this section:

(1) Shall be granted for such time as may be established by the county.

(2) Unless specifically stated otherwise by the county, shall grant to the water or sewage disposal system owner the exclusive right within a specific geographical area to own, acquire, construct, operate and maintain the system specified in the authorization. The owner of such authorized system shall be required to serve upon request any owner, tenant, occupant on each parcel of land within the authorized area which abuts upon a public easement or right-of-way wherein is constructed, or pursuant to the terms of the authorization, will be constructed a public water or sewage disposal system.

(3) May be made nonexclusive upon such reasonable terms and conditions as are established by the county.

(4) Acceptance by the owner of the authorization for the system from the county conveys to the county, in the event of default by the owner, the right to enter upon the premises, possess, keep and maintain all system records, operate the system and perform such repairs and maintenance of the system as are necessary to provide the services required by the system. At such time as the county assumes the operation of the system, it shall become the owner of the system and thereafter shall receive all revenues from the system.

#### **Sec. 18-30. Rate fixing authority.**

(a) The county shall have rate fixing authority for those systems serving or proposing to serve 100 or less persons but more than eight persons.

(b) Those exempted from the county's rate fixing authority include:

(1) Systems under the jurisdiction of the commission, including those systems serving or proposing to serve over 100 persons.

(2) Systems owned, operated, managed, or controlled by governmental authorities, including water or sewage disposal systems operated by private firms under water or sewage disposal system privatization contracts, and nonprofit corporations formed for the purpose of acting on behalf of a political subdivision with respect to a water system or sewage disposal system.



1 **Sec. 18-31. Operation of systems.**

2  
3 (a) *Water franchise areas.* All current franchisees and applicants for future franchise areas  
4 shall fully comply with all provisions set forth in **this article** concerning such franchises.

5  
6 (b) *Sewer franchise areas.* All current franchisees and applicants for future franchise areas  
7 shall fully comply with all provisions set forth **this article** concerning such franchises.

8  
9 (c) *Procedure for transfer of water and sewer franchise areas.*

10  
11 (1) *General.* The board of county commissioners hereby delegates to the county  
12 administrator, or his designee, the authority to grant transfers of the authorization to provide  
13 water and/or sewer service from a current franchise area holder to another person where all of the  
14 following conditions are met:

- 15  
16 a. The authorization to provide water and/or sewer service for a specific  
17 geographical area has been previously granted by the county to the current  
18 franchise area holder;  
19  
20 b. The current franchise area holder agrees to relinquish any and all rights to  
21 provide water and/or sewer service for the specific geographic area, yet  
22 there are property owner(s) in that area in need of such service;  
23  
24 c. Another utility provider (hereinafter "applicant") is willing to provide  
25 water and/or sewer service in the subject geographic area; and  
26  
27 d. The applicant has an established service area on property adjoining,  
28 adjacent or appurtenant to the subject geographical area.

29  
30 (2) *Required information.* The following information shall be submitted with the  
31 application for franchise area transfer:

- 32  
33 a. Written confirmation from the originally authorized franchise area holder  
34 relinquishing any and all rights to provide water and/or sewer service for  
35 the subject geographical area.  
36  
37 b. Written confirmation from the applicant that they are willing to add the  
38 geographical area in question to their existing authorized franchise area  
39 and provide water and/or sewer service to property owner(s) in need of  
40 such services.  
41  
42 c. A boundary description on a copy of the county property appraiser's map  
43 of the geographical area to be transferred.  
44

- d. A copy of the most recent assessment roll of the county property appraiser showing the name, address, item number and description to all property within the area for which authorization is sought.
- e. Conceptual drawings indicating tentatively the system to be constructed, plant location, location of collection system, implementation schedule and any other general information that will determine when and where services will be supplied within the area described.
- f. Written consent of the property owner(s) of all property subject to the franchise area transfer.

(d) *Application procedure for construction, operation, etc., of system.*

(1) *Submission of preapplication.* Any person who desires to construct, operate or own a water system or sewage disposal system within the unincorporated area of the county shall first submit a preapplication to the county administrator.

(2) *Required information.* The following data shall be submitted with the preapplication:

- a. A boundary description on a copy of the county property appraiser's map of the geographical area for which authorization to operate such system is sought.
- b. A copy of the most recent assessment roll of the county property appraiser showing the name, address, item number and description of all property within the area for which authorization is sought.
- c. Conceptual drawings indicating tentatively the system to be constructed, plant location, location of collection system, implementation schedule and any other general information that will determine when and where services will be supplied within the area described.
- d. Information as to the proposed method of financing the water or sewage system for which authorization to construct or operate such system is sought.

(3) *Fee.* A preapplication fee shall be paid to the county prior to the scheduling of a public hearing on the preapplication. The required preapplication fee shall be set forth in a resolution duly adopted by the board of county commissioners.

(4) *Service of notice by mail.* All property owners within the area for which authorization is sought shall be notified of such preapplication and of the time and place set for public hearing thereon at least ten days prior to the date of the hearing by mail to the address shown on the property appraiser's assessment roll.



(5) *Public notice of hearing.* Public notice of the hearing on the preapplication shall be published once each week for two successive weeks in a newspaper of general circulation published in the county, the first publication to be no sooner than 20 days prior to the hearing and in substantially the following form:

Notice is hereby given that \_\_\_\_\_ has applied to the Board of County Commissioners of Leon County, Florida, for authorization to operate a water/sewage disposal system, embracing the following described lands in Leon County, Florida, to wit:

(Description of area by public road, street, or landmark)

Said Board of County Commissioners will hold a public hearing at \_\_\_\_\_ o'clock \_\_.m., on said application in the meeting room of the Board of County Commissioners of Leon County, Florida, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, and all persons affected or interested in such application are invited to be present at said time and place to voice their approval or disapproval of said application.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

/s/ \_\_\_\_\_  
Chairman, Board of County Commissioners  
Leon County, Florida

(6) *Submission of application, fee.* Upon completion of the preapplication procedure and upon receiving approval of the conceptual plans by the county administrator, the applicant may proceed to submit an application for authorization to construct and operate a water or sewage disposal system in the area for which a preapplication has been approved or any portion thereof in the unincorporated area of the county, along with an application fee. The required application fee shall be set forth in a resolution duly adopted by the board of county commissioners.

(7) *Required information.* The following data shall be submitted with the application:  
a. Legal descriptions of all properties upon which treatment facilities, wells, life stations, pump stations or other portions of the water or sewage disposal systems will be located other than mains and lines.

a. Legal descriptions of all properties upon which treatment facilities, wells, lift stations, pump stations, or other portions of the water or sewage disposal systems will be located other than mains and lines.

b. A description of the facilities to be provided, including a construction schedule showing dates upon which the facilities will be constructed in each portion of the geographical area for which authorization is sought.



- c. A set of plans and specifications prepared under the direction and supervision of a registered professional engineer for the system to be built, together with a copy of the operating procedures for such system.
- d. A list of the proposed rates and fees to be charged to users of the system.
- e. An estimate of operating costs and revenues on an annual basis for the first three years of operation.
- f. An estimate of the total capital requirements of the system and the amount of anticipated indebtedness, terms for the repayment of the indebtedness, and the security required therefor.
- g. Copies of any agreements between the system owner and other persons relating to the construction or operation of the system.
- h. Instruments of transfer in the event the system is to be transferred to the county at the end of the authorization period.
- i. Such other data as the county may deem appropriate.

(8) *Exemption.* The provisions of this section shall not apply to applications to construct, operate or own a water system or sewage disposal system within the unincorporated area of the county, which rights are granted pursuant to a validly adopted and properly executed interlocal agreement with another governmental entity.

(e) *Construction plans.*

(1) All construction must be in accordance with the approved application. No substantial deviation shall be authorized unless approved in advance in writing by the county.

(2) Prior to the commencement of construction, the owner shall obtain and deliver to the county a performance bond in an amount to be determined by the county and with a surety approved by the county or other acceptable security which shall guarantee the completion of all construction and the payment for all labor and materials used in such construction. The county may waive the requirement for a performance bond upon the receipt of other adequate assurance of the owner's ability to perform its obligations under the authorization.

(3) Within 90 days following completion of any construction authorized by the county, the owner shall submit as-built plans certified by the engineer that the system as installed is in substantial compliance with the approved application and meets or exceeds the minimum construction standards set forth in section 18-31(f).

1 (4) When all of the requirements hereof are met, the county shall issue a written  
2 authorization to place the system in service. No system shall be placed in service until such  
3 authorization is obtained.

4  
5 (f) *Minimum standards - Construction.*

6  
7 (1) *Water systems.* Water systems shall be of a design which will ensure an adequate,  
8 safe supply of water at all times. All design and construction shall be under the supervision of a  
9 registered professional engineer. All design and construction shall be in accordance with the  
10 policies, standards and specifications for water systems in the county and all other applicable  
11 regulatory agencies, according to generally accepted engineering practices.

12  
13 a. Water shall be obtained from a source which, in its natural state or with  
14 the treatment prescribed, shall meet or exceed the minimum standards for  
15 drinking water established by the state department of environmental  
16 protection.

17  
18 b. All water supplies shall be disinfected by chlorination or other approved  
19 method before distribution to the user. All parts of the water system in  
20 contact with the water to be distributed shall be disinfected before being  
21 placed in operation. Disinfection shall be in accordance with the  
22 requirements of the state department of environmental protection.

23  
24 c. All necessary meters shall be furnished by the public system owner and  
25 shall remain the property of the public system owner.

26  
27 (2) *Sewage disposal systems.* Sewage disposal systems shall be designed by a  
28 registered professional engineer and shall be in accordance with the policies, standards and  
29 specifications for sewage disposal systems of the county and all other applicable regulatory  
30 agencies according to generally accepted engineering practices.

31  
32 a. No sewage treatment plant may be constructed within 300 feet of an  
33 existing residential or commercial structure.

34  
35 b. Disposal of sewage disposal system effluent and sludge shall be in  
36 accordance with the regulations of the state department of environmental  
37 protection.

38  
39 (g) *Operation of system, generally.*

40  
41 (1) *Office.* Each water or sewage disposal system owner shall maintain:

42  
43 a. A current record of customer accounts.



- b. A record of all interruptions of service affecting ten percent or more of its system users, including the date, time, duration and cause of the interruption and the steps taken to prevent its recurrence.
- c. A record of each complaint received showing the name and address of the complainant, the telephone number, nature of the complaint, date received, the disposition of the complaint and the date thereof.
- d. A telephone through which the system owner is able to respond to emergency situations on a 24-hour-a-day basis.

(2) *Bookkeeping.* Each system owner shall maintain its records in accordance with generally accepted accounting principles.

(h) *Minimum standards - Operations.*

(1) *Water systems.* Water supplied from a public water system shall be satisfactory for drinking, culinary and domestic purposes meeting the quality standards of the state department of environmental protection and all other applicable regulatory agencies.

- a. Copies of the analysis results made pursuant to the regulations of the state department of environmental protection or any other applicable regulatory agency shall be made available for public inspection.
- b. The county shall be immediately notified by the system owner of the results of all tests failing to meet the applicable standards.
- c. All public water systems shall be operated by a person licensed by the state department of environmental protection for the operation of such public water system.

(2) *Sewage disposal systems.* All sewage disposal systems shall be operated by a person licensed by the state department of environmental protection for the operation of such sewage disposal system.

- a. All sewage disposal systems shall be operated in accordance with the standards for the operation of such systems as established by the state department of environmental protection or any other applicable regulatory agency.
- b. The treatment and discharge of industrial and toxic wastes will be in accordance with the United States Environmental Protection Agency's rules and regulations for pretreatment of existing and new sources of pollution.

(i) *Connections to public water and sewage disposal systems.*

1  
2 (1) No use shall be made of a public water or sewage disposal system until  
3 application for such use is made to the system owner and payment of security deposit and a  
4 connection or reconnection charge, and where appropriate, a capital facilities charge.

5  
6 (2) Security deposits shall be held by the system owner until the use of the system is  
7 terminated, at which time such deposit shall be applied against any water or sewage disposal bill  
8 due the system owner, and any unused portion shall be then refunded to the user. In the event  
9 service is terminated and the user does not claim the funds within 12 months after service is  
10 discontinued, such unclaimed deposit shall become the property of the system owner.

11  
12 (3) A system owner may refuse service to any person who is delinquent in payments  
13 otherwise owed to the system owner.

14  
15 (4) At the request of a user, water or sewage disposal services may be temporarily  
16 disconnected to accommodate the user's temporary absence. Should the duration of such  
17 temporary disconnection exceed eight months, reconnection shall be permissible only upon a  
18 renewed application and payment of the appropriate application fee.

19  
20 (5) Temporary services such as for circuses, fairs, carnivals, construction activities,  
21 and the like shall be granted upon written application and accompanied by a deposit sufficient to  
22 cover the system owner's estimate of the costs of water or sewage disposal services to be utilized  
23 by the user.

24  
25 (j) *Billing and meter reading procedures.*

26  
27 (1) Services for water and sewage disposal facility usage shall be billed periodically  
28 by the system owner, where applicable, based on meters which are read periodically and, where  
29 not applicable, based on standard charges on file with the county.

30  
31 (2) Where meters are used in water or sewage disposal systems, the bill shall include  
32 the following:

- 33  
34 a. The meter reading at the commencement of the period.  
35  
36 b. The meter reading at the end of the period.  
37  
38 c. The quantity of usage during the period.  
39  
40 d. The charge and date of billing.

41  
42 (3) Where a meter is utilized and such meter is destroyed, the user will be billed  
43 based on his average usage for the previous six months.  
44



(4) Where a user receives both water service and sewage disposal service from a single system owner, all bills for services rendered by such owner shall be contained on a single bill.

(5) If a user requests that the accuracy of a meter be checked and the meter is found to be accurate, the expense of the test shall be born by the user. If the meter is found not to be accurate within three percent, the expense of the test shall be born by the system owner and billing adjustments for a period not to exceed six months will be made.

(k) *Emergency restrictions on water.* In time of emergency, the county may restrict or suspend the use of water systems.

**Sec. 18-32. Complaints and appeals; abandonment; default; unlawful acts; and penalties.**

(a) *Complaints and appeals.*

(1) *Complaint procedure.* Each system owner shall maintain a capability for responding to user complaints within 24 hours after receipt of the complaint. Each authorized owner shall file with the county its established procedures for receiving, acting upon and resolving user complaints.

- a. This procedure shall be utilized for handling all complaints with regard to terminations of service, refusals to grant or extend service, unsatisfactory or poor quality of water, failure to comply with terms of the authorization, billing errors or errors dealing with meter readings.
- b. In the event that a user complaint is not resolved to the mutual satisfaction of a user and the system owner, either the user or the system owner may request that the matter be resolved by a person designated by the county for such purpose.
- c. All other complaints not specifically designated in subsection (2) of this section shall be handled in the manner set forth above.

(2) *Appeals.* Any aggrieved person may appeal a decision by the county administrator to declare a water or sewage system in default of its authorization, the refusal to grant a rate increase hearing, disagreement regarding the plans, documents and specifications submitted with an application for a system authorization.

- a. The procedure for such appeal shall be as follows:
  1. The aggrieved party shall, in writing, request an appeal to the Board of County Commissioners designating the specific activity of the county administrator sought to be reviewed.

2. At least 20 days' notice of the time and place of the hearing shall be given. Each party at such hearing shall have the opportunity to present evidence, cross-examine witnesses and submit such information as they deem appropriate supporting their respective positions. Any party is entitled to be represented by an attorney at such hearing.
  3. In lieu of hearing the appeal itself, the Board of County Commissioners may appoint a hearing examiner who shall promptly render to the Board of County Commissioners written findings of fact and conclusions of law with regard to the issue presented.
  4. Probative effect shall be given to evidence which would be admissible in civil proceedings in the courts of this state; but in receiving such evidence, the exclusionary rules of evidence shall not be used to prevent the receipt of evidence having substantial probative effect.
  5. When the appeal is heard by the Board of County Commissioners, the Board of County Commissioners shall render its final order in writing within 90 days of the final hearing; or in the event that the matter was heard by a hearing examiner, the Board of County Commissioners shall render its final order within 45 days of the receipt of the hearing examiner's findings of fact and conclusions of law.
- b. An aggrieved party will be deemed to have exhausted his administrative remedies upon the rendition of the final order of the Board of County Commissioners.

(b) *Abandonment.* The following shall apply to all systems:

(1) A person, lessee, trustee, or receiver that owns, operates, manages, or controls a system may not abandon the system without giving 60 days' prior written notice to the county and to the commission. Any such abandonment shall constitute a violation of this Article, and a violation of Chapter 367, Florida Statutes.

(2) After receiving any notice of abandonment, the county may petition the circuit court to appoint a receiver, which may be the county or any other person deemed appropriate. The receiver shall operate the system from the date of abandonment until such time as the receiver disposes of the property of the system in a manner designed to continue the efficient and effective operation of service.

(3) The notification of abandonment to the county and commission is sufficient cause for revocation, suspension, or amendment of authorization for operation of the system as of the



1 date of abandonment. The receiver operating such system shall be considered to hold a  
2 temporary authorization from the county and commission, and the approved rates of the system  
3 shall be deemed to be the interim rates of the receiver until modified by the commission.  
4

5 (c) *Default.*  
6

7 (1) The following shall constitute default by the owner of an authorized system:  
8

- 9 a. The failure to meet or exceed the minimum construction or operation  
10 standards set forth in sections 18-31(f) and 18-31(h).  
11  
12 b. The failure to meet construction schedules submitted as part of the  
13 application procedure.  
14  
15 c. The violation of the lawful order of the county or other applicable  
16 regulatory agency pertaining to the operation and maintenance of such  
17 system.  
18  
19 d. Refusal to provide service required by the authorization granted.  
20  
21 e. Such other action or inaction as will substantially affect the general health,  
22 safety and welfare of the citizens residing in or whose property is located  
23 within the authorized area.  
24

25 (2) In the event of such default, the county shall give written notice of such default to  
26 the owner of the system. Unless such default is cured within 30 days of receipt of such written  
27 notice of default, or if such cure cannot be reasonably accomplished within 30 days and is not  
28 being actively and expeditiously pursued, then such authorization may be revoked. Upon such  
29 revocation, such system shall become the property of the county.  
30

31 (d) *Unlawful acts.* It shall be unlawful:  
32

33 (1) For any person to remain in or engage in the business of constructing or operating  
34 a water system or sewage disposal system within the unincorporated area of the county without  
35 first complying with the terms of this article.  
36

37 (2) To interconnect a privately owned water system or sewage disposal system to a  
38 public water or sewage disposal system without proper authorization.  
39

40 (3) To reconnect to the public water or sewage disposal system without first  
41 complying with the terms of this article.  
42

43 (4) For any person to tap, cut-in, connect to, or in any manner use any line or part of a  
44 public water or sewage disposal system without proper authorization.  
45

1 (5) To prevent or impede an authorized employee access to any portion of a water or  
2 sewage disposal system including meters.

3  
4 (6) To construct or operate a water or sewage disposal system without first having  
5 obtained all permits required by other regulatory agencies.

6  
7 (7) To allow septic tank and portable toilet waste to be introduced into a public  
8 sewage disposal system except when specifically authorized by the system owner.

9  
10 (8) To maintain any privy, sewage disposal system pipe or drain so as to dispose or  
11 discharge the contents thereof into the atmosphere or on the surface of the ground, or so as to  
12 endanger any source of drinking water; nor shall any person discharge into any watercourse,  
13 storm sewer, drain or body of water any sewage or sewage effluent unless a permit for such  
14 discharge shall have been issued therefor by the county.

15  
16 (9) To introduce into a sewage disposal system any material in such quantity as will  
17 be harmful to the system.

18  
19 (e) *Penalties.*

20  
21 (1) Upon failure of any water system or sewage disposal system user to pay, when  
22 required, all authorized charges, the use of such systems may be discontinued.

23  
24 (2) Any person violating this article shall be punished in accordance with section 1-9.

25  
26 **Section 3.** **Conflicts.** All ordinances or parts of ordinances in conflict with the  
27 provisions of this ordinance are hereby repealed to the extent of such conflict, except to the  
28 extent of any conflicts with the Tallahassee-Leon County 2010 Comprehensive Plan as amended,  
29 which provisions shall prevail over any parts of this ordinance which are inconsistent, either in  
30 whole or in part, with the said Comprehensive Plan.

31  
32 **Section 4.** **Severability.** If any provisions or portion of this Ordinance is declared by  
33 any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all  
34 remaining provisions and portions of this Ordinance shall remain in full force and effect.

35  
36 **Section 5.** **Effective Date.** This ordinance shall have effect upon becoming law.



1 DONE, ADOPTED AND PASSED by the Board of County Commissioners of Leon  
2 County, Florida, this 20th day of June, 2017.  
3

4 LEON COUNTY, FLORIDA  
5  
6

7 By: \_\_\_\_\_  
8 John E. Dailey, Chairman  
9 Board of County Commissioners  
10

11 ATTESTED BY:  
12 GWENDOLYN MARSHALL, CLERK  
13 OF COURT AND COMPTROLLER  
14 LEON COUNTY, FLORIDA  
15  
16

17 By: \_\_\_\_\_  
18 Clerk  
19

20 APPROVED AS TO FORM:  
21 COUNTY ATTORNEY'S OFFICE  
22 LEON COUNTY, FLORIDA  
23  
24

25 By: \_\_\_\_\_  
26 Herbert W. A. Thiele, Esq.  
27 County Attorney  
28

## **EXHIBIT D**



## **ROWE UTILITIES, LLC**

P.O. DRAWER 1389  
TALLAHASSEE, FL 32302  
Phone: (850) 576-1271

To all Rowe Utilities, LLC customers:

The following rates will be in effect starting December 1, 2015.

This increase will appear on your January 1, 2016 bill.

### **MONTHLY WATER RATES**

Basic Service	\$21.00
0 – 5000 Gallons	\$ 2.64 per 1,000 gals used
5001- 20000 Gallons	\$ 2.92 per 1,000 gals used
20001 and over	\$ 3.25 per 1,000 gals used

Disconnect/Reconnection Fee: \$165.00 (This is the fee for non-payment shutoff and reconnect)

Return Check Fee:   \$25.00 (if check value is <\$50.00)  
                              \$30.00 (if check value is between \$50.00 and \$300.00)

Our late fee structure will remain at 10%, calculated on the total bill owed. Feel free to call our office @ 576-1271 with any questions you may have.

# Seminole Waterworks, Inc.

January 29, 2016

## **\*\* IMPORTANT CUSTOMER NOTICE \*\***

**RE: Rowe Utilities Purchased by Seminole Waterworks, Inc.**

Dear Valued Customer:

On January 29, 2016, Seminole Waterworks, Inc. (Seminole) purchased the water utility systems from the owners of your water utility. Seminole is a Florida company that was established specifically to provide your water service.

Seminole, in conjunction with the expertise of the utility operating company known as U.S. Water Services Corporation (USWSC), will be responsible for operating, and maintaining the utilities; as well as providing billing, collection and customer service.

After January 29<sup>th</sup>, to contact Seminole, please call **888-228-2134**. (Please note this number for present and future use)

This number will cover all aspects of providing normal and emergency services plus any issues regarding your billings and questions you might have regarding your water service.

The owners of Seminole are Water and Wastewater Industry Professionals. They have over 30 years of experience in providing water and wastewater services to customers throughout the State of Florida. USWSC is a Florida based contract operating company providing services to more than 1,000 systems statewide, with customers such as; McDill AFB, the FGUA, City of North Lauderdale, Hillsborough County, and a host of other systems. You can visit the USWSC website to learn more about your service provider – [www.uswatercorp.com](http://www.uswatercorp.com).

Please note that your current monthly water rates will remain the same as a result of this purchase. Also note that as a convenience to our customers, you will be still able to make payments via credit card after the purchase. There will be a credit card convenience fee of \$2.60 per transaction for this payment methodology.

Also, if you currently have automatic payments set up with Rowe Utilities for automatic withdrawals, these will no longer work with Seminole. However, you can sign up for these automatic payments with Seminole after January 29, 2016. To view further information concerning your existing water service, you can visit [www.mywaterservice.com](http://www.mywaterservice.com).

In the coming weeks, you will learn more about our company as Seminole and USWSC become a part of your community. . Please do not hesitate to call if you have any questions.



Respectfully,

Gary Deremer, President

## **Welcome new Customer of Seminole Waterworks, Inc. (Seminole)**

Below also are answers to some of the questions you may have regarding your community's water system. We take providing good service to our customers seriously.

### **Q: What number will I call for Customer Service?**

A: Please call the customer service line **1-888-228-2134** during business hours for all customer service matters.

### **Q: What number will I call regarding an emergency?**

A: For emergencies call **1-888-228-2134** – Same number.

### **Q: When will I receive my first statement?**

A: Seminole bills monthly. You should receive your bills at approximately the same time as before and will be due within the same time frames as your previous bill was due.

### **Q: How may I pay my bill?**

A: Your billing statement will include the mailing address of our payment processing center located in Cape Coral, Florida. Please submit your payments along with the bottom part of your statement in the enclosed envelope included with your statement. Seminole will be providing additional payment options like on-line bill pay, automatic payment withdrawals, and credit card payments. As a convenience to our customers, you will be able to make payments via credit card after the purchase. There will be a credit card convenience fee of \$2.60 per transaction for this payment methodology. To view further information concerning your existing water service, you can visit [www.mywaterservice.com](http://www.mywaterservice.com).

### **Q: I am on automatic payment of bills with my current provider, how do I continue this payment?**

A: You will need to contact customer service at **1-888-228-2134** during normal business hours to obtain the necessary form in order to sign up for this service with you new water provider.

### **Q: How do I initiate or discontinue service?**

A: Call the customer service line **1-888-228-2134** during normal business hours.

### **Q: Who operates the utility and provides customer service?**

A: **U.S. Water Services Corporation** provides contracted operating and customer services for the utility. USW is a privately owned Florida company. The company is staffed with professionals that live and work throughout the State providing a full complement of water and waste water operating services to both private and public entities within Florida. For more information please visit the website at – [www.uswatercorp.com](http://www.uswatercorp.com)

For other questions not listed above please call the customer service line **1-888-228-2134**.



## **EXHIBIT E**

1 of 2  
69.50  
91.70  
161.20

Parcel Identification Numbers:

112204 0001; 112325 0002;  
112470 0001; 112650 A0210;  
121750B0051; 2420100000371

20160012458  
THIS DOCUMENT HAS BEEN  
RECORDED IN THE PUBLIC RECORDS  
OF  
LEON COUNTY FL  
BK: 4899 PG:122, Page1 of 8  
02/25/2016 at 01:16 PM,  
D DOCUMENTARY TAX PD \$91.70  
BOB INZER, CLERK OF COURTS

This Instrument Prepared by/Return to:

Stephen C. Booth, Esquire  
BOOTH & COOK, P.A.  
7510 Ridge Road  
Port Richey, Florida 34668  
File # 16-026  
Consideration: \$13,084.00

THIS INSTRUMENT WAS PREPARED WITHOUT EXAMINATION OF TITLE FROM INFORMATION GIVEN BY THE PARTIES HEREIN. MARKETABILITY OF TITLE OR ACCURACY OF DESCRIPTION IS NEITHER GUARANTEED NOR INSURED.

---

**SPECIAL WARRANTY DEED**

THIS INDENTURE, made this 2<sup>nd</sup> day of February, 2016, by and between **ROWE UTILITIES, LLC, a Florida limited liability company**, of the County of Leon and State of Florida, Grantor, whose Post Office Address is: 1320 Thomaswood Drive, Tallahassee, FL 32308, and **SEMINOLE WATERWORKS, INC., a Florida corporation**, of the County of Pasco and State of Florida, Grantee, whose post office address is: 4939 Cross Bayou Blvd., New Port Richey, FL 34652;

WITNESSETH, that the said Grantor, for and in consideration of the sum of Ten and no/100 (\$10.00) Dollars in hand paid by the Grantee and other valuable considerations, the receipt whereof is acknowledged, hereby grants, bargains and sells to the said Grantee, forever, the following described land in the County of **LEON**, Florida, to wit:

See the attached Exhibit "A" incorporated herein by reference.

TO HAVE AND TO HOLD the above referenced property with appurtenances, unto the said Grantee, its successors and assigns forever.

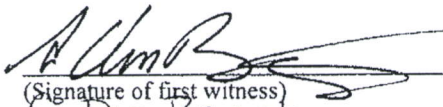
SUBJECT TO taxes and assessments accruing subsequent to December 31, 2015; the reversionary interests previously reserved by Rowe Drilling Company, Inc. ("Rowe Drilling") pursuant to Sec. 689.18.F.S. in any prior vesting deeds, including but not limited to OR Book 4521, Page 1637, and OR Book 1383, Page 1421, Leon County, official records; all exceptions, easements, rights-of-way, covenants, conditions, restrictions, reservations, encroachments, protrusions, shortages in area, boundary disputes and discrepancies, and all other matters of record or which could be discovered revealed by, respectively, a physical inspection or current survey of the Property; and any and all zoning laws, regulations, and ordinances of municipal and other governmental authorities affecting the Property. Grantor warrants that with respect to the reversionary interest reserved by Rowe Drilling, no violations have occurred during Grantor's ownership which would have divested the title of the Grantor.

AND SAID GRANTOR does hereby fully specially warrant the title to said lands and will defend the same against the lawful claims of any person whomsoever claiming by, through or under the said Grantor, but against none other.

IN WITNESS WHEREOF, the above named corporate Grantor has caused these presents to be signed in its name by its undersigned officers, and its seal affixed the day and year first hereinabove written.

Signed, sealed and delivered in presence of:

**ROWE UTILITIES, LLC,**  
a Florida limited liability company


  
(Signature of first witness)

G. Don Bryant  
(Printed name of first witness)

  
(Signature of second witness)

Bill Bryant  
(Printed name of second witness)

By:

  
H. Lamar Rowe, Manager

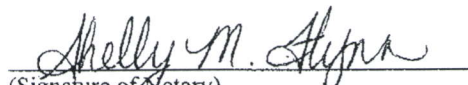
STATE OF FLORIDA  
COUNTY OF LEON

I HEREBY CERTIFY, that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, H. Lamar Rowe as the Manager of Rowe Utilities, LLC, a Florida limited liability company,

who is personally known to me or  
who has produced \_\_\_\_\_ (type of identification) as identification,

and who executed the foregoing instrument and acknowledged before me that he/she/they executed the same freely and voluntarily for the purposes therein expressed.

WITNESS my hand and official seal in the County and State aforesaid this 8<sup>th</sup> day of February, 2016.

  
(Signature of Notary)  
My Commission Expires:

[Notary Seal]





Exhibit "A"  
Page 1 of 6

BREWSTER ESTATES WELL SITE:

Commence at an old concrete monument marking the Southwest corner of Section 22, Township 1 North, Range 1 East, Leon County, Florida and thence run  $89^{\circ}46'54''$  East along the Section Line 1,660.24 feet to a concrete monument marking the Southeast corner of Lot "I" of the O. Bernard Survey as per map or plat thereof recorded in Deed Book "BB", Page 590 of the Public Records of Leon County, Florida and thence run North  $00^{\circ}18'58''$  East along the East boundary of said Lot "I" 1,923.85 feet to an old concrete monument marking the Northeast corner of said Lot "I"; thence run North  $00^{\circ}05'11''$  East along the West boundary of Lot "E" of said O. Bernard Survey 474.78 feet to a concrete monument marking the Northwest corner of said Lot "e", thence run North  $89^{\circ}44'57''$  East along the North boundary of said Lot "E" 232.57 feet for a POINT OF BEGINNING; thence from said Point of Beginning continue North  $89^{\circ}44'57''$  East 51.49 feet; thence run South  $14^{\circ}05'24''$  East 156.94 feet to a point on the centerline of a 60 foot roadway (said point being on a curve concave Southerly); thence run Southwesterly along said centerline and along said curve with a radius of 100.0 feet through a central angle of  $08^{\circ}37'36''$  for an arc distance of 15.06 feet (the chord of said arc being South  $71^{\circ}35'48''$  West 15.04 feet); thence run North  $14^{\circ}05'24''$  West 110.28 feet; thence run South  $89^{\circ}44'57''$  West 36.04 feet; thence run North  $14^{\circ}05'24''$  West, 51.49 feet to the POINT OF BEGINNING, containing 0.10 of an acre more or less.

BUCK LAKE ESTATES WELL SITE:

Commence at the Southeast corner of Section 23, Township 1 North, Range 1 East, Leon County, Florida, and run thence North 00°18' East along the East boundary of said Section 3,210.52 feet to a concrete monument on the South boundary of the right-of-way of State Road No. 10, thence run South 67°30' West, 553.22 feet along said right-of-way boundary to a concrete monument; thence run South 00°18' West, 1,274.81 feet to a concrete monument which is the POINT OF BEGINNING; from said Point of Beginning run thence North 89°72' West 75 feet to an iron pipe, thence run South 00°18' West 75 feet to an iron pipe; thence run South 89°72' East 75 feet to an iron pipe; thence run North 00°18' East 75 feet to the POINT OF BEGINNING, containing 0.129 acres more or less.

MEADOW HILLS WELL SITE:

Lot 21, Block A, MEADOW HILLS, UNIT 1, a Subdivision, according to the map or plat thereof as recorded in Plat Book 4, Page 55, of the Public Records of Leon County, Florida.



NORTH LAKE MEADOWS WELL SITE:

Commence at the Northwest corner of the South Half of the Northeast Quarter of Section 19, Township 2 North, Range 1 West, Leon County, Florida and then run South  $00^{\circ}17'38''$  East along the Quarter Section line 3726.47 feet to a concrete monument on a fence line, then run along said fence line as follows: East along the South boundary of Farm View Estates (unrecorded) 1746.41 feet to a concrete monument, then run North  $00^{\circ}53'48''$  East along said boundary of Farm View Estates (unrecorded) 135.07 feet to a concrete monument, then continue North  $00^{\circ}53'48''$  East, along the boundary of said Farm View Estates (unrecorded) 913.87 feet to a concrete monument, then run North  $89^{\circ}46'00''$  East 750.15 feet to the POINT OF BEGINNING. From said Point of Beginning continue North  $89^{\circ}46'00''$  East 201.00 feet, thence leaving said fence line run South  $00^{\circ}14'00''$  East 50.00 feet; thence run South  $89^{\circ}46'00''$  West 52.00 feet, thence run North  $00^{\circ}14'00''$  West 35 feet, thence run South  $89^{\circ}46'00''$  West 134.29 feet, thence run South  $00^{\circ}53'48''$  West 95.40 feet, thence run North  $89^{\circ}06'12''$  West 15.00 feet, thence North  $00^{\circ}53'48''$  East 110.10 feet to the POINT OF BEGINNING, containing 0.14 acres, more or less.

PLANTATION ESTATES WELL SITE:

Commence at an old concrete monument marking the Northeast corner of Section 17, Township 1 North, Range 2 East, Leon County, Florida and run thence South  $00^{\circ}17'48''$  East along the East boundary of said Section 17 a distance of 1439.85 feet to a concrete monument (No. 3562) marking the Southerly right-of-way boundary of State Road No. 10 (U.S. Highway No. 90 - 200 foot right-of-way); thence South  $80^{\circ}08'34''$  West along said Southerly right-of-way boundary 380.85 feet to a concrete monument marking the POINT OF BEGINNING. From said Point of Beginning continue South  $80^{\circ}08'34''$  West along said right-of-way boundary 75.00 feet to a concrete monument; thence leaving said right-of-way boundary run South  $05^{\circ}05'20''$  West 100 feet to a concrete monument; thence North  $80^{\circ}08'34''$  East 75 feet to a concrete monument; thence North  $05^{\circ}05'20''$  East 100 feet to the POINT OF BEGINNING.

Exhibit "A"

Page 6 of 6

SEDGEFIELD WELL SITE:

BEGIN at the Northeast corner (also the most Easterly corner) of Lot 3, Block "C" of Sedgefield Unit No. 1, a subdivision according to the plat thereof as recorded in Plat Book 7, Page 58 of the Public Records of Leon County, Florida, and run North  $58^{\circ}50'23''$  West along the Northeasterly boundary line of said Lot 3, 163.87 feet to the Easterly boundary line of the 60 foot right of way of Lansdowne Road and a point on a curve, thence Northeasterly along said boundary line curve concave to the Northwest, having a radius of 325.00 feet and a central angle of  $07^{\circ}03'07''$  for an arc distance of 40.00 feet (the chord of said arc bears North  $27^{\circ}38'04''$  East 39.98 feet) thence run South  $65^{\circ}53'29''$  East 158.21 feet, thence run South  $22^{\circ}14'13''$  West 60.06 feet to the POINT OF BEGINNING, containing 0.183 acres, more or less.



Log 2  
69.50  
70.20  
70.20

Parcel Identification Numbers:

112204 0001; 112325 0002;  
112470 0001; 112650 A0210  
121750 B0051; 2420100000371

This Instrument Prepared by/Return to:

**Stephen C. Booth**, Esquire  
BOOTH & COOK, P.A.  
7510 Ridge Road  
Port Richey, Florida 34668  
File # 16-026

Consideration: \$10.00

THIS INSTRUMENT WAS PREPARED WITHOUT EXAMINATION OF TITLE FROM INFORMATION GIVEN BY THE PARTIES HEREIN. MARKETABILITY OF TITLE OR ACCURACY OF DESCRIPTION IS NEITHER GUARANTEED NOR INSURED.

---

**QUIT CLAIM DEED AND TERMINATION OF REVERSIONARY INTEREST**

THIS INDENTURE, made this 15<sup>th</sup> day of February, 2016, Between **ROWE DRILLING COMPANY, INC., a Florida corporation**, of the County of Leon and State of Florida, Party of the First Part or Grantor, whose Post Office Address is: 7584 N. Tennessee St., Tallahassee, FL 32304, and **SEMINOLE WATERWORKS, INC., a Florida corporation**, of the County of Pasco and State of Florida, Party of the Second Part or Grantee, whose post office address is: 4939 Cross Bayou Blvd., New Port Richey, FL 34652;

**WITNESSETH**, that the said party of the first part, for and in consideration of the sum of Ten 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 LAKE, State of FLORIDA, to wit:

See the attached Exhibit "A" incorporated herein by reference thereto;

20160012459  
THIS DOCUMENT HAS BEEN  
RECORDED IN THE PUBLIC RECORDS  
OF  
LEON COUNTY FL  
BK: 4899 PG:130, Page1 of 8  
02/25/2016 at 01:16 PM,  
D DOCUMENTARY TAX PD \$0.70  
BOB INZER, CLERK OF COURTS

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

**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.

**IN WITNESS WHEREOF**, the said party of the first part has hereunto set his hand and seal the day and year first above written.

**GRANTOR/PARTY OF THE FIRST PART:**

Signed, sealed and delivered  
in our presence:

Rowe Drilling Company, Inc.  
a Florida corporation

J. Shane Albritten  
Print name of first witness

Name:  
Title:

Diana New  
Diana New  
Print name of second witness

State of Georgia County of Houston:

I HEREBY CERTIFY, that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, Dominique Demessence as CEO of Rowe Drilling Company, Inc., a Florida corporation,

☒ who is personally known to me or  
☐ who has produced \_\_\_\_\_ (type of identification) as identification,

and who executed the foregoing instrument and acknowledged before me that he/she/they executed the same freely and voluntarily for the purposes therein expressed.

Exhibit "A"

Page 1 of 6

BREWSTER ESTATES WELL SITE:

Commence at an old concrete monument marking the Southwest corner of Section 22, Township 1 North, Range 1 East, Leon County, Florida and thence run  $89^{\circ}46'54''$  East along the Section Line 1,660.24 feet to a concrete monument marking the Southeast corner of Lot "I" of the O. Bernard Survey as per map or plat thereof recorded in Deed Book "BB", Page 590 of the Public Records of Leon County, Florida and thence run North  $00^{\circ}18'58''$  East along the East boundary of said Lot "I" 1,923.85 feet to an old concrete monument marking the Northeast corner of said Lot "I"; thence run North  $00^{\circ}05'11''$  East along the West boundary of Lot "E" of said O. Bernard Survey 474.78 feet to a concrete monument marking the Northwest corner of said Lot "e", thence run North  $89^{\circ}44'57''$  East along the North boundary of said Lot "E" 232.57 feet for a POINT OF BEGINNING; thence from said Point of Beginning continue North  $89^{\circ}44'57''$  East 51.49 feet; thence run South  $14^{\circ}05'24''$  East 156.94 feet to a point on the centerline of a 60 foot roadway (said point being on a curve concave Southerly); thence run Southwesterly along said centerline and along said curve with a radius of 100.0 feet through a central angle of  $08^{\circ}37'36''$  for an arc distance of 15.06 feet (the chord of said arc being South  $71^{\circ}35'48''$  West 15.04 feet); thence run North  $14^{\circ}05'24''$  West 110.28 feet; thence run South  $89^{\circ}44'57''$  West 36.04 feet; thence run North  $14^{\circ}05'24''$  West, 51.49 feet to the POINT OF BEGINNING, containing 0.10 of an acre more or less.



Exhibit "A"  
Page 2 of 6

BUCK LAKE ESTATES WELL SITE:

Commence at the Southeast corner of Section 23, Township 1 North, Range 1 East, Leon County, Florida, and run thence North  $00^{\circ}18'$  East along the East boundary of said Section 3,210.52 feet to a concrete monument on the South boundary of the right-of-way of State Road No. 10, thence run South  $67^{\circ}30'$  West, 553.22 feet along said right-of-way boundary to a concrete monument; thence run South  $00^{\circ}18'$  West, 1,274.81 feet to a concrete monument which is the POINT OF BEGINNING; from said Point of Beginning run thence North  $89^{\circ}72'$  West 75 feet to an iron pipe, thence run South  $00^{\circ}18'$  West 75 feet to an iron pipe; thence run South  $89^{\circ}72'$  East 75 feet to an iron pipe; thence run North  $00^{\circ}18'$  East 75 feet to the POINT OF BEGINNING, containing 0.129 acres more or less.

Exhibit "A"  
Page 3 of 6

MEADOW HILLS WELL SITE:

Lot 21, Block A, MEADOW HILLS, UNIT 1, a Subdivision, according to the map or plat thereof as recorded in Plat Book 4, Page 55, of the Public Records of Leon County, Florida.

NORTH LAKE MEADOWS WELL SITE:

Commence at the Northwest corner of the South Half of the Northeast Quarter of Section 19, Township 2 North, Range 1 West, Leon County, Florida and then run South  $00^{\circ}17'38''$  East along the Quarter Section line 3726.47 feet to a concrete monument on a fence line, then run along said fence line as follows: East along the South boundary of Farm View Estates (unrecorded) 1746.41 feet to a concrete monument, then run North  $00^{\circ}53'48''$  East along said boundary of Farm View Estates (unrecorded) 135.07 feet to a concrete monument, then continue North  $00^{\circ}53'48''$  East, along the boundary of said Farm View Estates (unrecorded) 913.87 feet to a concrete monument, then run North  $89^{\circ}46'00''$  East 750.15 feet to the POINT OF BEGINNING. From said Point of Beginning continue North  $89^{\circ}46'00''$  East 201.00 feet, thence leaving said fence line run South  $00^{\circ}14'00''$  East 50.00 feet; thence run South  $89^{\circ}46'00''$  West 52.00 feet, thence run North  $00^{\circ}14'00''$  West 35 feet, thence run South  $89^{\circ}46'00''$  West 134.29 feet, thence run South  $00^{\circ}53'48''$  West 95.40 feet, thence run North  $89^{\circ}06'12''$  West 15.00 feet, thence North  $00^{\circ}53'48''$  East 110.10 feet to the POINT OF BEGINNING, containing 0.14 acres, more or less.



Exhibit "A"  
Page 5 of 6

PLANTATION ESTATES WELL SITE:

Commence at an old concrete monument marking the Northeast corner of Section 17, Township 1 North, Range 2 East, Leon County, Florida and run thence South  $00^{\circ}17'48''$  East along the East boundary of said Section 17 a distance of 1439.85 feet to a concrete monument (No. 3562) marking the Southerly right-of-way boundary of State Road No. 10 (U.S. Highway No. 90 - 200 foot right-of-way); thence South  $80^{\circ}08'34''$  West along said Southerly right-of-way boundary 380.85 feet to a concrete monument marking the POINT OF BEGINNING. From said Point of Beginning continue South  $80^{\circ}08'34''$  West along said right-of-way boundary 75.00 feet to a concrete monument; thence leaving said right-of-way boundary run South  $05^{\circ}05'20''$  West 100 feet to a concrete monument; thence North  $80^{\circ}08'34''$  East 75 feet to a concrete monument; thence North  $05^{\circ}05'20''$  East 100 feet to the POINT OF BEGINNING.

Exhibit "A"  
Page 6 of 6

SEDFIELD WELL SITE:

BEGIN at the Northeast corner (also the most Easterly corner) of Lot 3, Block "C" of Sedgfield Unit No. 1, a subdivision according to the plat thereof as recorded in Plat Book 7, Page 58 of the Public Records of Leon County, Florida, and run North  $58^{\circ}50'23''$  West along the Northeasterly boundary line of said Lot 3, 163.87 feet to the Easterly boundary line of the 60 foot right of way of Lansdowne Road and a point on a curve, thence Northeasterly along said boundary line curve concave to the Northwest, having a radius of 325.00 feet and a central angle of  $07^{\circ}03'07''$  for an arc distance of 40.00 feet (the chord of said arc bears North  $27^{\circ}38'04''$  East 39.98 feet) thence run South  $65^{\circ}53'29''$  East 158.21 feet, thence run South  $22^{\circ}14'13''$  West 60.06 feet to the POINT OF BEGINNING, containing 0.183 acres, more or less.

## **EXHIBIT F**



WATER TARIFF

SEMINOLE WATERWORKS, INC.  
NAME OF COMPANY

---

FILED WITH  
FLORIDA PUBLIC SERVICE COMMISSION

WATER TARIFF

SEMINOLE WATERWORKS, INC.

NAME OF COMPANY

4939 CROSS BAYOU BLVD.  
NEW PORT RICHEY, FL 34652

(ADDRESS OF COMPANY)

(727) 848-8292

(888) 228-2134

(Business & Emergency Telephone Numbers)

GARY DEREMER

ISSUING OFFICER

PRESIDENT

TITLE

FILED WITH

FLORIDA PUBLIC SERVICE COMMISSION

SEMINOLE WATERWORKS, INC.WATER TARIFF

## TABLE OF CONTENTS

	Sheet Number
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Rules and Regulations .....	6.0
Service Availability Policy and Charges .....	17.0
Standard Forms.....	20.0
Technical Terms and Abbreviations .....	5.0
Territory Authority .....	3.0

GARY DEREMER  
ISSUING OFFICER

PRESIDENT  
TITLE



SEMINOLE WATERWORKS, INC.

WATER TARIFF

TERRITORY AUTHORITY

CERTIFICATE NUMBER -

COUNTY - LEON

COMMISSION ORDER(s) APPROVING TERRITORY SERVED -

<u>Order Number</u>	<u>Date Issued</u>	<u>Docket Number</u>	<u>Filing Type</u>
LEON COUNTY FRANCHISE			

EFFECTIVE DATE -

TYPE OF FILING - Grandfather Certificate

GARY DEREMER  
ISSUING OFFICER

PRESIDENT  
TITLE

SEMINOLE WATERWORKS, INC.

WATER TARIFF

DESCRIPTION OF TERRITORY SERVED

Leon County  
Description of Water Territory

**Brewster Estates:**

In Section 22, Township 1 North, Range 1 East:

Located North of U.S. Highway 90 – also known as Mahan Drive including:

Brewster Road  
Bear Creek Road  
Panther Creek Road

**Buck Lake Estates:**

In Section 23, Township 1 North, Range 1 East:

Located North of Buck Lake Road including:

Charlais Street  
Drake Drive  
Angus Street  
Pintail Drive

**Meadow Hills:**

Located South of Buck Lake Road, including:

A portion of Buck Lake Road east of Quail Road.  
Quail Road  
Lester Road  
Davis Drive  
Vernon Road  
Meak Road  
Dove Road

(Continued to Sheet 3.2)

EFFECTIVE DATE -

TYPE OF FILING – Grandfather Certificate

GARY DEREMER  
ISSUING OFFICER

PRESIDENT  
TITLE

SEMINOLE WATERWORKS, INC.

WATER TARIFF

(Continued from Sheet No. 3.1)

**North Lake Meadows:**

In Section 19, Township 2 North, Range 1 West:

Located West of Old Bainbridge Road including:

A portion of Old Bainbridge Road north and south of Susannah Drive  
Susannah Drive  
Newfield Drive  
Garrett Road  
Nola Court  
Marty Court  
Olga Court  
Kidd Drive

**Plantation Estates:**

In Section 17, Township 1 North, Range 2 East:

Located South of U.S. Highway 90, also known as Mahan Drive including:

A portion of US Hwy 90 (Mahan Drive) east of Plantation Forest Drive  
Plantation Forest Drive  
Pineland Drive  
Burnt Pine Drive  
Foshalee Drive  
Rocky Comfort Drive  
Shady Rest Lane  
Mistletoe Court  
Nilo Lane

**Sedgefield:**

Located North of Buck Lake Road including:

Sedgefield Road  
Springhaven Road  
Old Forge Court  
Landsdowne Road  
Lawndale Road  
Grassland Road  
Burnwell Road

EFFECTIVE DATE -

TYPE OF FILING – Grandfather Certificate

GARY DEREMER  
ISSUING OFFICER

PRESIDENT  
TITLE



SEMINOLE WATERWORKS, INC.

## WATER TARIFF

COMMUNITIES SERVED LISTING

<u>County Name</u>	<u>Development Name</u>	Rate Schedule(s) <u>Available</u>	Sheet No. <u>No.</u>
Leon	Brewsters Estate	GS, RS	13.0, 14.0
Leon	Buck Lake Estates	GS, RS	13.0, 14.0
Leon	Meadow Hills	GS, RS	13.0, 14.0
Leon	North Lake Meadows	GS, RS	13.0, 14.0
Leon	Plantation Estates	GS, RS	13.0, 14.0
Leon	Sedgefield	GS, RS	13.0, 14.0

EFFECTIVE DATE -TYPE OF FILING – Grandfather Certificate

GARY DEREMER  
ISSUING OFFICER

PRESIDENT  
TITLE

SEMINOLE WATERWORKS, INC.

## WATER TARIFF

TECHNICAL TERMS AND ABBREVIATIONS

- 1.0 "BFC" - The abbreviation for "Base Facility Charge" which is the minimum amount the Company may charge its Customers and is separate from the amount the Company bills its Customers for water consumption.
- 2.0 "CERTIFICATE" - A document issued by the Commission authorizing the Company to provide water service in a specific territory.
- 3.0 "COMMISSION" - The shortened name for the Florida Public Service Commission.
- 4.0 "COMMUNITIES SERVED" - The group of Customers who receive water service from the Company and whose service location is within a specific area or locality that is uniquely separate from another.
- 5.0 "COMPANY" - The shortened name for the full name of the utility which is Seminole Waterworks, Inc.
- 6.0 "CUSTOMER" - Any person, firm or corporation who has entered into an agreement to receive water service from the Company and who is liable for the payment of that water service.
- 7.0 "CUSTOMER'S INSTALLATION" - All pipes, shut-offs, valves, fixtures and appliances or apparatus of every kind and nature used in connection with or forming a part of the installation for rendering water service to the Customer's side of the Service Connection whether such installation is owned by the Customer or used by the Customer under lease or other agreement.
- 8.0 "MAIN" - A pipe, conduit, or other facility used to convey water service to individual service lines or through other mains.
- 9.0 "RATE" - Amount which the Company may charge for water service which is applied to the Customer's actual consumption.
- 10.0 "RATE SCHEDULE" - The rate(s) or charge(s) for a particular classification of service plus the several provisions necessary for billing, including all special terms and conditions under which service shall be furnished at such rate or charge.
- 11.0 "SERVICE" - As mentioned in this tariff and in agreement with Customers, Service shall be construed to include, in addition to all water service required by the Customer, the readiness and ability on the part of the Company to furnish water service to the Customer. Service shall conform to the standards set forth in Section 367.111 of the Florida Statutes.

(Continued to Sheet No.5.1)

EFFECTIVE DATE -

TYPE OF FILING – Grandfather Certificate

GARY DEREMER  
ISSUING OFFICER

PRESIDENT  
TITLE

SEMINOLE WATERWORKS, INC.

WATER TARIFF

(Continued from Sheet No. 5.0)

- 12.0 "SERVICE CONNECTION" - The point where the Company's pipes or meters are connected with the pipes of the Customer.
- 13.0 "SERVICE LINES" - The pipes between the Company's Mains and the Service Connection and which includes all of the pipes, fittings and valves necessary to make the connection to the Customer's premises, excluding the meter.
- 14.0 "TERRITORY" - The geographical area described, if necessary, by metes and bounds but, in all cases, with township, range and section in a Certificate, which may be within or without the boundaries of an incorporated municipality and may include areas in more than one county.

EFFECTIVE DATE -

TYPE OF FILING – Grandfather Certificate

GARY DEREMER  
ISSUING OFFICER

PRESIDENT  
TITLE



SEMINOLE WATERWORKS, INC.

## WATER TARIFF

INDEX OF RULES AND REGULATIONS

	<u>Sheet Number:</u>	<u>Rule Number:</u>
Access to Premises .....	9.0	14.0
Adjustment of Bills .....	10.0	22.0
Adjustment of Bills for Meter Error .....	10.0	23.0
All Water Through Meter .....	10.0	21.0
Application .....	7.0	3.0
Applications by Agents .....	7.0	4.0
Change of Customer's Installation .....	8.0	11.0
Continuity of Service .....	8.0	9.0
Customer Billing .....	9.0	16.0
Delinquent Bills .....	7.0	8.0
Extensions .....	7.0	6.0
Filing of Contracts .....	10.0	25.0
General Information .....	7.0	1.0
Inspection of Customer's Installation .....	9.0	13.0
Limitation of Use .....	8.0	10.0
Meter Accuracy Requirements .....	10.0	24.0
Meters .....	10.0	20.0
Payment of Water and Wastewater Service Bills Concurrently .....	10.0	18.0

(Continued to Sheet No. 6.1)

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 GARY DEREMER  
 ISSUING OFFICER

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 PRESIDENT  
 TITLE

SEMINOLE WATERWORKS, INC.

WATER TARIFF

(Continued from Sheet No. 6.0)

	<u>Sheet Number:</u>	<u>Rule Number:</u>
Tariff Dispute .....	7.0	2.0
Protection of Company's Property .....	8.0	12.0
Refusal or Discontinuance of Service.....	7.0	5.0
Right-of-way or Easements .....	9.0	15.0
Termination of Service.....	9.0	17.0
Type and Maintenance .....	7.0	7.0
Unauthorized Connections - Water .....	10.0	19.0

GARY DEREMER  
ISSUING OFFICER

PRESIDENT  
TITLE

SEMINOLE WATERWORKS, INC.

## WATER TARIFF

RULES AND REGULATIONS

- 1.0 GENERAL INFORMATION - These Rules and Regulations are a part of the rate schedules and applications and contracts of the Company and, in the absence of specific written agreement to the contrary, apply without modifications or change to each and every Customer to whom the Company renders water service.
- The Company shall provide water service to all Customers requiring such service within its Certificated territory pursuant to Chapter 25-30, Florida Administrative Code and Chapter 367, Florida Statutes.
- 2.0 TARIFF DISPUTE - Any dispute between the Company and the Customer or prospective Customer regarding the meaning or application of any provision of this tariff shall be resolved pursuant to Rule 25-22.032, Florida Administrative Code.
- 3.0 APPLICATION - In accordance with Rule 25-30.310, Florida Administrative Code, a signed application is required prior to the initiation of service. The Company shall provide each Applicant with a copy of the brochure entitled My Water and Wastewater Service, prepared by the Florida Public Service Commission.
- 4.0 APPLICATIONS BY AGENTS - Applications for water service requested by firms, partnerships, associations, corporations, and others shall be rendered only by duly authorized parties or agents.
- 5.0 REFUSAL OR DISCONTINUANCE OF SERVICE - The Company may refuse or discontinue water service rendered under application made by any member or agent of a household, organization, or business in accordance with Rule 25-30.320, Florida Administrative Code.
- 6.0 EXTENSIONS - Extensions will be made to the Company's facilities in compliance with Commission Rules and Orders and the Company's tariff.
- 7.0 TYPE AND MAINTENANCE - In accordance with Rule 25-30.545, Florida Administrative Code, the Customer's pipes, apparatus and equipment shall be selected, installed, used and maintained in accordance with standard practice and shall conform with the Rules and Regulations of the Company and shall comply with all laws and governmental regulations applicable to same. The Company shall not be responsible for the maintenance and operation of the Customer's pipes and facilities. The Customer expressly agrees not to utilize any appliance or device which is not properly constructed, controlled and protected or which may adversely affect the water service. The Company reserves the right to discontinue or withhold water service to such apparatus or device.
- 8.0 DELINQUENT BILLS - When it has been determined that a Customer is delinquent in paying any bill, water service may be discontinued after the Company has mailed or presented a written notice to the Customer in accordance with Rule 25-30.320, Florida Administrative Code.

(Continued on Sheet No. 8.0)

EFFECTIVE DATE -TYPE OF FILING - Grandfather Certificate

GARY DEREMER  
ISSUING OFFICER

PRESIDENT  
TITLE



SEMINOLE WATERWORKS, INC.

## WATER TARIFF

(Continued from Sheet No. 7.0)

- 9.0 CONTINUITY OF SERVICE - In accordance with Rule 25-30.250, Florida Administrative Code, the Company will at all times use reasonable diligence to provide continuous water service and, having used reasonable diligence, shall not be liable to the Customer for failure or interruption of continuous water service.

If at any time the Company shall interrupt or discontinue its service, all Customers affected by said interruption or discontinuance shall be given not less than 24 hours written notice.

- 10.0 LIMITATION OF USE - Water service purchased from the Company shall be used by the Customer only for the purposes specified in the application for water service. Water service shall be rendered to the Customer for the Customer's own use and the Customer shall not sell or otherwise dispose of such water service supplied by the Company.

In no case shall a Customer, except with the written consent of the Company, extend his lines across a street, alley, lane, court, property line, avenue, or other way in order to furnish water service to the adjacent property through one meter even though such adjacent property may be owned by him. In case of such unauthorized extension, sale, or disposition of service, the Customer's water service will be subject to discontinuance until such unauthorized extension, remetering, sale or disposition of service is discontinued and full payment is made to the Company for water service rendered by the Company (calculated on proper classification and rate schedules) and until reimbursement is made in full to the Company for all extra expenses incurred for clerical work, testing, and inspections. (This shall not be construed as prohibiting a Customer from remetering.)

- 11.0 CHANGE OF CUSTOMER'S INSTALLATION - No changes or increases in the Customer's installation, which will materially affect the proper operation of the pipes, mains, or stations of the Company, shall be made without written consent of the Company. The Customer shall be liable for any charge resulting from a violation of this Rule.

- 12.0 PROTECTION OF COMPANY'S PROPERTY - The Customer shall exercise reasonable diligence to protect the Company's property. If the Customer is found to have tampered with any Company property or refuses to correct any problems reported by the Company, service may be discontinued in accordance with Rule 25-30.320, Florida Administrative Code.

In the event of any loss or damage to property of the Company caused by or arising out of carelessness, neglect, or misuse by the Customer, the cost of making good such loss or repairing such damage shall be paid by the Customer.

(Continued on Sheet No. 9.0)

EFFECTIVE DATE -TYPE OF FILING - Grandfather Certificate

GARY DEREMER  
ISSUING OFFICER

PRESIDENT  
TITLE

SEMINOLE WATERWORKS, INC.

WATER TARIFF

(Continued from Sheet No. 8.0)

- 13.0 INSPECTION OF CUSTOMER'S INSTALLATION - All Customer's water service installations or changes shall be inspected upon completion by a competent authority to ensure that the Customer's piping, equipment, and devices have been installed in accordance with accepted standard practice and local laws and governmental regulations. Where municipal or other governmental inspection is required by local rules and ordinances, the Company cannot render water service until such inspection has been made and a formal notice of approval from the inspecting authority has been received by the Company.

Notwithstanding the above, the Company reserves the right to inspect the Customer's installation prior to rendering water service, and from time to time thereafter, but assumes no responsibility whatsoever for any portion thereof.

- 14.0 ACCESS TO PREMISES - In accordance with Rule 25-30.320(2)(f), Florida Administrative Code, the Customer shall provide the duly authorized agents of the Company access at all reasonable hours to its property. If reasonable access is not provided, service may be discontinued pursuant to the above rule.

- 15.0 RIGHT-OF-WAY OR EASEMENTS - The Customer shall grant or cause to be granted to the Company, and without cost to the Company, all rights, easements, permits, and privileges which are necessary for the rendering of water service.

- 16.0 CUSTOMER BILLING - Bills for water service will be rendered ☒ Monthly, ☐ Bimonthly, or ☐ Quarterly as stated in the rate schedule.

In accordance with Rule 25-30.335, Florida Administrative Code, the Company may not consider a Customer delinquent in paying his or her bill until the twenty-first day after the Company has mailed or presented the bill for payment.

A municipal or county franchise tax levied upon a water or wastewater public Company shall not be incorporated into the rate for water or wastewater service but shall be shown as a separate item on the Company's bills to its Customers in such municipality or county.

If a Company utilizes the base facility and usage charge rate structure and does not have a Commission authorized vacation rate, the Company shall bill the Customer the base facility charge regardless of whether there is any usage.

- 17.0 TERMINATION OF SERVICE - When a Customer wishes to terminate service on any premises where water service is supplied by the Company, the Company may require reasonable notice to the Company in accordance with Rule 25-30.325, Florida Administrative Code.

(Continued on Sheet No. 10.0)

EFFECTIVE DATE -

TYPE OF FILING - Grandfather Certificate

GARY DEREMER  
ISSUING OFFICER

PRESIDENT  
TITLE



SEMINOLE WATERWORKS, INC.

## WATER TARIFF

(Continued from Sheet No. 9.0)

- 18.0 PAYMENT OF WATER AND WASTEWATER SERVICE BILLS CONCURRENTLY - In accordance with Rule 25-30.320(2)(g), Florida Administrative Code, when both water and wastewater service are provided by the Company, payment of any water service bill rendered by the Company to a Customer shall not be accepted by the Company without the simultaneous or concurrent payment of any wastewater service bill rendered by the Company.
- 19.0 UNAUTHORIZED CONNECTIONS - WATER - Any unauthorized connections to the Customer's water service shall be subject to immediate discontinuance without notice, in accordance with Rule 25-30.320, Florida Administrative Code.
- 20.0 METERS - All water meters shall be furnished by and remain the property of the Company and shall be accessible and subject to its control, in accordance with Rule 25-30.230, Florida Administrative Code.
- 21.0 ALL WATER THROUGH METER - That portion of the Customer's installation for water service shall be so arranged to ensure that all water service shall pass through the meter. No temporary pipes, nipples or spaces are permitted and under no circumstances are connections allowed which may permit water to by-pass the meter or metering equipment.
- 22.0 ADJUSTMENT OF BILLS - When a Customer has been undercharged as a result of incorrect application of the rate schedule, incorrect reading of the meter, incorrect connection of the meter, or other similar reasons, the amount may be refunded or billed to the Customer as the case may be pursuant to Rules 25-30.340 and 25-30.350, Florida Administrative Code.
- 23.0 ADJUSTMENT OF BILLS FOR METER ERROR - When meter tests are made by the Commission or by the Company, the accuracy of registration of the meter and its performance shall conform with Rule 25-30.262, Florida Administrative Code and any adjustment of a bill due to a meter found to be in error as a result of any meter test performed whether for unauthorized use or for a meter found to be fast, slow, non-registering, or partially registering, shall conform with Rule 25-30.340, Florida Administrative Code.
- 24.0 METER ACCURACY REQUIREMENTS - All meters used by the Company should conform to the provisions of Rule 25-30.262, Florida Administrative Code.
- 25.0 FILING OF CONTRACTS - Whenever a Developer Agreement or Contract, Guaranteed Revenue Contract, or Special Contract or Agreement is entered into by the Company for the sale of its product or services in a manner not specifically covered by its Rules and Regulations or approved Rate Schedules, a copy of such contracts or agreements shall be filed with the Commission prior to its execution in accordance with Rule 25-9.034 and Rule 25-30.550, Florida Administrative Code. If such contracts or agreements are approved by the Commission, a conformed copy shall be placed on file with the Commission within 30 days of execution.

EFFECTIVE DATE -TYPE OF FILING - Grandfather Certificate

GARY DEREMER  
ISSUING OFFICER

PRESIDENT  
TITLE



SEMINOLE WATERWORKS, INC.

WATER TARIFF

INDEX OF RATES AND CHARGES SCHEDULES

	<u>Sheet Number</u>
Customer Deposits .....	14.0
General Service, GS.....	12.0
Meter Test Deposit .....	15.0
Miscellaneous Service Charges .....	16.0
Residential Service, RS.....	13.0

GARY DEREMER  
ISSUING OFFICER

PRESIDENT  
TITLE

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WATER TARIFF
GENERAL SERVICERATE SCHEDULE GS

- AVAILABILITY - Available throughout the area served by the Company.
- APPLICABILITY - For water service to all Customers for which no other schedule applies.
- LIMITATIONS - Subject to all of the Rules and Regulations of this tariff and General Rules and Regulations of the Commission.
- BILLING PERIOD -
- RATE -

<u>Meter Sizes</u>	<u>Base Facility Charge</u>
5/8" x 3/4"	\$ 21.99
Gallonge Charge per thousand gallons	
0 – 5,000 gallons	\$ 2.76
5,001 – 20,000 gallons	\$ 3.06
Over 20,000 gallons	\$ 3.40

- MINIMUM CHARGE - Base Facility Charge
- TERMS OF PAYMENT - Bills are due and payable when rendered. In accordance with Rule 25-30.320, Florida Administrative Code, if a Customer is delinquent in paying the bill for water service, service may then be discontinued.
- EFFECTIVE DATE -
- TYPE OF FILING – Grandfather Certificate and Pass Through

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GARY DEREMER  
ISSUING OFFICER

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PRESIDENT  
TITLE

SEMINOLE WATERWORKS, INC.

## WATER TARIFF

RESIDENTIAL SERVICERATE SCHEDULE RS

AVAILABILITY - Available throughout the area served by the Company.

APPLICABILITY - For water service for all purposes in private residences and individually metered apartment units.

LIMITATIONS - Subject to all of the Rules and Regulations of this Tariff and General Rules and Regulations of the Commission.

BILLING PERIOD -

RATE -

<u>Meter Sizes</u>	<u>Base Facility Charge</u>
--------------------	-----------------------------

5/8" x 3/4"	\$ 21.99
-------------	----------

Gallonge Charge per thousand gallons

0 – 5,000 gallons	\$ 2.76
-------------------	---------

5,001 – 20,000 gallons	\$ 3.06
------------------------	---------

Over 20,000 gallons	\$ 3.40
---------------------	---------

MINIMUM CHARGE - Base Facility Charge

TERMS OF PAYMENT - Bills are due and payable when rendered. In accordance with Rule 25-30.320, Florida Administrative Code, if a Customer is delinquent in paying the bill for water service, service may then be discontinued.

EFFECTIVE DATE -

TYPE OF FILING - Grandfather Certificate and Pass Through

GARY DEREMER  
ISSUING OFFICER

PRESIDENT  
TITLE



SEMINOLE WATERWORKS, INC.

## WATER TARIFF

CUSTOMER DEPOSITS

ESTABLISHMENT OF CREDIT - Before rendering water service, the Company may require an Applicant for service to satisfactorily establish credit, but such establishment of credit shall not relieve the Customer from complying with the Company's rules for prompt payment. Credit will be deemed so established if the Customer complies with the requirements of Rule 25-30.311, Florida Administrative Code.

AMOUNT OF DEPOSIT - The amount of initial deposit shall be the following according to meter size:

	<u>Residential</u>	<u>General Service</u>
5/8" x 3/4"	\$50.00	\$50.00
All Others	2 x average bill	2 x average bill

ADDITIONAL DEPOSIT - Under Rule 25-30.311(7), Florida Administrative Code, the Company may require a new deposit, where previously waived or returned, or an additional deposit in order to secure payment of current bills provided.

INTEREST ON DEPOSIT - The Company shall pay interest on Customer deposits pursuant to Rules 25-30.311(4) and (4a).

REFUND OF DEPOSIT - After a residential Customer has established a satisfactory payment record and has had continuous service for a period of 23 months, the Company shall refund the Customer's deposit provided the Customer has met the requirements of Rule 25-30.311(5), Florida Administrative Code. The Company may hold the deposit of a non-residential Customer after a continuous service period of 23 months and shall pay interest on the non-residential Customer's deposit pursuant to Rules 25-30.311(4) and (5), Florida Administrative Code.

Nothing in this rule shall prohibit the Company from refunding a Customer's deposit in less than 23 months.

EFFECTIVE DATE -

TYPE OF FILING - Grandfather Certificate

GARY DEREMER  
ISSUING OFFICER

PRESIDENT  
TITLE

SEMINOLE WATERWORKS, INC.

## WATER TARIFF

METER TEST DEPOSIT

METER BENCH TEST REQUEST - If any Customer requests a bench test of his or her water meter, in accordance with Rule 25-30.266, Florida Administrative Code, the Company may require a deposit to defray the cost of testing; such deposit shall not exceed the schedule of fees found in Rule 25-30.266, Florida Administrative Code.

<u>METER SIZE</u>	<u>FEE</u>
5/8" x 3/4"	\$20.00
1" and 1 1/2"	\$25.00
2" and over	Actual Cost

REFUND OF METER BENCH TEST DEPOSIT - The Company may refund the meter bench test deposit in accordance with Rule 25-30.266, Florida Administrative Code.

METER FIELD TEST REQUEST - A Customer may request a no-charge field test of the accuracy of a meter in accordance with Rule 25-30.266, Florida Administrative Code.

EFFECTIVE DATE -

TYPE OF FILING - Grandfather Certificate

GARY DEREMER  
ISSUING OFFICER

PRESIDENT  
TITLE

SEMINOLE WATERWORKS, INC.

## WATER TARIFF

MISCELLANEOUS SERVICE CHARGES

The Company may charge the following miscellaneous service charges in accordance with the terms stated herein. If both water and wastewater services are provided, only a single charge is appropriate unless circumstances beyond the control of the Company require multiple actions.

INITIAL CONNECTION - This charge may be levied for service initiation at a location where service did not exist previously.

NORMAL RECONNECTION - This charge may be levied for transfer of service to a new Customer account at a previously served location or reconnection of service subsequent to a Customer requested disconnection.

VIOLATION RECONNECTION - This charge may be levied prior to reconnection of an existing Customer after disconnection of service for cause according to Rule 25-30.320(2), Florida Administrative Code, including a delinquency in bill payment.

PREMISES VISIT CHARGE (IN LIEU OF DISCONNECTION) - This charge may be levied when a service representative visits a premises for the purpose of discontinuing service for nonpayment of a due and collectible bill and does not discontinue service because the Customer pays the service representative or otherwise makes satisfactory arrangements to pay the bill.

LATE PAYMENT CHARGE - This charge may be levied when payment has not been made within 21 days after the bill has been mailed or presented.

RETURN CHECK CHARGE - This charge may be levied pursuant to Section 68.065, Florida Statutes, when a customer pays by check and that check is dishonored by the customer's banking institution.

CONVENIENCE CHARGE - This charge may be levied when a customer opts to pay their utility bill by debit/credit card either online or by telephone.

(Continued to Sheet No. 16.1)

EFFECTIVE DATE -

TYPE OF FILING - Grandfather Certificate

GARY DEREMER  
ISSUING OFFICER

PRESIDENT  
TITLE



SEMINOLE WATERWORKS, INC.

## WATER TARIFF

(Continued from Sheet No. 16.0)

**Water Miscellaneous Service Charges**

	Normal Hours	After Hours
Initial Connection Fee	\$50.00	\$50.00
Normal Reconnection Fee	\$50.00	\$50.00
Violation Reconnection Fee	\$165.00	\$165.00
Premises Visit Fee	\$20.00	\$20.00
Late Payment Charge	10% calculated on total bill owed	
Non-Sufficient Funds (NSF) Charge	\$25.00 if check value is <\$50.00	
	\$30.00 if check value is between \$50.00 and \$300.00	
Convenience Charge	\$ 2.60	

EFFECTIVE DATE -TYPE OF FILING – Grandfather Certificate

\_\_\_\_\_  
 GARY DEREMER  
 ISSUING OFFICER

\_\_\_\_\_  
 PRESIDENT  
 TITLE

SEMINOLE WATERWORKS, INC.

WATER TARIFF

INDEX OF SERVICE AVAILABILITY POLICY AND CHARGES

<u>Description</u>	<u>Sheet Number</u>
Schedule of Charges .....	19.0
Service Availability Policy .....	18.0

GARY DEREMER  
ISSUING OFFICER

PRESIDENT  
TITLE

SEMINOLE WATERWORKS, INC.

WATER TARIFF

SERVICE AVAILABILITY POLICY

The Utility is built out and has no service availability charges.



SEMINOLE WATERWORKS, INC.

WATER TARIFF

SERVICE AVAILABILITY CHARGES

NOT APPLICABLE

EFFECTIVE DATE -

TYPE OF FILING – Grandfather Certificate

GARY DEREMER  
ISSUING OFFICER

PRESIDENT  
TITLE

SEMINOLE WATERWORKS, INC.

WATER TARIFF

INDEX OF STANDARD FORMS

<u>Description</u>	<u>Sheet No.</u>
APPLICATION FOR WATER SERVICE .....	21.0
COPY OF CUSTOMER'S BILL .....	22.0

GARY DEREMER  
ISSUING OFFICER

PRESIDENT  
TITLE

SEMINOLE WATERWORKS, INC.

WATER TARIFF

APPLICATION FOR WATER SERVICE

GARY DEREMER  
ISSUING OFFICER

PRESIDENT  
TITLE



SEMINOLE WATERWORKS, INC.

WATER TARIFF

COPY OF CUSTOMER'S BILL

GARY DEREMER  
ISSUING OFFICER

PRESIDENT  
TITLE

## **EXHIBIT G**

# **NOTICE OF APPLICATION FOR GRANDFATHER WATER CERTIFICATE**

## **NOTICE OF REQUEST FOR PASS THROUGH INCREASE**

**DOCKET NO. 2017XXX-SU**

**APPLICATION FOR GRANDFATHER WATER CERTIFICATE IN LEON COUNTY BY SEMINOLE  
WATERWORKS INC.**

**APPLICATION FOR PASS THROUGH RATE INCREASE FOR REGULATORY ASSESSMENT FEES**

**DATE OF CUSTOMER NOTICE – July XX, 2017**

Notice is hereby given that Seminole Waterworks, Inc. has filed an Application Grandfather Certificate in Leon County Florida pursuant to Sections 367.171(2), Florida Statutes (F.S.), and Chapter 25-30.035, Florida Administrative Code. Further notice is given that Seminole Waterworks, Inc. has filed for approval of pass through water rates for regulatory assessment fees pursuant to Section 367.081(4)(b), Florida Statutes.

Pursuant to Section 367.081(4)(b), Florida Statutes, water and wastewater utilities are permitted to pass through, without a public hearing, a change in rates resulting from: an increase or decrease in rates charged for utility services received from a governmental agency or another regulated utility and which services were redistributed by the utility to its customers; an increase or decrease in the rates that it is charged for electric power, the amount of ad valorem taxes assessed against its used and useful property, the fees charged by the Department of Environmental Protection in connection with the National Pollutant Discharge Elimination System Program, or the regulatory assessment fees imposed upon it by the Commission; and costs incurred for water quality or wastewater quality testing required by the Department of Environmental Protection.

Attached to this notice are the utility's rates prior to filing and the proposed rates based on monthly billing.

These rates should be reflected on your bill for service rendered on and after August 21, 2017.

Seminole Waterworks, Inc. water system provides service to the following communities in Leon County, Florida:

Brewsters Estate  
Buck Lake Estates  
Meadow Hills  
North Lake Meadows  
Plantation Estates  
Sedgefield

The service territory to include all existing water customers currently being served is more particularly described as follows:

### **WATER LEGAL DESCRIPTION**

#### **Brewster Estates:**

In Section 22, Township 1 North, Range 1 East:

Located North of U.S. Highway 90 – also known as Mahan Drive including:

Brewster Road  
Bear Creek Road  
Panther Creek Road

#### **Buck Lake Estates:**

In Section 23, Township 1 North, Range 1 East:

Located North of Buck Lake Road including:

Charlais Street  
Drake Drive  
Angus Street



Pintail Drive

**Meadow Hills:**

Located South of Buck Lake Road, including:

A portion of Buck Lake Road east of Quail Road.

Quail Road

Lester Road

Davis Drive

Vernon Road

Meak Road

Dove Road

**North Lake Meadows:**

In Section 19, Township 2 North, Range 1 West:

Located West of Old Bainbridge Road including:

A portion of Old Bainbridge Road north and south of Susannah Drive

Susannah Drive

Newfield Drive

Garrett Road

Nola Court

Marty Court

Olga Court

Kidd Drive

**Plantation Estates:**

In Section 17, Township 1 North, Range 2 East:

Located South of U.S. Highway 90, also known as Mahan Drive including:

A portion of US Hwy 90 (Mahan Drive) east of Plantation Forest Drive

Plantation Forest Drive

Pineland Drive

Burnt Pine Drive

Foshalee Drive

Rocky Comfort Drive

Shady Rest Lane

Mistletoe Court

Nilo Lane

**Sedgefield:**

Located North of Buck Lake Road including:

Sedgefield Road

Springhaven Road

Old Forge Court

Landsdowne Road

Lawndale Road

Grassland Road

Burnwell Road

**Seminole Waterworks, Inc.**

	Current	Proposed
Residential & General Service		
Base Facility Charge		
5/8 X 3/4"	\$ 21.00	\$ 21.99
Gallonage Charge (per 1,000):		
0 - 5,000 gallons	\$ 2.64	\$ 2.76
5,001 - 20,000 gallons	\$ 2.92	\$ 3.06
over 20,000 gallons	\$ 3.25	\$ 3.40

For more information concerning this notice, please contact the Utility at the address below.

Seminole Waterworks, Inc.  
4939 Cross Bayou Blvd.  
New Port Richey, FL 34652  
Office: (727) 848-8292  
Fax: (727) 848-7701  
E-mail: trendell@uswatercorp.net

Any objection to the said application must be made in writing and filed with the Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, no later than thirty (30) days after the last date that the notice was mailed or published, whichever is later.

## **EXHIBIT H**



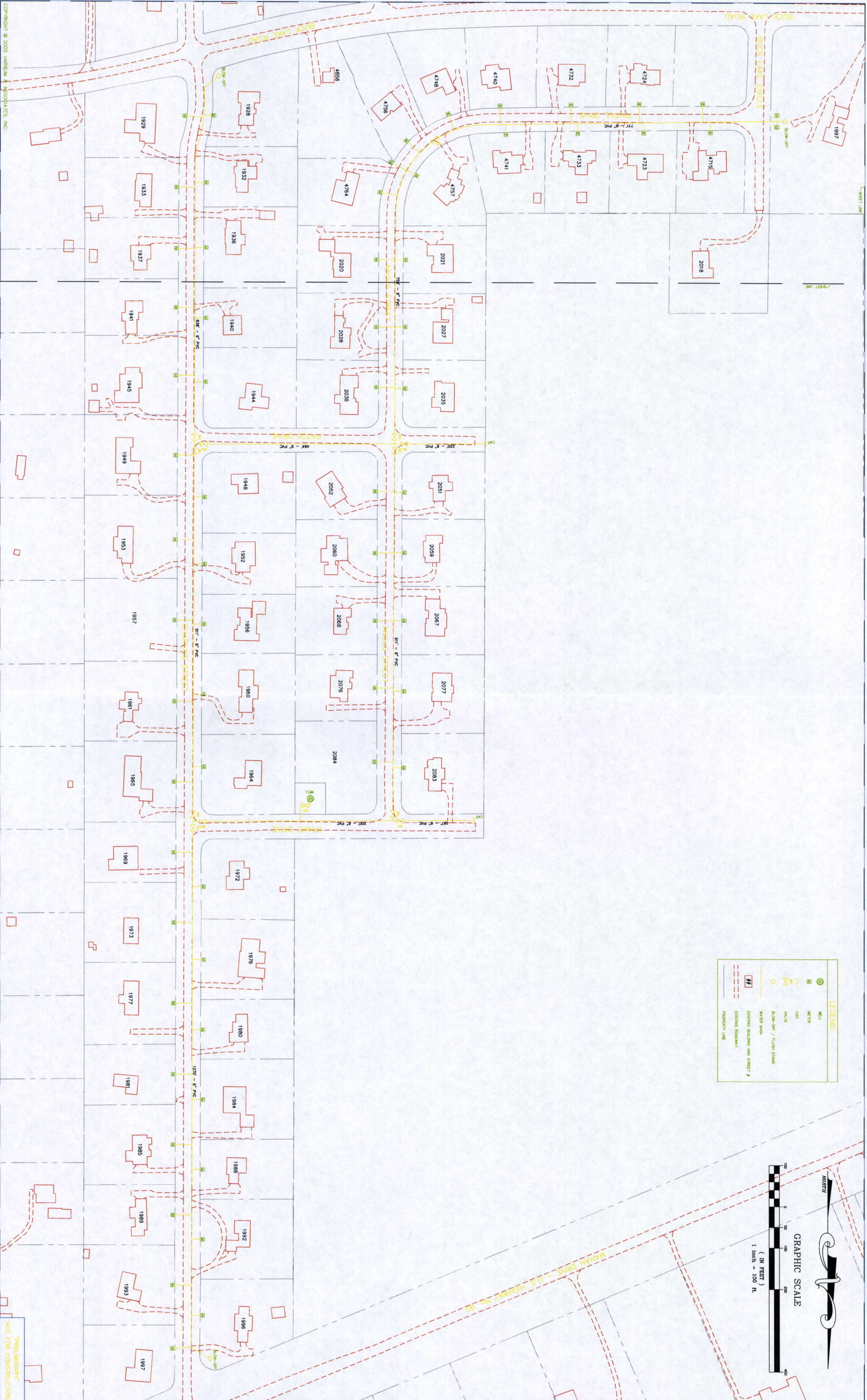
**LEGEND:**

- WELL
- WATER
- C&P
- VALVE
- BLow-Off / FLUSH STAND
- EXISTING BUILDING AND STREET #
- EXISTING ROADWAY
- PROPERTY LINE

**GRAPHIC SCALE**  
( IN FEET )  
1 inch = 100 ft

0 100 200 300 400

NORTH



**VARNUM & ASSOCIATES, INC.**  
CIVIL ENGINEERING - LAND USE PLANNING  
ENVIRONMENTAL ANALYSIS & PERMITTING  
3559 TIMBERLINE SCHOOL ROAD • TALLAHASSEE, FLORIDA 32312  
PHONE (850) 868-3211 • FAX (850) 868-3106  
CERTIFICATE OF AUTHORIZATION NO. 7860

DRAWN BY :	DATE :
S.R.	5/6/06
CHECKED BY :	DATE :
E.V.	5/6/06
DESIGNED BY :	CAD NAME :
PKC AND SPCB ARE	
SCALE :	PLD DATE :
1"=100'	5/22/06

CLIENT :
ROWE UTILITIES

PROJECT :
ROWE WATER SYSTEMS

SHEET TITLE :
BUCK LAKE ESTATES SUBDIVISION

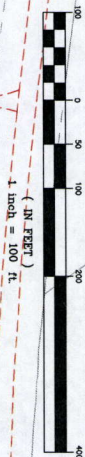
SEAL	PROJ. NO. :
	3609.001
NOT VALID UNLESS EMBOSSED	SHEET NO. :
	1

"PRELIMINARY"  
NOT FOR CONSTRUCTION

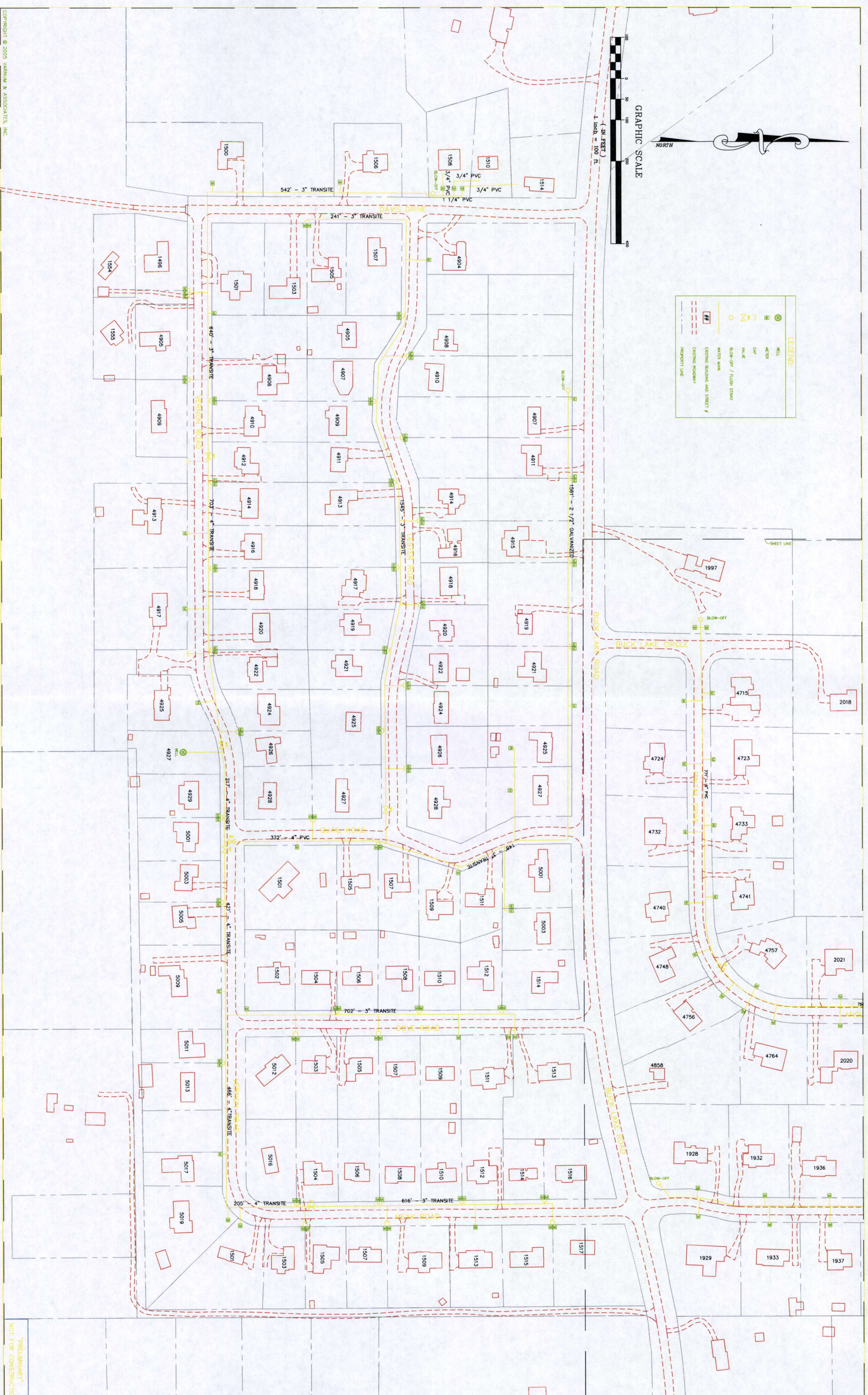




GRAPHIC SCALE



LEGEND:	
	WELL
	WATER
	CAP
	VALVE
	BLOW-OFF / FLUSH STAND
	WATER MAIN
	EXISTING BUILDING AND STREET #
	EXISTING PROPERTY
	PROPERTY LINE



**VARNUM & ASSOCIATES, INC.**  
CIVIL ENGINEERING • LAND USE PLANNING  
ENVIRONMENTAL ANALYSIS & REMEDIATION  
3559 TIGER AVE. SUITE 200, TALLAHASSEE, FLORIDA 32312  
PHONE: (850) 668-5211 • FAX: (850) 668-3106  
E-MAIL: VARNUM@VARNUM.COM  
CERTIFICATE OF AUTHORIZATION NO. 7890

DRAWN BY:		DATE:
S.R.	5/6/06	
CHECKED BY:		DATE:
E.V.	5/6/06	
DESIGNED BY:		CAD NAME:
VARNUM & ASSOCIATES, INC.		
SCALE:		PLOT DATE:
1"=100'		5/22/06

CLIENT:	
ROWE UTILITIES	

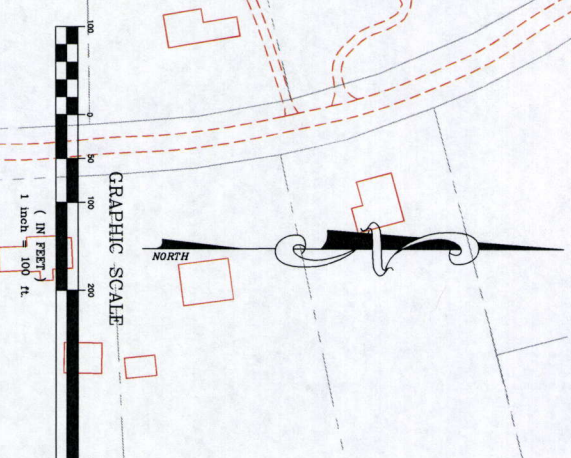
PROJECT:	
ROWE WATER SYSTEMS	

SHEET TITLE:	
MEADOW HILLS SUBDIVISION	

PROJ. NO.:	
3609.001	
SHEET NO.:	
2	

"PRELIMINARY"  
NOT FOR CONSTRUCTION





LEGEND:	
	WATER
	GAS
	ELECTRIC
	SEWER
	VALVE
	WATER MAIN
	WATER MAIN AND STREET #
	EXISTING ROADWAY
	PROPERTY LINE

**VARNUM & ASSOCIATES, INC.**  
CIVIL ENGINEERING - LAND USE PLANNING  
ENVIRONMENTAL ANALYSIS & PERMITTING  
3559 JIMBERLANE SCHOOL ROAD • TALLAHASSEE, FLORIDA 32312  
E-MAIL: VARNUM@VARNUM.COM • FAX: (850) 889-3108  
CERTIFICATE OF AUTHORIZATION NO. 7860

DRAWN BY :		DATE :
S.R.		5/6/06
CHECKED BY :		DATE :
E.V.		5/6/06
DESIGNED BY :		CAD NAME :
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REVISIONS	
DESCRIPTION	INT. DATE
WATER-USE FROM LAKES	5/19/06

CLIENT :	
ROWE UTILITIES	

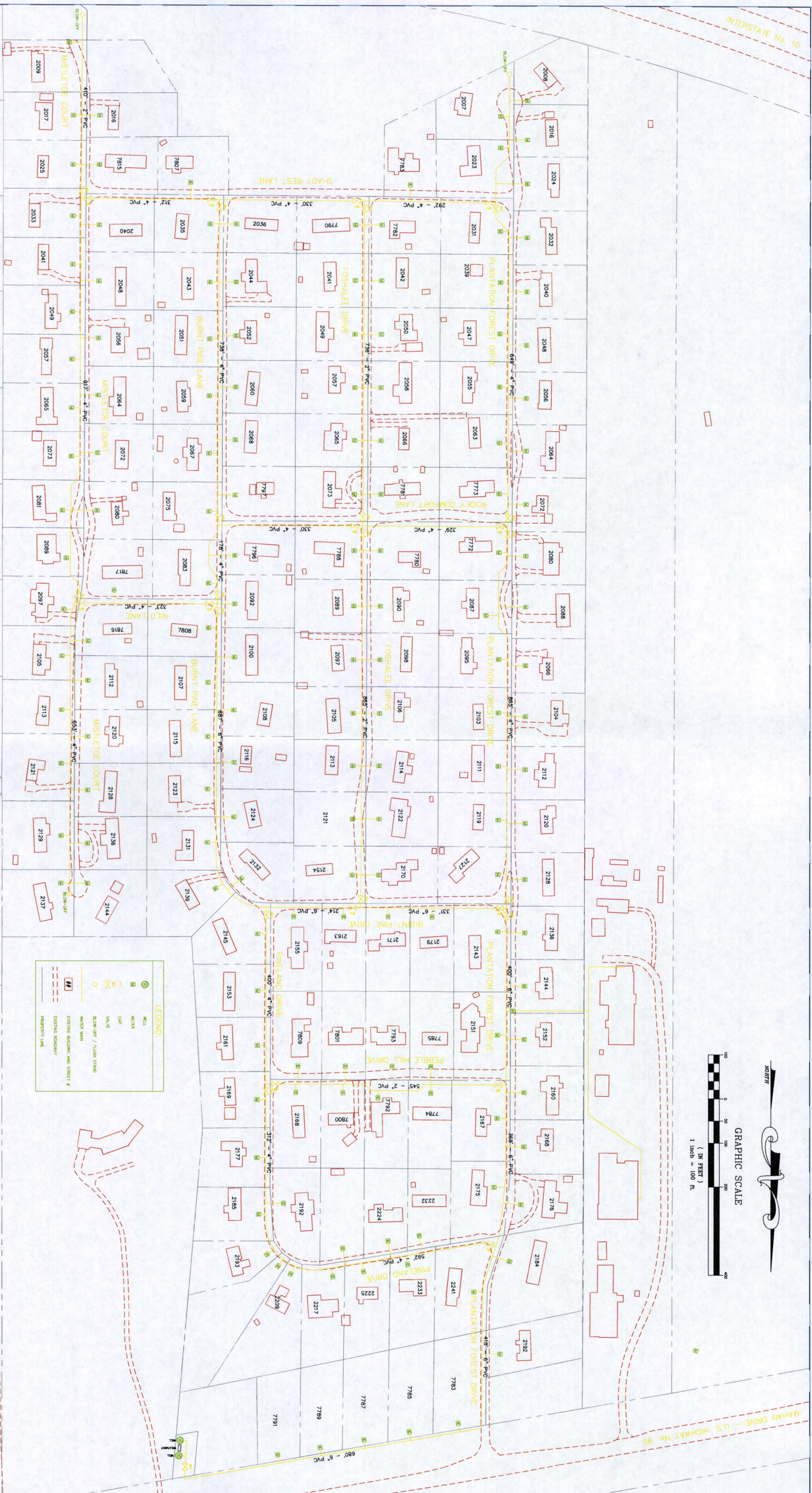
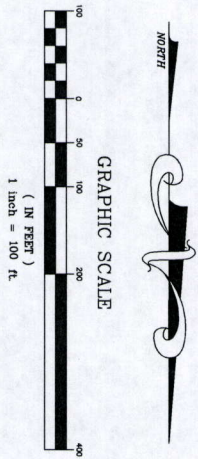
PROJECT :	
ROWE WATER SYSTEMS	

SHEET TITLE :	
NORTH LAKE MEADOWS SUBDIVISION	

SEAL	
PROJ. NO. : 3609.001	
SHEET NO. : 5	

\*PRELIMINARY\*  
NOT FOR CONSTRUCTION





**VARNUM & ASSOCIATES, INC.**  
CIVIL ENGINEERING - LAND USE PLANNING  
ENVIRONMENTAL ANALYSIS & PERMITTING  
3559 TIMBERLANE SCHOOL ROAD - TALLAHASSEE, FLORIDA 32312  
E-MAIL: VARNUM@VARNUM.COM FAX: (850) 668-3108  
CERTIFICATE OF AUTHORIZATION NO. 7860

DRAWN BY:	DATE:
S.R.	5/6/06
CHECKED BY:	DATE:
E.V.	5/6/06
DESIGNED BY:	CAD NAME:
PLM	5/22/06
SCALE:	PLOT DATE:
1"=100'	5/22/06

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CIENT:

PROJECT:

ROWE UTILITIES

ROWE WATER SYSTEMS

SHEET TITLE:

PLANTATION ESTATES  
SUBDIVISION

SEAL

PROJ. NO.:

3609.001

SHEET NO.:

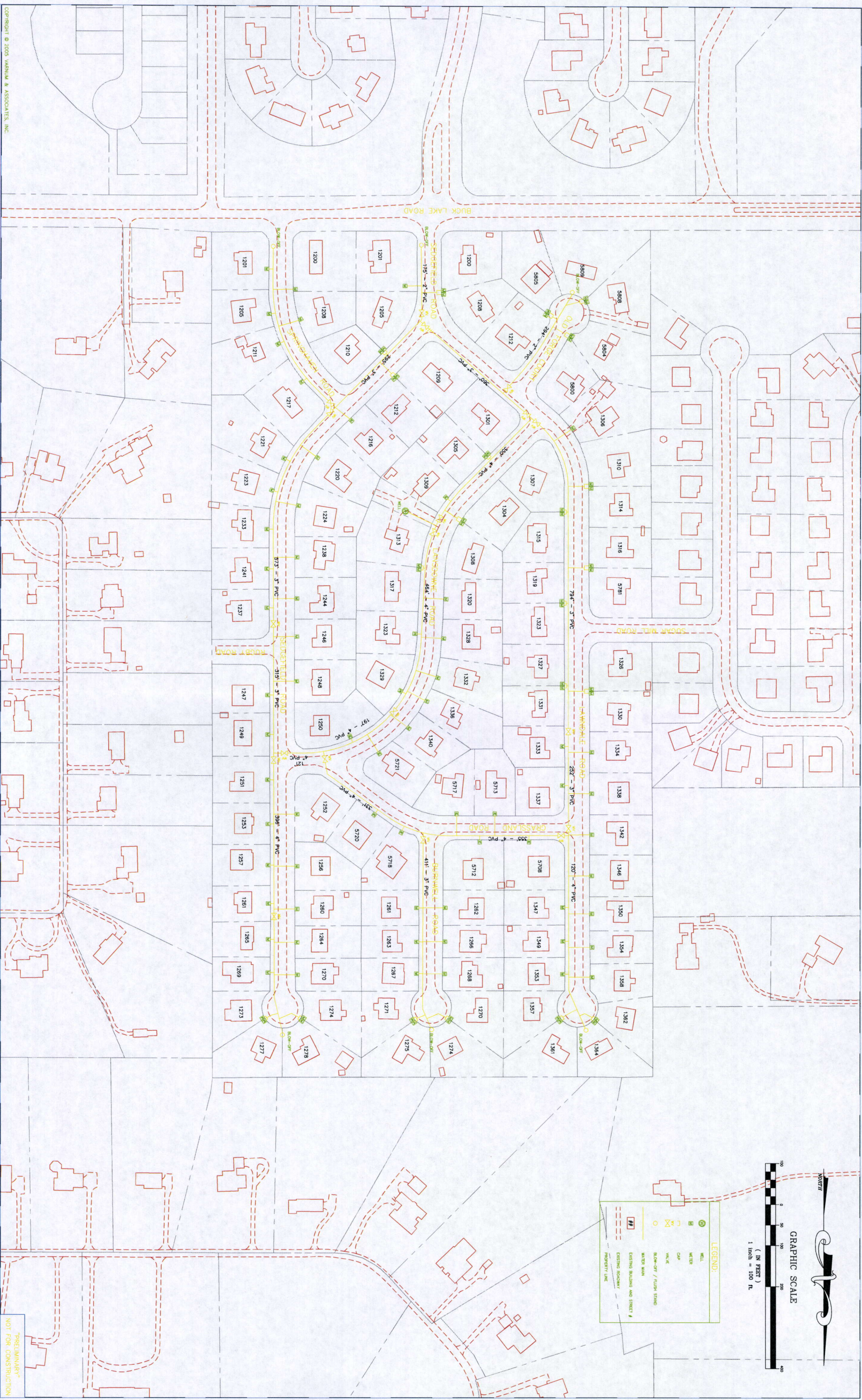
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NOT FOR CONSTRUCTION

NOT VALID UNLESS EMBOSSED





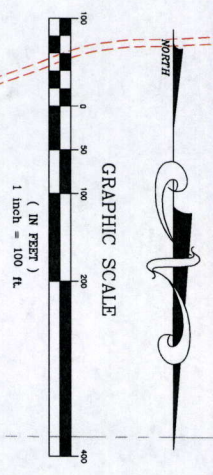
**LEGEND:**

- WELL
- WATER
- C&P
- VALVE
- BLow-OFF / FLUSH STAND
- WATER MAIN

EXISTING BUILDING AND STREET

EXISTING HIGHWAY

PROPERTY LINE



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**VARNUM & ASSOCIATES, INC.**  
 CIVIL ENGINEERING • LAND USE PLANNING  
 ENVIRONMENTAL ANALYSIS & REMEDIATION  
 10000 WILLOW CREEK DRIVE, SUITE 300  
 FARMINGTON, CONNECTICUT 06031  
 PHONE (860) 666-5211 • FAX (860) 666-3106  
 E-MAIL: JAVNUM@VARNUM.COM  
 CENTRAL TELEPHONE AREA NO. 7890

DRYING BY S.R.	DATE 5/6/06	REVISIONS	DESCRIPTION	INT.	DATE
CHECKED BY E.V.	DATE 5/6/06		MARK-UPS FROM LIAISON	PKA	5/18/06
DESIGNED BY :	CAD NAME :				
SCALE 1"=100'	PLOT DATE 5/22/06				

CLIENT : ROWE UTILITIES

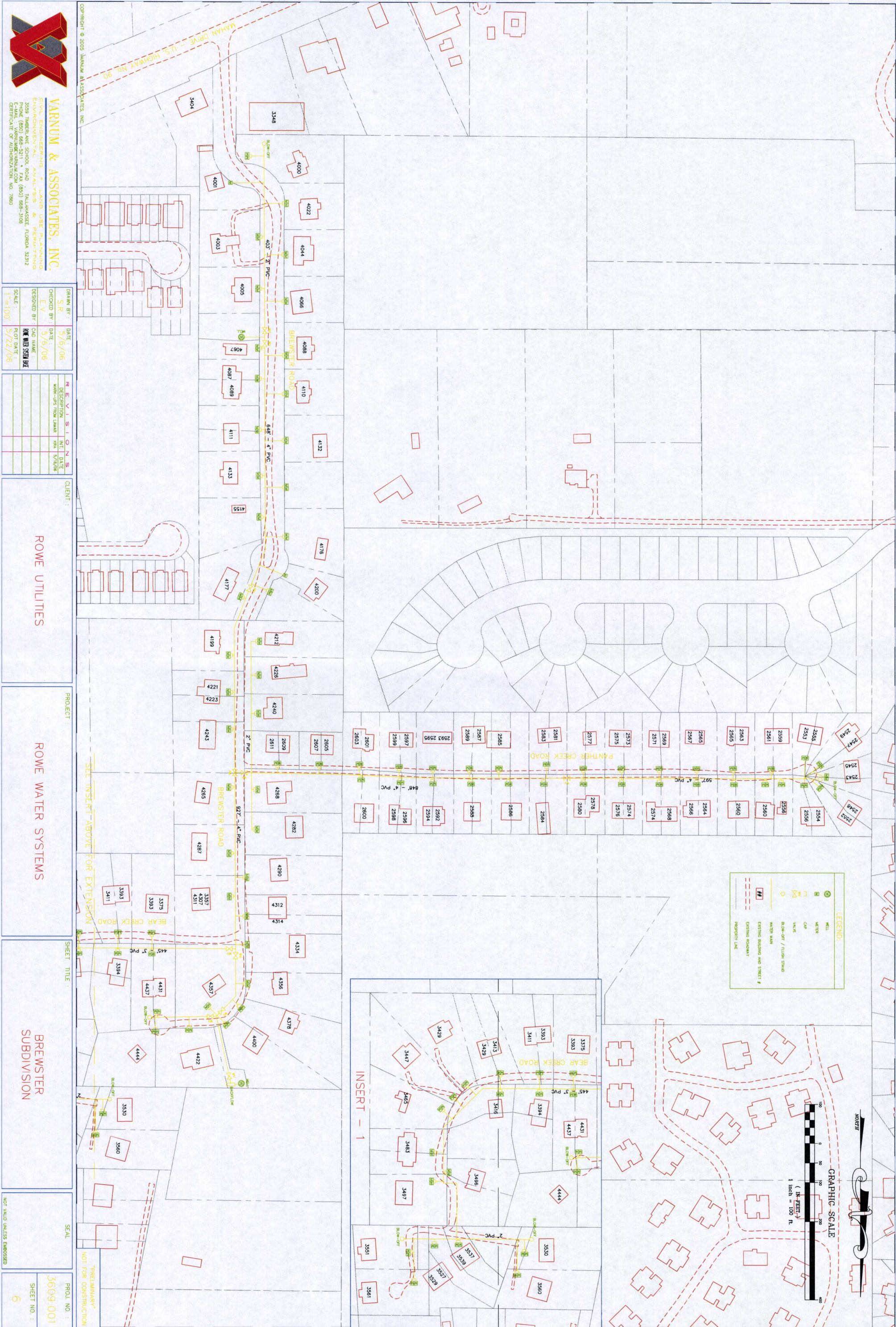
PROJECT : ROWE WATER SYSTEMS


SHEET TITLE

SEDGEFIELD  
SUBDIVISION

SEAL	PROJ. NO. :	3609_001
NOT VALID UNLESS EMBOSSED	SHEET NO. :	3







**VARNUM & ASSOCIATES, INC.**  
CIVIL ENGINEERING • LAND USE PLANNING  
ENVIRONMENTAL ANALYSIS & PERMITTING  
3559 INDIAN CREEK ROAD, TALLAHASSEE, FLORIDA 32312  
PHONE (850) 668-3211 • FAX (850) 668-3108  
E-MAIL: VARNUM@VARNUM.COM  
CENTRAL FLORIDA LICENSE NO. 7860

DRAWN BY :	DATE :
S.R.	5/6/06
CHECKED BY :	DATE :
E.V.	5/6/06
DESIGNED BY :	CAD NAME :
ONE MICRO SYSTEMS	
SCALE :	PLOT DATE :
1"=100'	5/22/06

CLIENT :
PROJECT :
ROW UTILITIES

PROJECT :
ROW WATER SYSTEMS

SHEET TITLE :
BREWSTER SUBDIVISION

SEAL	PROJ. NO. :
NOT VALID UNLESS EMBOSSED	3609.001
	SHEET NO. :
	6



## **EXHIBIT I**



## Florida Department of Environmental Protection

Northwest District  
160 West Government Street, Suite 308  
Pensacola, Florida 32502-5740

Rick Scott  
Governor

Carlos Lopez-Cantera  
Lt. Governor

Jonathan P. Steverson  
Secretary

October 19, 2016  
rderossett@uswatercorp.net

In the Matter of an  
Application for Permit by:

Ron Derossett  
Facility Manager  
Seminole Waterworks, Inc.  
4939 Cross Bayou Boulevard  
New Port Richie, Florida 34652

DEP File No. 0347910-001  
Leon County

### NOTICE OF PERMIT ISSUANCE

Enclosed is Permit Number 0347910-001-WC/M2 to convert from gas to sodium hypochlorite disinfection at North Lake Meadows public water system, Leon County. This permit is issued pursuant to Section(s) 403.861, Florida Statutes.

This permit is final and effective on the date filed with the clerk of the Department unless a petition is filed in accordance with the paragraphs below or unless a request for extension of time in which to file a petition is filed within the required timeframe and conforms to Rule 62-110.106(4), F.A.C. Upon timely filing of a petition or a request for an extension, this permit will not be effective until further Order of the Department.

A person whose substantial interests are affected by this permit may petition for an administrative proceeding (hearing) in accordance with sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) with the Agency Clerk for the Department of Environmental Protection, Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, within 14 days of receipt of this Notice. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under sections 120.569 and 120.57 of the Florida Statutes. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-106.205, F.A.C.

A petition must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
- (c) A statement of how and when the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts which petitioner contends warrant reversal or modification of the Department's action;
- (f) A statement of the specific rules or statutes the petitioner contends requires reversal or modification of the Department's action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- (g) A statement of the relief sought by petitioner, stating precisely the action that the petitioner wants the Department to take.

A petition that does not dispute the materials facts on which the Department's action is based shall state that no such facts are in dispute and otherwise contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

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 on the petition have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

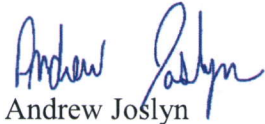
When the Order (Permit) is final, any party to the Order has the right to seek judicial review of the Order pursuant to section 120.68 of the Florida Statutes, by filing a Notice of Appeal pursuant to Rule 9.110 of the Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office 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 the final order is filed with the Clerk of the Department.



Ron Derossett, Facility Manager  
Seminole Waterworks, Inc.  
Page 3 of 3

Executed in Pensacola, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION



Andrew Joslyn  
Permitting Program Administrator

Enclosures: Permit No. 0347910-001-WC/M2

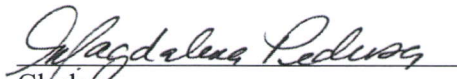
cc: Mohammed Y. Kader, P.E. (mkader@uswatercorp.net)  
Josie Penton, DEP NWD Panama City Office (josie.penton@dep.state.fl.us)

**CERTIFICATION OF SERVICE**

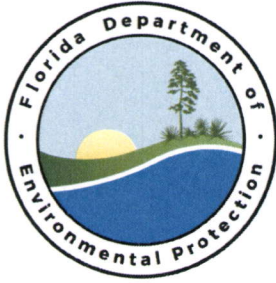
The undersigned duly designated deputy agency clerk hereby certifies that this Notice of Permit Issuance and all copies were mailed/electronically transmitted before the close of business on October 19, 2016, to those persons listed.

**FILING AND ACKNOWLEDGEMENT**

Filed, on this date, under section 120.52(7), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

  
Clerk

October 19, 2016  
Date



## Florida Department of Environmental Protection

Northwest District  
160 West Government Street, Suite 308  
Pensacola, Florida 32502-5740

Rick Scott  
Governor

Carlos Lopez-Cantera  
Lt. Governor

Jonathan P. Steverson  
Secretary

**PERMITTEE:**

Ron Derossett, Facility Manager  
Seminole Waterworks, Inc.

PWS I.D. Number: 1374049

Permit Number: 0347910-001-WC/M2

Date of Issue: October 19, 2016

Expiration Date: October 18, 2021

County: Leon

Project: Conversion to Sodium Hypochlorite Disinfection  
North Lake Meadows Water System

This permit is issued under the provisions of Section 403.861, Florida Statutes, and Florida Administrative Code Rules 62-4, 62-550, 62-555, 62-560, 62-602, and 62-699. The above named applicant, hereinafter called Permittee, is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents attached hereto or on file with the Department and made a part hereof and specifically described as follows:

**CONSTRUCTION TO INCLUDE**

- Stenner chemical feed pump, Model 85MHP17, rated at 0.8 to 17.0 gallons per day, for metering of sodium hypochlorite (liquid bleach), including valves, fittings, and appurtenances
- Snyder Industries 30-gallon solution tank (NSF 61 approved)

**IN ACCORDANCE WITH:** plans and specifications prepared and submitted by Mohammed Y. Kader, P.E., received on September 30, 2016, and additional information received on October 18, 2016.

**LOCATION:** Nola Court, Tallahassee, Leon County

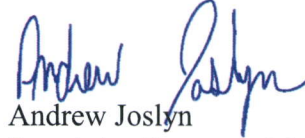
**TO SERVE:** North Lake Meadows Water System

Work must be conducted in accordance with the General and Specific Conditions, attached hereto.

Ron Derossett, Facility Manager  
Seminole Waterworks, Inc.  
Page 2 of 2

Issued this 19<sup>th</sup> day of October 2016.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

A handwritten signature in blue ink, appearing to read "Andrew Joslyn", is written over the printed name.

Andrew Joslyn  
Permitting Program Administrator

Attachments



Permittee:  
Ron Derossett, Facility Manager  
Seminole Waterworks, Inc.

DEP File No.:  
0347910-001-WC/M2

## General Conditions

The permittee shall be aware of and operate under the Permit Conditions below. These applicable conditions are binding upon the permittee and enforceable pursuant to Chapter 403, Florida Statutes. [F.A.C. Rule 62-555.533(1)]

1. The terms, conditions, requirements, limitations and restrictions set forth in this permit, are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, F.S. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
3. As provided in Subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other department permit that may be required for other aspects of the total project which are not addressed in this permit.
4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.
6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times (reasonable time may depend on the nature of the

Permittee:  
Ron Derossett, Facility Manager  
Seminole Waterworks, Inc.

DEP File No.:  
0347910-001-WC/M2

concern being investigated), access to the premises where the permitted activity is located or conducted to:

- a. Have access to and copy any records that must be kept under conditions of the permit;
  - b. Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
  - c. Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.
8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:
  - a. A description of and cause of noncompliance; and
  - b. The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.
9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Sections 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.
10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules. A reasonable time for compliance with a new or amended surface water quality standard, other than those standards addressed in Rule 62-302.500, shall include a reasonable time to obtain or be denied a mixing zone for the new or amended standard.
11. This permit is transferable only upon Department approval in accordance with Rule 62-4.120 and 62-730.300, F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.
12. This permit or a copy thereof shall be kept at the work site of the permitted activity.
13. This permit also constitutes:
  - a. Determination of Best Available Control Technology (BACT)
  - b. Determination of Prevention of Significant Deterioration (PSD)
  - c. Certification of compliance with State Water Quality Standards (Section 401, PL 92-500)



Permittee:  
Ron Derossett, Facility Manager  
Seminole Waterworks, Inc.

DEP File No.:  
0347910-001-WC/M2

d. Compliance with New Source Performance Standards

14. The permittee shall comply with the following:

- a. Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
- b. The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.
- c. Records of monitoring information shall include:
  - i. the date, exact place, and time of sampling or measurements;
  - ii. the person responsible for performing the sampling or measurements;
  - iii. the dates analyses were performed;
  - iv. the person responsible for performing the analyses;
  - v. the analytical techniques or methods used;
  - vi. the results of such analyses.

15. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.

## Specific Conditions

1. All construction must be in accordance with this permit. Before commencing work on project changes for which a construction permit modification is required per 62-555.536(1), the permittee shall submit to the Department a written request for a permit modification. Each such request shall be accompanied by one copy of a revised construction permit application, the proper processing fee and one copy of either a revised preliminary design report or revised drawings, specifications and design data. [F.A.C. Rule 62-555.536].
2. Permitted construction or alteration of public water supply systems must be supervised during construction by a professional engineer registered in the State of Florida if the project was designed under the responsible charge of a professional engineer licensed in the State of Florida. The permittee must retain the service of a professional engineer registered in the State of Florida to observe that construction of the project is in accordance with the engineering plans and specifications as submitted in support of the application for this permit. [F.A.C. Rule 62-555.520(3)].



Permittee:  
Ron Derossett, Facility Manager  
Seminole Waterworks, Inc.

DEP File No.:  
0347910-001-WC/M2

3. If prehistoric or historic artifacts, such as pottery or ceramics, stone tools or metal implements, dugout canoe remains, or any other physical remains that could be associated with Native American cultures, or early colonial or American settlement are encountered at any time within the project site area, the permitted project should cease all activities involving subsurface disturbance in the immediate vicinity of such discoveries. The permittee, or other designee, should contact the Florida Department of State, Division of Historical Resources, Compliance and Review Section at 850.245.6333 or 800.847.7278, as well as the appropriate permitting agency office. Project activities should not resume without verbal and/or written authorization from the Division of Historical Resources and the permitting agency. In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately and the proper authorities notified in accordance with Section 872.05, *Florida Statutes*.
4. In accordance with General Condition #11 of this permit, this permit is transferable only upon Department approval. Persons proposing to transfer this permit must apply jointly for a transfer of the permit within 30 days after the sale or legal transfer of ownership of the permitted project that has not been cleared for service by the Department using form, 62-555.900(8), Application for Transfer of a PWS Construction Permit along with the appropriate fee. [F.A.C. Rule 62-555.536(5)]
5. This permit satisfies Drinking Water permitting requirements only and does not authorize construction or operation of this facility prior to obtaining all other necessary permits from other program areas within the Department, or required permits from other state, federal, or local agencies.
6. If gasoline contamination is found at the construction site, work shall be stopped and the proper authorities notified. With the approval of the Department, ductile iron pipe and fittings, and solvent resistant gaskets materials shall be used in the contaminated area. The ductile pipe shall be used in the contaminated area. The ductile iron pipe shall extend 100 feet beyond any solvent noted. Any contaminated soil that is excavated shall be placed on an impermeable mat, covered with waterproof covering, and held for disposal. If the site cannot be properly cleaned, then consultation with the Department is necessary prior to continuing with the project construction.
7. This permit does not constitute approval of construction on jurisdictional wetland areas; therefore such approval must be obtained separately from the Water Management District or from DEP ERP Section, as applicable, Permittee shall provide a copy of the permit approval to the Department if water main installation involves activities on wetlands.
8. Permittee shall ensure that the well and drinking water treatment facilities will be protected to prevent tampering, vandalism, and sabotage as required by Rule 62-555.315(1) & 62-555.320(5), F.A.C.
9. All products, including paints, which shall come into contact with potable water, either directly or indirectly, shall conform with National Sanitation Foundation (NSF) International, Water Chemicals Codex, Food Chemicals Codex, American Water Works Association (AWWA) Standards and the Food and Drug Administration, as provided in Rule 62-555.320(3), F.A.C.

Permittee:  
Ron Derossett, Facility Manager  
Seminole Waterworks, Inc.

DEP File No.:  
0347910-001-WC/M2

10. Water supply facilities, including mains, pipe, fittings, valves, fire hydrants and other materials shall be installed in accordance with the latest applicable AWWA Standards and Department rules and regulations. The system shall be pressure and leak tested in accordance with AWWA Standard C600 C603, or C605, as applicable, and disinfected in accordance with AWWA Standard C651-653, as well as in accordance with Rule 62-555.340, F.A.C.
11. The installation or repairs of any public water system, or any plumbing in residential or nonresidential facilities providing water for human consumption, which is connected to a public water system shall be lead free in accordance with Rule 62-555.322, F.A.C.
12. Setback distances between potable water wells and sanitary hazards shall be in accordance with Rule 62-555.312, F.A.C.
13. Permittee shall maintain vertical clearance and horizontal separation between water mains and sanitary sewers, storm sewers, etc., unless approved otherwise by the Department, as provided in Rule 62-555.314, F.A.C., and Section 8.6 of *Recommended Standards for Water Works*, a manual adopted by reference in Rule 62-555.330(3), F.A.C.
14. The new or altered aboveground piping at the drinking water treatment plant shall be color coded and labeled as recommended in Section 2.14 of "Recommended Standards for Water Works, 1997 Edition". [F.A.C. Rule 62-555.320(10)]
15. Permittee shall ensure that there shall be no cross-connection with any non-potable water source in accordance with Rule 62-555.360, F.A.C.
16. The supplier of water shall operate and maintain the public water system so as to comply with applicable standards in F.A.C. Rule 62-550 and 62-555.350.
17. The permittee shall have complete record drawings produced for the project in accordance with Rule 62-555.530(4), F.A.C.
18. The permittee or suppliers of water shall telephone the State Warning Point (SWP), at 1-800-320-0519 immediately (i.e., within two hours) after discovery of any actual or suspected sabotage or security breach, or any suspicious incident, involving a public water system in accordance with the F.A.C. Rule 62-555.350(10).
19. Permittee shall follow the guidelines of Chapters 62-550, 62-555, and 62-560, F.A.C., regarding public drinking water system standards, monitoring, reporting, permitting, construction, and operation. This facility is a community water system as defined in F.A.C. Rule 62-550.200(12) and shall comply with the applicable chemical, radiological, and bacteriological monitoring requirements of F.A.C. Rule 62-550.
20. The water treatment plant shall maintain throughout the distribution system a minimum continuous and effective free chlorine residual of 0.2 mg/l or its equivalent. A minimum system pressure of 20 psi must be maintained throughout the system. Also, safety equipment shall be provided and located outside of chlorine room.



Permittee:  
Ron Derossett, Facility Manager  
Seminole Waterworks, Inc.

DEP File No.:  
0347910-001-WC/M2

21. The permittee must instruct the engineer of record to request system clearance from the Department within sixty (60) days of completion of construction and testing the system.
22. Permitted construction or alteration of a public water system may not be placed into service until a letter of clearance has been issued by this Department. [F.A.C. Rule 62-555.345]
23. Prior to placing this project into service, Permittee shall submit, at a minimum, all of the following to the Department for evaluation and approval for operation, as provided in Rules 62-555.340 and 62-555.345, F.A.C.:
  - a. the engineer's *Certification of Construction Completion and Request for Clearance to Place Permitted PWS Components Into Operation* {DEP Form 62-555.900(9)};
  - b. certified record drawings, if there are any changes noted for the permitted project;





## Florida Department of Environmental Protection

Northwest District  
160 West Government Street, Suite 308  
Pensacola, Florida 32502-5740

Rick Scott  
Governor

Carlos Lopez-Cantera  
Lt. Governor

Jonathan P. Steverson  
Secretary

October 19, 2016

[rderossett@uswatercorp.net](mailto:rderossett@uswatercorp.net)

In the Matter of an  
Application for Permit by:

Ron Derossett  
Facility Manager  
Seminole Waterworks, Inc.  
4939 Cross Bayou Boulevard  
New Port Richie, Florida 34652

DEP File No. 0132718-002  
Leon County

### NOTICE OF PERMIT ISSUANCE

Enclosed is Permit Number 0132718-002-WC/M1 to convert from gas to sodium hypochlorite disinfection at Plantation Estates public water system, Leon County. This permit is issued pursuant to Section(s) 403.861, Florida Statutes.

This permit is final and effective on the date filed with the clerk of the Department unless a petition is filed in accordance with the paragraphs below or unless a request for extension of time in which to file a petition is filed within the required timeframe and conforms to Rule 62-110.106(4), F.A.C. Upon timely filing of a petition or a request for an extension, this permit will not be effective until further Order of the Department.

A person whose substantial interests are affected by this permit may petition for an administrative proceeding (hearing) in accordance with sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) with the Agency Clerk for the Department of Environmental Protection, Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, within 14 days of receipt of this Notice. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under sections 120.569 and 120.57 of the Florida Statutes. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-106.205, F.A.C.

A petition must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
- (c) A statement of how and when the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts which petitioner contends warrant reversal or modification of the Department's action;
- (f) A statement of the specific rules or statutes the petitioner contends requires reversal or modification of the Department's action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- (g) A statement of the relief sought by petitioner, stating precisely the action that the petitioner wants the Department to take.

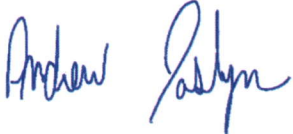
A petition that does not dispute the materials facts on which the Department's action is based shall state that no such facts are in dispute and otherwise contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

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 on the petition have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

When the Order (Permit) is final, any party to the Order has the right to seek judicial review of the Order pursuant to section 120.68 of the Florida Statutes, by filing a Notice of Appeal pursuant to Rule 9.110 of the 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 the final order is filed with the Clerk of the Department.

Executed in Pensacola, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION



Andrew Joslyn  
Permitting Program Administrator

Enclosures: Permit No. 0132718-002-WC/M1

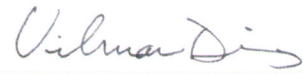
c: Mohammed Y. Kader, P.E. ([mkader@uswatercorp.net](mailto:mkader@uswatercorp.net))  
Josie Penton, DEP NWD Panama City Office ([josie.penton@dep.state.fl.us](mailto:josie.penton@dep.state.fl.us))

**CERTIFICATION OF SERVICE**

The undersigned duly designated deputy agency clerk hereby certifies that this Notice of Permit Issuance and all copies were mailed/electronically transmitted before the close of business on October 19, 2016, to those persons listed.

**FILING AND ACKNOWLEDGEMENT**

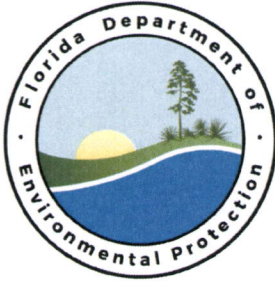
Filed, on this date, under section 120.52(7), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.



Clerk

October 19, 2016  
Date





## Florida Department of Environmental Protection

Northwest District  
160 West Government Street, Suite 308  
Pensacola, Florida 32502-5740

Rick Scott  
Governor

Carlos Lopez-Cantera  
Lt. Governor

Jonathan P. Steverson  
Secretary

**PERMITTEE:**

Ron Derossett, Facility Manager  
Seminole Waterworks, Inc.

PWS I.D. Number: 1374054

Permit Number: 0132718-002-WC/M1

Date of Issue: October 19, 2016

Expiration Date: October 18, 2021

County: Leon

Project: Conversion to Sodium Hypochlorite Disinfection  
Plantation Estates Water System

This permit is issued under the provisions of Section 403.861, Florida Statutes, and Florida Administrative Code Rules 62-4, 62-550, 62-555, 62-560, 62-602, and 62-699. The above named applicant, hereinafter called Permittee, is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents attached hereto or on file with the Department and made a part hereof and specifically described as follows:

**CONSTRUCTION TO INCLUDE**

- Stenner chemical feed pump, Model 85MHP17, rated at 0.8 to 17.0 gallons per day, for metering of sodium hypochlorite (liquid bleach), including valves, fittings, and appurtenances
- Snyder Industries 30-gallon solution tank (NSF 61 approved)

**IN ACCORDANCE WITH:** plans and specifications prepared and submitted by Mohammed Y. Kader, P.E., received on September 30, 2016, and additional information received on October 18, 2016.

**LOCATION:** 7996 Mahan Drive, Tallahassee, Leon County

**TO SERVE:** Plantation Estates Water System

Work must be conducted in accordance with the General and Specific Conditions, attached hereto.

Ron Derossett, Facility Manager  
Seminole Waterworks, Inc.  
Page 2 of 2

Issued this 19<sup>th</sup> day of October 2016.

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL  
PROTECTION

A handwritten signature in blue ink, appearing to read "Andrew Joslyn".

Andrew Joslyn  
Permitting Program Administrator

Attachments

Permittee:  
Ron Derossett, Facility Manager  
Seminole Waterworks, Inc.

DEP File No.:  
0347913-001-WC/M1

## General Conditions

The permittee shall be aware of and operate under the Permit Conditions below. These applicable conditions are binding upon the permittee and enforceable pursuant to Chapter 403, Florida Statutes. [F.A.C. Rule 62-555.533(1)]

1. The terms, conditions, requirements, limitations and restrictions set forth in this permit, are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, F.S. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
3. As provided in Subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other department permit that may be required for other aspects of the total project which are not addressed in this permit.
4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.
6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times (reasonable time may depend on the nature of the



Permittee:  
Ron Derossett, Facility Manager  
Seminole Waterworks, Inc.

DEP File No.:  
0347913-001-WC/M1

concern being investigated), access to the premises where the permitted activity is located or conducted to:

- a. Have access to and copy any records that must be kept under conditions of the permit;
  - b. Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
  - c. Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.
8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:
  - a. A description of and cause of noncompliance; and
  - b. The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.
9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Sections 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.
10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules. A reasonable time for compliance with a new or amended surface water quality standard, other than those standards addressed in Rule 62-302.500, shall include a reasonable time to obtain or be denied a mixing zone for the new or amended standard.
11. This permit is transferable only upon Department approval in accordance with Rule 62-4.120 and 62-730.300, F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.
12. This permit or a copy thereof shall be kept at the work site of the permitted activity.
13. This permit also constitutes:
  - a. Determination of Best Available Control Technology (BACT)
  - b. Determination of Prevention of Significant Deterioration (PSD)
  - c. Certification of compliance with State Water Quality Standards (Section 401, PL 92-500)

Permittee:  
Ron Derossett, Facility Manager  
Seminole Waterworks, Inc.

DEP File No.:  
0347913-001-WC/M1

d. Compliance with New Source Performance Standards

14. The permittee shall comply with the following:

- a. Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
- b. The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.
- c. Records of monitoring information shall include:
  - i. the date, exact place, and time of sampling or measurements;
  - ii. the person responsible for performing the sampling or measurements;
  - iii. the dates analyses were performed;
  - iv. the person responsible for performing the analyses;
  - v. the analytical techniques or methods used;
  - vi. the results of such analyses.

15. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.

## Specific Conditions

1. All construction must be in accordance with this permit. Before commencing work on project changes for which a construction permit modification is required per 62-555.536(1), the permittee shall submit to the Department a written request for a permit modification. Each such request shall be accompanied by one copy of a revised construction permit application, the proper processing fee and one copy of either a revised preliminary design report or revised drawings, specifications and design data. [F.A.C. Rule 62-555.536].
2. Permitted construction or alteration of public water supply systems must be supervised during construction by a professional engineer registered in the State of Florida if the project was designed under the responsible charge of a professional engineer licensed in the State of Florida. The permittee must retain the service of a professional engineer registered in the State of Florida to observe that construction of the project is in accordance with the engineering plans and specifications as submitted in support of the application for this permit. [F.A.C. Rule 62-555.520(3)].



Permittee:  
Ron Derossett, Facility Manager  
Seminole Waterworks, Inc.

DEP File No.:  
0347913-001-WC/M1

3. If prehistoric or historic artifacts, such as pottery or ceramics, stone tools or metal implements, dugout canoe remains, or any other physical remains that could be associated with Native American cultures, or early colonial or American settlement are encountered at any time within the project site area, the permitted project should cease all activities involving subsurface disturbance in the immediate vicinity of such discoveries. The permittee, or other designee, should contact the Florida Department of State, Division of Historical Resources, Compliance and Review Section at 850.245.6333 or 800.847.7278, as well as the appropriate permitting agency office. Project activities should not resume without verbal and/or written authorization from the Division of Historical Resources and the permitting agency. In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately and the proper authorities notified in accordance with Section 872.05, *Florida Statutes*.
4. In accordance with General Condition #11 of this permit, this permit is transferable only upon Department approval. Persons proposing to transfer this permit must apply jointly for a transfer of the permit within 30 days after the sale or legal transfer of ownership of the permitted project that has not been cleared for service by the Department using form, 62-555.900(8), Application for Transfer of a PWS Construction Permit along with the appropriate fee. [F.A.C. Rule 62-555.536(5)]
5. This permit satisfies Drinking Water permitting requirements only and does not authorize construction or operation of this facility prior to obtaining all other necessary permits from other program areas within the Department, or required permits from other state, federal, or local agencies.
6. If gasoline contamination is found at the construction site, work shall be stopped and the proper authorities notified. With the approval of the Department, ductile iron pipe and fittings, and solvent resistant gaskets materials shall be used in the contaminated area. The ductile pipe shall be used in the contaminated area. The ductile iron pipe shall extend 100 feet beyond any solvent noted. Any contaminated soil that is excavated shall be placed on an impermeable mat, covered with waterproof covering, and held for disposal. If the site cannot be properly cleaned, then consultation with the Department is necessary prior to continuing with the project construction.
7. This permit does not constitute approval of construction on jurisdictional wetland areas; therefore such approval must be obtained separately from the Water Management District or from DEP ERP Section, as applicable, Permittee shall provide a copy of the permit approval to the Department if water main installation involves activities on wetlands.
8. Permittee shall ensure that the well and drinking water treatment facilities will be protected to prevent tampering, vandalism, and sabotage as required by Rule 62-555.315(1) & 62-555.320(5), F.A.C.
9. All products, including paints, which shall come into contact with potable water, either directly or indirectly, shall conform with National Sanitation Foundation (NSF) International, Water Chemicals Codex, Food Chemicals Codex, American Water Works Association (AWWA) Standards and the Food and Drug Administration, as provided in Rule 62-555.320(3), F.A.C.



Permittee:  
Ron Derossett, Facility Manager  
Seminole Waterworks, Inc.

DEP File No.:  
0347913-001-WC/M1

10. Water supply facilities, including mains, pipe, fittings, valves, fire hydrants and other materials shall be installed in accordance with the latest applicable AWWA Standards and Department rules and regulations. The system shall be pressure and leak tested in accordance with AWWA Standard C600 C603, or C605, as applicable, and disinfected in accordance with AWWA Standard C651-653, as well as in accordance with Rule 62-555.340, F.A.C.
11. The installation or repairs of any public water system, or any plumbing in residential or nonresidential facilities providing water for human consumption, which is connected to a public water system shall be lead free in accordance with Rule 62-555.322, F.A.C.
12. Setback distances between potable water wells and sanitary hazards shall be in accordance with Rule 62-555.312, F.A.C.
13. Permittee shall maintain vertical clearance and horizontal separation between water mains and sanitary sewers, storm sewers, etc., unless approved otherwise by the Department, as provided in Rule 62-555.314, F.A.C., and Section 8.6 of *Recommended Standards for Water Works*, a manual adopted by reference in Rule 62-555.330(3), F.A.C.
14. The new or altered aboveground piping at the drinking water treatment plant shall be color coded and labeled as recommended in Section 2.14 of "Recommended Standards for Water Works, 1997 Edition". [F.A.C. Rule 62-555.320(10)]
15. Permittee shall ensure that there shall be no cross-connection with any non-potable water source in accordance with Rule 62-555.360, F.A.C.
16. The supplier of water shall operate and maintain the public water system so as to comply with applicable standards in F.A.C. Rule 62-550 and 62-555.350.
17. The permittee shall have complete record drawings produced for the project in accordance with Rule 62-555.530(4), F.A.C.
18. The permittee or suppliers of water shall telephone the State Warning Point (SWP), at 1-800-320-0519 immediately (i.e., within two hours) after discovery of any actual or suspected sabotage or security breach, or any suspicious incident, involving a public water system in accordance with the F.A.C. Rule 62-555.350(10).
19. Permittee shall follow the guidelines of Chapters 62-550, 62-555, and 62-560, F.A.C., regarding public drinking water system standards, monitoring, reporting, permitting, construction, and operation. This facility is a community water system as defined in F.A.C. Rule 62-550.200(12) and shall comply with the applicable chemical, radiological, and bacteriological monitoring requirements of F.A.C. Rule 62-550.
20. The water treatment plant shall maintain throughout the distribution system a minimum continuous and effective free chlorine residual of 0.2 mg/l or its equivalent. A minimum system pressure of 20 psi must be maintained throughout the system. Also, safety equipment shall be provided and located outside of chlorine room.

Permittee:  
Ron Derossett, Facility Manager  
Seminole Waterworks, Inc.

DEP File No.:  
0347913-001-WC/M1

21. The permittee must instruct the engineer of record to request system clearance from the Department within sixty (60) days of completion of construction and testing the system.
22. Permitted construction or alteration of a public water system may not be placed into service until a letter of clearance has been issued by this Department. [F.A.C. Rule 62-555.345]
23. Prior to placing this project into service, Permittee shall submit, at a minimum, all of the following to the Department for evaluation and approval for operation, as provided in Rules 62-555.340 and 62-555.345, F.A.C.:
  - a. the engineer's *Certification of Construction Completion and Request for Clearance to Place Permitted PWS Components Into Operation* {DEP Form 62-555.900(9)};
  - b. certified record drawings, if there are any changes noted for the permitted project;



## Florida Department of Environmental Protection

Northwest District  
160 West Government Street, Suite 308  
Pensacola, Florida 32502-5740

Rick Scott  
Governor

Carlos Lopez-Cantera  
Lt. Governor

Jonathan P. Steverson  
Secretary

October 19, 2016

[rderossett@uswatercorp.net](mailto:rderossett@uswatercorp.net)

In the Matter of an  
Application for Permit by:

Ron Derossett  
Facility Manager  
Seminole Waterworks, Inc.  
4939 Cross Bayou Boulevard  
New Port Richie, Florida 34652

DEP File No. 0347911-001  
Leon County

### NOTICE OF PERMIT ISSUANCE

Enclosed is Permit Number 0347911-001-WC/M1 to convert from gas to sodium hypochlorite disinfection at Sedgefield Subdivision public water system, Leon County. This permit is issued pursuant to Section(s) 403.861, Florida Statutes.

This permit is final and effective on the date filed with the clerk of the Department unless a petition is filed in accordance with the paragraphs below or unless a request for extension of time in which to file a petition is filed within the required timeframe and conforms to Rule 62-110.106(4), F.A.C. Upon timely filing of a petition or a request for an extension, this permit will not be effective until further Order of the Department.

A person whose substantial interests are affected by this permit may petition for an administrative proceeding (hearing) in accordance with sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) with the Agency Clerk for the Department of Environmental Protection, Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, within 14 days of receipt of this Notice. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under sections 120.569 and 120.57 of the Florida Statutes. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-106.205, F.A.C.



A petition must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
- (c) A statement of how and when the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts which petitioner contends warrant reversal or modification of the Department's action;
- (f) A statement of the specific rules or statutes the petitioner contends requires reversal or modification of the Department's action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- (g) A statement of the relief sought by petitioner, stating precisely the action that the petitioner wants the Department to take.

A petition that does not dispute the materials facts on which the Department's action is based shall state that no such facts are in dispute and otherwise contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

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 on the petition have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

When the Order (Permit) is final, any party to the Order has the right to seek judicial review of the Order pursuant to section 120.68 of the Florida Statutes, by filing a Notice of Appeal pursuant to Rule 9.110 of the 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 the final order is filed with the Clerk of the Department.

Executed in Pensacola, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION



Andrew Joslyn  
Permitting Program Administrator

Enclosures: Permit No. 0347911-001-WC/M1

c: Mohammed Y. Kader, P.E. ([mkader@uswatercorp.net](mailto:mkader@uswatercorp.net))  
Josie Penton, DEP NWD Panama City Office ([josie.penton@dep.state.fl.us](mailto:josie.penton@dep.state.fl.us))

**CERTIFICATION OF SERVICE**

The undersigned duly designated deputy agency clerk hereby certifies that this Notice of Permit Issuance and all copies were mailed/electronically transmitted before the close of business on October 19, 2016, to those persons listed.

**FILING AND ACKNOWLEDGEMENT**

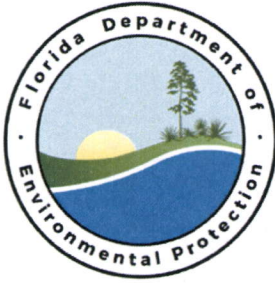
Filed, on this date, under section 120.52(7), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.



Clerk

October 19, 2016

Date



# Florida Department of Environmental Protection

Northwest District  
160 West Government Street, Suite 308  
Pensacola, Florida 32502-5740

Rick Scott  
Governor

Carlos Lopez-Cantera  
Lt. Governor

Jonathan P. Steverson  
Secretary

**PERMITTEE:**

Ron Derossett, Facility Manager  
Seminole Waterworks, Inc.

PWS I.D. Number: 1370598

Permit Number: 0347911-001-WC/M1

Date of Issue: October 19, 2016

Expiration Date: October 18, 2021

County: Leon

Project: Conversion to Sodium Hypochlorite Disinfection  
Sedgfield Subdivision Water System

This permit is issued under the provisions of Section 403.861, Florida Statutes, and Florida Administrative Code Rules 62-4, 62-550, 62-555, 62-560, 62-602, and 62-699. The above named applicant, hereinafter called Permittee, is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents attached hereto or on file with the Department and made a part hereof and specifically described as follows:

**CONSTRUCTION TO INCLUDE**

- Stenner chemical feed pump, Model 85MHP17, rated at 0.8 to 17.0 gallons per day, for metering of sodium hypochlorite (liquid bleach), including valves, fittings, and appurtenances
- Snyder Industries 30-gallon solution tank (NSF 61 approved)

**IN ACCORDANCE WITH:** plans and specifications prepared and submitted by Mohammed Y. Kader, P.E., received on September 30, 2016, and additional information received on October 18, 2016.

**LOCATION:** 1311 Lansdowne Road, Tallahassee, Leon County

**TO SERVE:** Sedgfield Subdivision Water System

Work must be conducted in accordance with the General and Specific Conditions, attached hereto.



Ron Derossett, Facility Manager  
Seminole Waterworks, Inc.  
Page 2 of 2

Issued this 19<sup>th</sup> day of October 2016.

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL  
PROTECTION

A handwritten signature in blue ink, reading "Andrew Joslyn".

---

Andrew Joslyn  
Permitting Program Administrator

Attachments

Permittee:  
Ron Derossett, Facility Manager  
Seminole Waterworks, Inc.

DEP File No.:  
0347913-001-WC/M1

## General Conditions

The permittee shall be aware of and operate under the Permit Conditions below. These applicable conditions are binding upon the permittee and enforceable pursuant to Chapter 403, Florida Statutes. [F.A.C. Rule 62-555.533(1)]

1. The terms, conditions, requirements, limitations and restrictions set forth in this permit, are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, F.S. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
3. As provided in Subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other department permit that may be required for other aspects of the total project which are not addressed in this permit.
4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.
6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times (reasonable time may depend on the nature of the

Permittee:  
Ron Derossett, Facility Manager  
Seminole Waterworks, Inc.

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concern being investigated), access to the premises where the permitted activity is located or conducted to:

- a. Have access to and copy any records that must be kept under conditions of the permit;
  - b. Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
  - c. Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.
8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:
  - a. A description of and cause of noncompliance; and
  - b. The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.
9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Sections 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.
10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules. A reasonable time for compliance with a new or amended surface water quality standard, other than those standards addressed in Rule 62-302.500, shall include a reasonable time to obtain or be denied a mixing zone for the new or amended standard.
11. This permit is transferable only upon Department approval in accordance with Rule 62-4.120 and 62-730.300, F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.
12. This permit or a copy thereof shall be kept at the work site of the permitted activity.
13. This permit also constitutes:
  - a. Determination of Best Available Control Technology (BACT)
  - b. Determination of Prevention of Significant Deterioration (PSD)
  - c. Certification of compliance with State Water Quality Standards (Section 401, PL 92-500)



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Seminole Waterworks, Inc.

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d. Compliance with New Source Performance Standards

14. The permittee shall comply with the following:

- a. Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
- b. The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.
- c. Records of monitoring information shall include:
  - i. the date, exact place, and time of sampling or measurements;
  - ii. the person responsible for performing the sampling or measurements;
  - iii. the dates analyses were performed;
  - iv. the person responsible for performing the analyses;
  - v. the analytical techniques or methods used;
  - vi. the results of such analyses.

15. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.

## Specific Conditions

1. All construction must be in accordance with this permit. Before commencing work on project changes for which a construction permit modification is required per 62-555.536(1), the permittee shall submit to the Department a written request for a permit modification. Each such request shall be accompanied by one copy of a revised construction permit application, the proper processing fee and one copy of either a revised preliminary design report or revised drawings, specifications and design data. [F.A.C. Rule 62-555.536].
2. Permitted construction or alteration of public water supply systems must be supervised during construction by a professional engineer registered in the State of Florida if the project was designed under the responsible charge of a professional engineer licensed in the State of Florida. The permittee must retain the service of a professional engineer registered in the State of Florida to observe that construction of the project is in accordance with the engineering plans and specifications as submitted in support of the application for this permit. [F.A.C. Rule 62-555.520(3)].

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3. If prehistoric or historic artifacts, such as pottery or ceramics, stone tools or metal implements, dugout canoe remains, or any other physical remains that could be associated with Native American cultures, or early colonial or American settlement are encountered at any time within the project site area, the permitted project should cease all activities involving subsurface disturbance in the immediate vicinity of such discoveries. The permittee, or other designee, should contact the Florida Department of State, Division of Historical Resources, Compliance and Review Section at 850.245.6333 or 800.847.7278, as well as the appropriate permitting agency office. Project activities should not resume without verbal and/or written authorization from the Division of Historical Resources and the permitting agency. In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately and the proper authorities notified in accordance with Section 872.05, *Florida Statutes*.
4. In accordance with General Condition #11 of this permit, this permit is transferable only upon Department approval. Persons proposing to transfer this permit must apply jointly for a transfer of the permit within 30 days after the sale or legal transfer of ownership of the permitted project that has not been cleared for service by the Department using form, 62-555.900(8), Application for Transfer of a PWS Construction Permit along with the appropriate fee. [F.A.C. Rule 62-555.536(5)]
5. This permit satisfies Drinking Water permitting requirements only and does not authorize construction or operation of this facility prior to obtaining all other necessary permits from other program areas within the Department, or required permits from other state, federal, or local agencies.
6. If gasoline contamination is found at the construction site, work shall be stopped and the proper authorities notified. With the approval of the Department, ductile iron pipe and fittings, and solvent resistant gaskets materials shall be used in the contaminated area. The ductile pipe shall be used in the contaminated area. The ductile iron pipe shall extend 100 feet beyond any solvent noted. Any contaminated soil that is excavated shall be placed on an impermeable mat, covered with waterproof covering, and held for disposal. If the site cannot be properly cleaned, then consultation with the Department is necessary prior to continuing with the project construction.
7. This permit does not constitute approval of construction on jurisdictional wetland areas; therefore such approval must be obtained separately from the Water Management District or from DEP ERP Section, as applicable, Permittee shall provide a copy of the permit approval to the Department if water main installation involves activities on wetlands.
8. Permittee shall ensure that the well and drinking water treatment facilities will be protected to prevent tampering, vandalism, and sabotage as required by Rule 62-555.315(1) & 62-555.320(5), F.A.C.
9. All products, including paints, which shall come into contact with potable water, either directly or indirectly, shall conform with National Sanitation Foundation (NSF) International, Water Chemicals Codex, Food Chemicals Codex, American Water Works Association (AWWA) Standards and the Food and Drug Administration, as provided in Rule 62-555.320(3), F.A.C.



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10. Water supply facilities, including mains, pipe, fittings, valves, fire hydrants and other materials shall be installed in accordance with the latest applicable AWWA Standards and Department rules and regulations. The system shall be pressure and leak tested in accordance with AWWA Standard C600 C603, or C605, as applicable, and disinfected in accordance with AWWA Standard C651-653, as well as in accordance with Rule 62-555.340, F.A.C.
11. The installation or repairs of any public water system, or any plumbing in residential or nonresidential facilities providing water for human consumption, which is connected to a public water system shall be lead free in accordance with Rule 62-555.322, F.A.C.
12. Setback distances between potable water wells and sanitary hazards shall be in accordance with Rule 62-555.312, F.A.C.
13. Permittee shall maintain vertical clearance and horizontal separation between water mains and sanitary sewers, storm sewers, etc., unless approved otherwise by the Department, as provided in Rule 62-555.314, F.A.C., and Section 8.6 of *Recommended Standards for Water Works*, a manual adopted by reference in Rule 62-555.330(3), F.A.C.
14. The new or altered aboveground piping at the drinking water treatment plant shall be color coded and labeled as recommended in Section 2.14 of "Recommended Standards for Water Works, 1997 Edition". [F.A.C. Rule 62-555.320(10)]
15. Permittee shall ensure that there shall be no cross-connection with any non-potable water source in accordance with Rule 62-555.360, F.A.C.
16. The supplier of water shall operate and maintain the public water system so as to comply with applicable standards in F.A.C. Rule 62-550 and 62-555.350.
17. The permittee shall have complete record drawings produced for the project in accordance with Rule 62-555.530(4), F.A.C.
18. The permittee or suppliers of water shall telephone the State Warning Point (SWP), at 1-800-320-0519 immediately (i.e., within two hours) after discovery of any actual or suspected sabotage or security breach, or any suspicious incident, involving a public water system in accordance with the F.A.C. Rule 62-555.350(10).
19. Permittee shall follow the guidelines of Chapters 62-550, 62-555, and 62-560, F.A.C., regarding public drinking water system standards, monitoring, reporting, permitting, construction, and operation. This facility is a community water system as defined in F.A.C. Rule 62-550.200(12) and shall comply with the applicable chemical, radiological, and bacteriological monitoring requirements of F.A.C. Rule 62-550.
20. The water treatment plant shall maintain throughout the distribution system a minimum continuous and effective free chlorine residual of 0.2 mg/l or its equivalent. A minimum system pressure of 20 psi must be maintained throughout the system. Also, safety equipment shall be provided and located outside of chlorine room.



Permittee:  
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21. The permittee must instruct the engineer of record to request system clearance from the Department within sixty (60) days of completion of construction and testing the system.
22. Permitted construction or alteration of a public water system may not be placed into service until a letter of clearance has been issued by this Department. [F.A.C. Rule 62-555.345]
23. Prior to placing this project into service, Permittee shall submit, at a minimum, all of the following to the Department for evaluation and approval for operation, as provided in Rules 62-555.340 and 62-555.345, F.A.C.:
  - a. the engineer's *Certification of Construction Completion and Request for Clearance to Place Permitted PWS Components Into Operation* {DEP Form 62-555.900(9)};
  - b. certified record drawings, if there are any changes noted for the permitted project;



## Florida Department of Environmental Protection

Northwest District  
160 West Government Street, Suite 308  
Pensacola, Florida 32502-5740

Rick Scott  
Governor

Carlos Lopez-Cantera  
Lt. Governor

Jonathan P. Steverson  
Secretary

October 19, 2016

[rderossett@uswatercorp.net](mailto:rderossett@uswatercorp.net)

In the Matter of an  
Application for Permit by:

Ron Derossett  
Facility Manager  
Seminole Waterworks, Inc.  
4939 Cross Bayou Boulevard  
New Port Richie, Florida 34652

DEP File No. 0347909-001  
Leon County

### NOTICE OF PERMIT ISSUANCE

Enclosed is Permit Number 0347909-001-WC/M1 to convert from gas to sodium hypochlorite disinfection at Brewster Subdivision public water system, Leon County. This permit is issued pursuant to Section(s) 403.861, Florida Statutes.

This permit is final and effective on the date filed with the clerk of the Department unless a petition is filed in accordance with the paragraphs below or unless a request for extension of time in which to file a petition is filed within the required timeframe and conforms to Rule 62-110.106(4), F.A.C. Upon timely filing of a petition or a request for an extension, this permit will not be effective until further Order of the Department.

A person whose substantial interests are affected by this permit may petition for an administrative proceeding (hearing) in accordance with sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) with the Agency Clerk for the Department of Environmental Protection, Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, within 14 days of receipt of this Notice. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under sections 120.569 and 120.57 of the Florida Statutes. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-106.205, F.A.C.

A petition must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
- (c) A statement of how and when the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts which petitioner contends warrant reversal or modification of the Department's action;
- (f) A statement of the specific rules or statutes the petitioner contends requires reversal or modification of the Department's action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- (g) A statement of the relief sought by petitioner, stating precisely the action that the petitioner wants the Department to take.

A petition that does not dispute the materials facts on which the Department's action is based shall state that no such facts are in dispute and otherwise contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

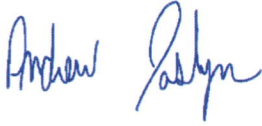
Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that, the Department's final action may be different from the position taken by it in this Notice. Persons whose substantial interests will be affected by any such final decision of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

When the Order (Permit) is final, any party to the Order has the right to seek judicial review of the Order pursuant to section 120.68 of the Florida Statutes, by filing a Notice of Appeal pursuant to Rule 9.110 of the 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 the final order is filed with the Clerk of the Department.



Executed in Pensacola, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION



Andrew Joslyn  
Permitting Program Administrator

Enclosures: Permit No. 0347909-001-WC/M1

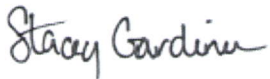
c: Mohammed Y. Kader, P.E. ([mkader@uswatercorp.net](mailto:mkader@uswatercorp.net))  
Josie Penton, DEP NWD Panama City Office ([josie.penton@dep.state.fl.us](mailto:josie.penton@dep.state.fl.us))

**CERTIFICATION OF SERVICE**

The undersigned duly designated deputy agency clerk hereby certifies that this Notice of Permit Issuance and all copies were mailed/electronically transmitted before the close of business on October 19, 2016, to those persons listed.

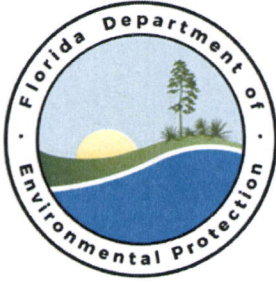
**FILING AND ACKNOWLEDGEMENT**

Filed, on this date, under section 120.52(7), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.



Clerk

October 19, 2016  
Date



## Florida Department of Environmental Protection

Northwest District  
160 West Government Street, Suite 308  
Pensacola, Florida 32502-5740

Rick Scott  
Governor

Carlos Lopez-Cantera  
Lt. Governor

Jonathan P. Steverson  
Secretary

**PERMITTEE:**

Ron Derossett, Facility Manager  
Seminole Waterworks, Inc.

PWS I.D. Number: 1370898

Permit Number: 0347909-001-WC/M1

Date of Issue: October 19, 2016

Expiration Date: October 18, 2021

County: Leon

Project: Conversion to Sodium Hypochlorite Disinfection  
Brewster Subdivision Water System

This permit is issued under the provisions of Section 403.861, Florida Statutes, and Florida Administrative Code Rules 62-4, 62-550, 62-555, 62-560, 62-602, and 62-699. The above named applicant, hereinafter called Permittee, is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents attached hereto or on file with the Department and made a part hereof and specifically described as follows:

**CONSTRUCTION TO INCLUDE**

- Stenner chemical feed pump, Model 85MHP17, rated at 0.8 to 17.0 gallons per day, for metering of sodium hypochlorite (liquid bleach), including valves, fittings, and appurtenances
- Snyder Industries 30-gallon solution tank (NSF 61 approved)

**IN ACCORDANCE WITH:** plans and specifications prepared and submitted by Mohammed Y. Kader, P.E., received on September 30, 2016, and additional information received on October 18, 2016.


**LOCATION:** Brewster Road, Tallahassee, Leon County

**TO SERVE:** Brewster Subdivision Water System

Work must be conducted in accordance with the General and Specific Conditions, attached hereto.

Issued this 19<sup>th</sup> day of October 2016.

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL  
PROTECTION

A handwritten signature in blue ink, appearing to read "Andrew Joslyn". The signature is fluid and cursive, with the first name "Andrew" and last name "Joslyn" clearly distinguishable.

Andrew Joslyn  
Permitting Program Administrator

Attachments



Permittee:  
Ron Derossett, Facility Manager  
Seminole Waterworks, Inc.

DEP File No.:  
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## General Conditions

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3. As provided in Subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other department permit that may be required for other aspects of the total project which are not addressed in this permit.
4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.
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- a. A description of and cause of noncompliance; and
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DEP File No.:  
0347913-001-WC/M1

3. If prehistoric or historic artifacts, such as pottery or ceramics, stone tools or metal implements, dugout canoe remains, or any other physical remains that could be associated with Native American cultures, or early colonial or American settlement are encountered at any time within the project site area, the permitted project should cease all activities involving subsurface disturbance in the immediate vicinity of such discoveries. The permittee, or other designee, should contact the Florida Department of State, Division of Historical Resources, Compliance and Review Section at 850.245.6333 or 800.847.7278, as well as the appropriate permitting agency office. Project activities should not resume without verbal and/or written authorization from the Division of Historical Resources and the permitting agency. In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately and the proper authorities notified in accordance with Section 872.05, *Florida Statutes*.
4. In accordance with General Condition #11 of this permit, this permit is transferable only upon Department approval. Persons proposing to transfer this permit must apply jointly for a transfer of the permit within 30 days after the sale or legal transfer of ownership of the permitted project that has not been cleared for service by the Department using form, 62-555.900(8), Application for Transfer of a PWS Construction Permit along with the appropriate fee. [F.A.C. Rule 62-555.536(5)]
5. This permit satisfies Drinking Water permitting requirements only and does not authorize construction or operation of this facility prior to obtaining all other necessary permits from other program areas within the Department, or required permits from other state, federal, or local agencies.
6. If gasoline contamination is found at the construction site, work shall be stopped and the proper authorities notified. With the approval of the Department, ductile iron pipe and fittings, and solvent resistant gaskets materials shall be used in the contaminated area. The ductile pipe shall be used in the contaminated area. The ductile iron pipe shall extend 100 feet beyond any solvent noted. Any contaminated soil that is excavated shall be placed on an impermeable mat, covered with waterproof covering, and held for disposal. If the site cannot be properly cleaned, then consultation with the Department is necessary prior to continuing with the project construction.
7. This permit does not constitute approval of construction on jurisdictional wetland areas; therefore such approval must be obtained separately from the Water Management District or from DEP ERP Section, as applicable, Permittee shall provide a copy of the permit approval to the Department if water main installation involves activities on wetlands.
8. Permittee shall ensure that the well and drinking water treatment facilities will be protected to prevent tampering, vandalism, and sabotage as required by Rule 62-555.315(1) & 62-555.320(5), F.A.C.
9. All products, including paints, which shall come into contact with potable water, either directly or indirectly, shall conform with National Sanitation Foundation (NSF) International, Water Chemicals Codex, Food Chemicals Codex, American Water Works Association (AWWA) Standards and the Food and Drug Administration, as provided in Rule 62-555.320(3), F.A.C.

Permittee:  
Ron Derossett, Facility Manager  
Seminole Waterworks, Inc.

DEP File No.:  
0347913-001-WC/M1

10. Water supply facilities, including mains, pipe, fittings, valves, fire hydrants and other materials shall be installed in accordance with the latest applicable AWWA Standards and Department rules and regulations. The system shall be pressure and leak tested in accordance with AWWA Standard C600 C603, or C605, as applicable, and disinfected in accordance with AWWA Standard C651-653, as well as in accordance with Rule 62-555.340, F.A.C.
11. The installation or repairs of any public water system, or any plumbing in residential or nonresidential facilities providing water for human consumption, which is connected to a public water system shall be lead free in accordance with Rule 62-555.322, F.A.C.
12. Setback distances between potable water wells and sanitary hazards shall be in accordance with Rule 62-555.312, F.A.C.
13. Permittee shall maintain vertical clearance and horizontal separation between water mains and sanitary sewers, storm sewers, etc., unless approved otherwise by the Department, as provided in Rule 62-555.314, F.A.C., and Section 8.6 of *Recommended Standards for Water Works*, a manual adopted by reference in Rule 62-555.330(3), F.A.C.
14. The new or altered aboveground piping at the drinking water treatment plant shall be color coded and labeled as recommended in Section 2.14 of "Recommended Standards for Water Works, 1997 Edition". [F.A.C. Rule 62-555.320(10)]
15. Permittee shall ensure that there shall be no cross-connection with any non-potable water source in accordance with Rule 62-555.360, F.A.C.
16. The supplier of water shall operate and maintain the public water system so as to comply with applicable standards in F.A.C. Rule 62-550 and 62-555.350.
17. The permittee shall have complete record drawings produced for the project in accordance with Rule 62-555.530(4), F.A.C.
18. The permittee or suppliers of water shall telephone the State Warning Point (SWP), at 1-800-320-0519 immediately (i.e., within two hours) after discovery of any actual or suspected sabotage or security breach, or any suspicious incident, involving a public water system in accordance with the F.A.C. Rule 62-555.350(10).
19. Permittee shall follow the guidelines of Chapters 62-550, 62-555, and 62-560, F.A.C., regarding public drinking water system standards, monitoring, reporting, permitting, construction, and operation. This facility is a community water system as defined in F.A.C. Rule 62-550.200(12) and shall comply with the applicable chemical, radiological, and bacteriological monitoring requirements of F.A.C. Rule 62-550.
20. The water treatment plant shall maintain throughout the distribution system a minimum continuous and effective free chlorine residual of 0.2 mg/l or its equivalent. A minimum system pressure of 20 psi must be maintained throughout the system. Also, safety equipment shall be provided and located outside of chlorine room.

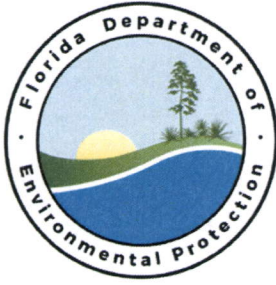


Permittee:  
Ron Derossett, Facility Manager  
Seminole Waterworks, Inc.

DEP File No.:  
0347913-001-WC/M1

21. The permittee must instruct the engineer of record to request system clearance from the Department within sixty (60) days of completion of construction and testing the system.
22. Permitted construction or alteration of a public water system may not be placed into service until a letter of clearance has been issued by this Department. [F.A.C. Rule 62-555.345]
23. Prior to placing this project into service, Permittee shall submit, at a minimum, all of the following to the Department for evaluation and approval for operation, as provided in Rules 62-555.340 and 62-555.345, F.A.C.:
  - a. the engineer's *Certification of Construction Completion and Request for Clearance to Place Permitted PWS Components Into Operation* {DEP Form 62-555.900(9)};
  - b. certified record drawings, if there are any changes noted for the permitted project;





## Florida Department of Environmental Protection

Northwest District  
160 West Government Street, Suite 308  
Pensacola, Florida 32502-5740

Rick Scott  
Governor

Carlos Lopez-Cantera  
Lt. Governor

Jonathan P. Steverson  
Secretary

October 19, 2016

In the Matter of an  
Application for Permit by:

Ron Derossett  
Facility Manager  
Seminole Waterworks, Inc.  
4939 Cross Bayou Boulevard  
New Port Richie, Florida 34652  
[rderossett@uswatercorp.net](mailto:rderossett@uswatercorp.net)

DEP File No. 0347912-001  
Leon County

### NOTICE OF PERMIT ISSUANCE

Enclosed is Permit Number 0347912-001-WC/M2 to convert from gas to sodium hypochlorite disinfection at Buck Lake Estates public water system, Leon County. This permit is issued pursuant to Section(s) 403.861, Florida Statutes.

This permit is final and effective on the date filed with the clerk of the Department unless a petition is filed in accordance with the paragraphs below or unless a request for extension of time in which to file a petition is filed within the required timeframe and conforms to Rule 62-110.106(4), F.A.C. Upon timely filing of a petition or a request for an extension, this permit will not be effective until further Order of the Department.

A person whose substantial interests are affected by this permit may petition for an administrative proceeding (hearing) in accordance with sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) with the Agency Clerk for the Department of Environmental Protection, Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, within 14 days of receipt of this Notice. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under sections 120.569 and 120.57 of the Florida Statutes. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-106.205, F.A.C.

A petition must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
- (c) A statement of how and when the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts which petitioner contends warrant reversal or modification of the Department's action;
- (f) A statement of the specific rules or statutes the petitioner contends requires reversal or modification of the Department's action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- (g) A statement of the relief sought by petitioner, stating precisely the action that the petitioner wants the Department to take.

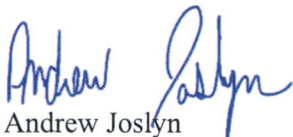
A petition that does not dispute the materials facts on which the Department's action is based shall state that no such facts are in dispute and otherwise contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

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 on the petition have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

When the Order (Permit) is final, any party to the Order has the right to seek judicial review of the Order pursuant to section 120.68 of the Florida Statutes, by filing a Notice of Appeal pursuant to Rule 9.110 of the 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 the final order is filed with the Clerk of the Department.

Executed in Pensacola, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION



Andrew Joslyn  
Permitting Program Administrator

Ron Derossett, Facility Manager  
Seminole Waterworks, Inc.  
Page 3 of 3

Enclosures: Permit No. 0347912-001-WC/M2

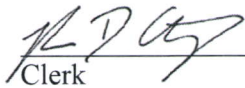
cc: Mohammed Y. Kader, P.E. ([mkader@uswatercorp.net](mailto:mkader@uswatercorp.net))  
Josie Penton, DEP NWD Panama City Office ([josie.penton@dep.state.fl.us](mailto:josie.penton@dep.state.fl.us))

### **CERTIFICATION OF SERVICE**

The undersigned duly designated deputy agency clerk hereby certifies that this Notice of Permit Issuance and all copies were mailed/electronically transmitted before the close of business on October 19, 2016 to those persons listed.

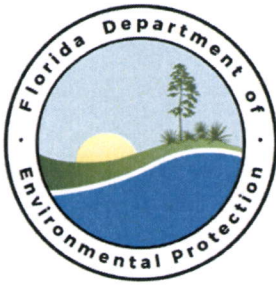
### **FILING AND ACKNOWLEDGEMENT**

Filed, on this date, under section 120.52(7), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

  
Clerk

October 19, 2016  
Date





## Florida Department of Environmental Protection

Northwest District  
160 West Government Street, Suite 308  
Pensacola, Florida 32502-5740

Rick Scott  
Governor

Carlos Lopez-Cantera  
Lt. Governor

Jonathan P. Steverson  
Secretary

**PERMITTEE:**

Ron Derossett, Facility Manager  
Seminole Waterworks, Inc.

PWS I.D. Number: 1374008

Permit Number: 0347912-001-WC/M2

Date of Issue: October 19, 2016

Expiration Date: October 18, 2021

County: Leon

Project: Conversion to Sodium Hypochlorite Disinfection  
Buck Lake Estates Water System

This permit is issued under the provisions of Section 403.861, Florida Statutes, and Florida Administrative Code Rules 62-4, 62-550, 62-555, 62-560, 62-602, and 62-699. The above named applicant, hereinafter called Permittee, is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents attached hereto or on file with the Department and made a part hereof and specifically described as follows:

**CONSTRUCTION TO INCLUDE**

- Stenner chemical feed pump, Model 85MHP17, rated at 0.8 to 17.0 gallons per day, for metering of sodium hypochlorite (liquid bleach), including valves, fittings, and appurtenances
- Snyder Industries 30-gallon solution tank (NSF 61 approved)

**IN ACCORDANCE WITH:** plans and specifications prepared and submitted by Mohammed Y. Kader, P.E., received on September 30, 2016, and additional information received on October 18, 2016.

**LOCATION:** Drake Drive, Tallahassee, Leon County

**TO SERVE:** Buck Lake Estates Water System

Work must be conducted in accordance with the General and Specific Conditions, attached hereto.

Issued this 19<sup>th</sup> day of October 2016.

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL  
PROTECTION

A handwritten signature in blue ink, appearing to read "Andrew Joslyn".

Andrew Joslyn  
Permitting Program Administrator

Attachments

## General Conditions

The permittee shall be aware of and operate under the Permit Conditions below. These applicable conditions are binding upon the permittee and enforceable pursuant to Chapter 403, Florida Statutes. [F.A.C. Rule 62-555.533(1)]

1. The terms, conditions, requirements, limitations and restrictions set forth in this permit, are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, F.S. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
3. As provided in Subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other department permit that may be required for other aspects of the total project which are not addressed in this permit.
4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.
6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times (reasonable time may depend on the nature of the



concern being investigated), access to the premises where the permitted activity is located or conducted to:

- a. Have access to and copy any records that must be kept under conditions of the permit;
  - b. Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
  - c. Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.
8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:
  - a. A description of and cause of noncompliance; and
  - b. The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.
9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Sections 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.
10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules. A reasonable time for compliance with a new or amended surface water quality standard, other than those standards addressed in Rule 62-302.500, shall include a reasonable time to obtain or be denied a mixing zone for the new or amended standard.
11. This permit is transferable only upon Department approval in accordance with Rule 62-4.120 and 62-730.300, F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.
12. This permit or a copy thereof shall be kept at the work site of the permitted activity.
13. This permit also constitutes:
  - a. Determination of Best Available Control Technology (BACT)
  - b. Determination of Prevention of Significant Deterioration (PSD)
  - c. Certification of compliance with State Water Quality Standards (Section 401, PL 92-500)



d. Compliance with New Source Performance Standards

14. The permittee shall comply with the following:

- a. Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
- b. The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.
- c. Records of monitoring information shall include:
  - i. the date, exact place, and time of sampling or measurements;
  - ii. the person responsible for performing the sampling or measurements;
  - iii. the dates analyses were performed;
  - iv. the person responsible for performing the analyses;
  - v. the analytical techniques or methods used;
  - vi. the results of such analyses.

15. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.

## Specific Conditions

1. All construction must be in accordance with this permit. Before commencing work on project changes for which a construction permit modification is required per 62-555.536(1), the permittee shall submit to the Department a written request for a permit modification. Each such request shall be accompanied by one copy of a revised construction permit application, the proper processing fee and one copy of either a revised preliminary design report or revised drawings, specifications and design data. [F.A.C. Rule 62-555.536].
2. Permitted construction or alteration of public water supply systems must be supervised during construction by a professional engineer registered in the State of Florida if the project was designed under the responsible charge of a professional engineer licensed in the State of Florida. The permittee must retain the service of a professional engineer registered in the State of Florida to observe that construction of the project is in accordance with the engineering plans and specifications as submitted in support of the application for this permit. [F.A.C. Rule 62-555.520(3)].

3. If prehistoric or historic artifacts, such as pottery or ceramics, stone tools or metal implements, dugout canoe remains, or any other physical remains that could be associated with Native American cultures, or early colonial or American settlement are encountered at any time within the project site area, the permitted project should cease all activities involving subsurface disturbance in the immediate vicinity of such discoveries. The permittee, or other designee, should contact the Florida Department of State, Division of Historical Resources, Compliance and Review Section at 850.245.6333 or 800.847.7278, as well as the appropriate permitting agency office. Project activities should not resume without verbal and/or written authorization from the Division of Historical Resources and the permitting agency. In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately and the proper authorities notified in accordance with Section 872.05, *Florida Statutes*.
4. In accordance with General Condition #11 of this permit, this permit is transferable only upon Department approval. Persons proposing to transfer this permit must apply jointly for a transfer of the permit within 30 days after the sale or legal transfer of ownership of the permitted project that has not been cleared for service by the Department using form, 62-555.900(8), Application for Transfer of a PWS Construction Permit along with the appropriate fee. [F.A.C. Rule 62-555.536(5)]
5. This permit satisfies Drinking Water permitting requirements only and does not authorize construction or operation of this facility prior to obtaining all other necessary permits from other program areas within the Department, or required permits from other state, federal, or local agencies.
6. If gasoline contamination is found at the construction site, work shall be stopped and the proper authorities notified. With the approval of the Department, ductile iron pipe and fittings, and solvent resistant gaskets materials shall be used in the contaminated area. The ductile pipe shall be used in the contaminated area. The ductile iron pipe shall extend 100 feet beyond any solvent noted. Any contaminated soil that is excavated shall be placed on an impermeable mat, covered with waterproof covering, and held for disposal. If the site cannot be properly cleaned, then consultation with the Department is necessary prior to continuing with the project construction.
7. This permit does not constitute approval of construction on jurisdictional wetland areas; therefore such approval must be obtained separately from the Water Management District or from DEP ERP Section, as applicable, Permittee shall provide a copy of the permit approval to the Department if water main installation involves activities on wetlands.
8. Permittee shall ensure that the well and drinking water treatment facilities will be protected to prevent tampering, vandalism, and sabotage as required by Rule 62-555.315(1) & 62-555.320(5), F.A.C.
9. All products, including paints, which shall come into contact with potable water, either directly or indirectly, shall conform with National Sanitation Foundation (NSF) International, Water Chemicals Codex, Food Chemicals Codex, American Water Works Association (AWWA) Standards and the Food and Drug Administration, as provided in Rule 62-555.320(3), F.A.C.



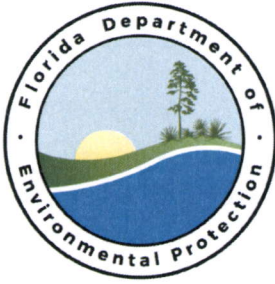
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11. The installation or repairs of any public water system, or any plumbing in residential or nonresidential facilities providing water for human consumption, which is connected to a public water system shall be lead free in accordance with Rule 62-555.322, F.A.C.
12. Setback distances between potable water wells and sanitary hazards shall be in accordance with Rule 62-555.312, F.A.C.
13. Permittee shall maintain vertical clearance and horizontal separation between water mains and sanitary sewers, storm sewers, etc., unless approved otherwise by the Department, as provided in Rule 62-555.314, F.A.C., and Section 8.6 of *Recommended Standards for Water Works*, a manual adopted by reference in Rule 62-555.330(3), F.A.C.
14. The new or altered aboveground piping at the drinking water treatment plant shall be color coded and labeled as recommended in Section 2.14 of "Recommended Standards for Water Works, 1997 Edition". [F.A.C. Rule 62-555.320(10)]
15. Permittee shall ensure that there shall be no cross-connection with any non-potable water source in accordance with Rule 62-555.360, F.A.C.
16. The supplier of water shall operate and maintain the public water system so as to comply with applicable standards in F.A.C. Rule 62-550 and 62-555.350.
17. The permittee shall have complete record drawings produced for the project in accordance with Rule 62-555.530(4), F.A.C.
18. The permittee or suppliers of water shall telephone the State Warning Point (SWP), at 1-800-320-0519 immediately (i.e., within two hours) after discovery of any actual or suspected sabotage or security breach, or any suspicious incident, involving a public water system in accordance with the F.A.C. Rule 62-555.350(10).
19. Permittee shall follow the guidelines of Chapters 62-550, 62-555, and 62-560, F.A.C., regarding public drinking water system standards, monitoring, reporting, permitting, construction, and operation. This facility is a community water system as defined in F.A.C. Rule 62-550.200(12) and shall comply with the applicable chemical, radiological, and bacteriological monitoring requirements of F.A.C. Rule 62-550.
20. The water treatment plant shall maintain throughout the distribution system a minimum continuous and effective free chlorine residual of 0.2 mg/l or its equivalent. A minimum system pressure of 20 psi must be maintained throughout the system. Also, safety equipment shall be provided and located outside of chlorine room.
21. The permittee must instruct the engineer of record to request system clearance from the Department within sixty (60) days of completion of construction and testing the system.



Permittee:  
Ron Derossett, Facility Manager  
Seminole Waterworks, Inc.

DEP File No.:  
0347913-001-WC/M1

22. Permitted construction or alteration of a public water system may not be placed into service until a letter of clearance has been issued by this Department. [F.A.C. Rule 62-555.345]
23. Prior to placing this project into service, Permittee shall submit, at a minimum, all of the following to the Department for evaluation and approval for operation, as provided in Rules 62-555.340 and 62-555.345, F.A.C.:
  - a. the engineer's *Certification of Construction Completion and Request for Clearance to Place Permitted PWS Components Into Operation* {DEP Form 62-555.900(9)};
  - b. certified record drawings, if there are any changes noted for the permitted project;



## Florida Department of Environmental Protection

Northwest District  
160 West Government Street, Suite 308  
Pensacola, Florida 32502-5740

Rick Scott  
Governor

Carlos Lopez-Cantera  
Lt. Governor

Jonathan P. Steverson  
Secretary

October 19, 2016  
rderossett@uswatercorp.net

In the Matter of an  
Application for Permit by:

Ron Derossett  
Facility Manager  
Seminole Waterworks, Inc.  
4939 Cross Bayou Boulevard  
New Port Richie, Florida 34652

DEP File No. 0347913-001  
Leon County

### NOTICE OF PERMIT ISSUANCE

Enclosed is Permit Number 0347913-001-WC/M1 to convert from gas to sodium hypochlorite disinfection at Meadow Hills public water system, Leon County. This permit is issued pursuant to Section(s) 403.861, Florida Statutes.

This permit is final and effective on the date filed with the clerk of the Department unless a petition is filed in accordance with the paragraphs below or unless a request for extension of time in which to file a petition is filed within the required timeframe and conforms to Rule 62-110.106(4), F.A.C. Upon timely filing of a petition or a request for an extension, this permit will not be effective until further Order of the Department.

A person whose substantial interests are affected by this permit may petition for an administrative proceeding (hearing) in accordance with sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) with the Agency Clerk for the Department of Environmental Protection, Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, within 14 days of receipt of this Notice. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under sections 120.569 and 120.57 of the Florida Statutes. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-106.205, F.A.C.

A petition must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
- (c) A statement of how and when the petitioner received notice of the agency decision;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts which petitioner contends warrant reversal or modification of the Department's action;
- (f) A statement of the specific rules or statutes the petitioner contends requires reversal or modification of the Department's action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- (g) A statement of the relief sought by petitioner, stating precisely the action that the petitioner wants the Department to take.

A petition that does not dispute the materials facts on which the Department's action is based shall state that no such facts are in dispute and otherwise contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

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 on the petition have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

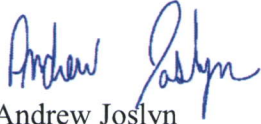
When the Order (Permit) is final, any party to the Order has the right to seek judicial review of the Order pursuant to section 120.68 of the Florida Statutes, by filing a Notice of Appeal pursuant to Rule 9.110 of the Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office 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 the final order is filed with the Clerk of the Department.



Ron Derossett, Facility Manager  
Seminole Waterworks, Inc.  
Page 3 of 3

Executed in Pensacola, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION



Andrew Joslyn  
Permitting Program Administrator

Enclosures: Permit No. 0347913-001-WC/M1

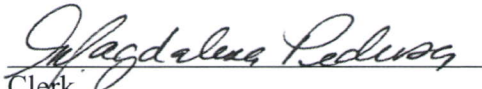
cc: Mohammed Y. Kader, P.E. (mkader@uswatercorp.net)  
Josie Penton, DEP NWD Panama City Office (josie.penton@dep.state.fl.us)

**CERTIFICATION OF SERVICE**

The undersigned duly designated deputy agency clerk hereby certifies that this Notice of Permit Issuance and all copies were mailed/electronically transmitted before the close of business on October 19, 2016, to those persons listed.

**FILING AND ACKNOWLEDGEMENT**

Filed, on this date, under section 120.52(7), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

  
Clerk

October 19, 2016  
Date



## Florida Department of Environmental Protection

Northwest District  
160 West Government Street, Suite 308  
Pensacola, Florida 32502-5740

Rick Scott  
Governor

Carlos Lopez-Cantera  
Lt. Governor

Jonathan P. Steverson  
Secretary

**PERMITTEE:**

Ron Derossett, Facility Manager  
Seminole Waterworks, Inc.

PWS I.D. Number: 1370461

Permit Number: 0347913-001-WC/M1

Date of Issue: October 19, 2016

Expiration Date: October 18, 2021

County: Leon

Project: Conversion to Sodium Hypochlorite Disinfection  
Meadown Hills Water System

This permit is issued under the provisions of Section 403.861, Florida Statutes, and Florida Administrative Code Rules 62-4, 62-550, 62-555, 62-560, 62-602, and 62-699. The above named applicant, hereinafter called Permittee, is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents attached hereto or on file with the Department and made a part hereof and specifically described as follows:

**CONSTRUCTION TO INCLUDE**

- Stenner chemical feed pump, Model 85MHP40, rated at 2.0 to 40.0 gallons per day, for metering of sodium hypochlorite (liquid bleach), including valves, fittings, and appurtenances
- Snyder Industries 30-gallon solution tank (NSF 61 approved)

**IN ACCORDANCE WITH:** plans and specifications prepared and submitted by Mohammed Y. Kader, P.E., received on September 30, 2016, and additional information received on October 18, 2016.

**LOCATION:** 4927 Vernon Road, Tallahassee, Leon County

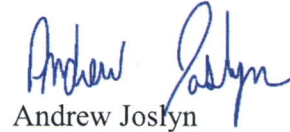
**TO SERVE:** Meadow Hills Water System

Work must be conducted in accordance with the General and Specific Conditions, attached hereto.

Ron Derossett, Facility Manager  
Seminole Waterworks, Inc.  
Page 2 of 2

Issued this 19<sup>th</sup> day of October 2016.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION



Andrew Joslyn  
Permitting Program Administrator

Attachments



Permittee:  
Ron Derossett, Facility Manager  
Seminole Waterworks, Inc.

DEP File No.:  
0347913-001-WC/M1

## General Conditions

The permittee shall be aware of and operate under the Permit Conditions below. These applicable conditions are binding upon the permittee and enforceable pursuant to Chapter 403, Florida Statutes. [F.A.C. Rule 62-555.533(1)]

1. The terms, conditions, requirements, limitations and restrictions set forth in this permit, are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, F.S. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
3. As provided in Subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other department permit that may be required for other aspects of the total project which are not addressed in this permit.
4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.
6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times (reasonable time may depend on the nature of the

Permittee:  
Ron Derossett, Facility Manager  
Seminole Waterworks, Inc.

DEP File No.:  
0347913-001-WC/M1

concern being investigated), access to the premises where the permitted activity is located or conducted to:

- a. Have access to and copy any records that must be kept under conditions of the permit;
  - b. Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
  - c. Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.
8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:
  - a. A description of and cause of noncompliance; and
  - b. The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.
9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Sections 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.
10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules. A reasonable time for compliance with a new or amended surface water quality standard, other than those standards addressed in Rule 62-302.500, shall include a reasonable time to obtain or be denied a mixing zone for the new or amended standard.
11. This permit is transferable only upon Department approval in accordance with Rule 62-4.120 and 62-730.300, F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.
12. This permit or a copy thereof shall be kept at the work site of the permitted activity.
13. This permit also constitutes:
  - a. Determination of Best Available Control Technology (BACT)
  - b. Determination of Prevention of Significant Deterioration (PSD)
  - c. Certification of compliance with State Water Quality Standards (Section 401, PL 92-500)



Permittee:  
Ron Derossett, Facility Manager  
Seminole Waterworks, Inc.

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0347913-001-WC/M1

d. Compliance with New Source Performance Standards

14. The permittee shall comply with the following:

- a. Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
- b. The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.
- c. Records of monitoring information shall include:
  - i. the date, exact place, and time of sampling or measurements;
  - ii. the person responsible for performing the sampling or measurements;
  - iii. the dates analyses were performed;
  - iv. the person responsible for performing the analyses;
  - v. the analytical techniques or methods used;
  - vi. the results of such analyses.

15. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.

## Specific Conditions

1. All construction must be in accordance with this permit. Before commencing work on project changes for which a construction permit modification is required per 62-555.536(1), the permittee shall submit to the Department a written request for a permit modification. Each such request shall be accompanied by one copy of a revised construction permit application, the proper processing fee and one copy of either a revised preliminary design report or revised drawings, specifications and design data. [F.A.C. Rule 62-555.536].
2. Permitted construction or alteration of public water supply systems must be supervised during construction by a professional engineer registered in the State of Florida if the project was designed under the responsible charge of a professional engineer licensed in the State of Florida. The permittee must retain the service of a professional engineer registered in the State of Florida to observe that construction of the project is in accordance with the engineering plans and specifications as submitted in support of the application for this permit. [F.A.C. Rule 62-555.520(3)].



Permittee:  
Ron Derossett, Facility Manager  
Seminole Waterworks, Inc.

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3. If prehistoric or historic artifacts, such as pottery or ceramics, stone tools or metal implements, dugout canoe remains, or any other physical remains that could be associated with Native American cultures, or early colonial or American settlement are encountered at any time within the project site area, the permitted project should cease all activities involving subsurface disturbance in the immediate vicinity of such discoveries. The permittee, or other designee, should contact the Florida Department of State, Division of Historical Resources, Compliance and Review Section at 850.245.6333 or 800.847.7278, as well as the appropriate permitting agency office. Project activities should not resume without verbal and/or written authorization from the Division of Historical Resources and the permitting agency. In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately and the proper authorities notified in accordance with Section 872.05, *Florida Statutes*.
4. In accordance with General Condition #11 of this permit, this permit is transferable only upon Department approval. Persons proposing to transfer this permit must apply jointly for a transfer of the permit within 30 days after the sale or legal transfer of ownership of the permitted project that has not been cleared for service by the Department using form, 62-555.900(8), Application for Transfer of a PWS Construction Permit along with the appropriate fee. [F.A.C. Rule 62-555.536(5)]
5. This permit satisfies Drinking Water permitting requirements only and does not authorize construction or operation of this facility prior to obtaining all other necessary permits from other program areas within the Department, or required permits from other state, federal, or local agencies.
6. If gasoline contamination is found at the construction site, work shall be stopped and the proper authorities notified. With the approval of the Department, ductile iron pipe and fittings, and solvent resistant gaskets materials shall be used in the contaminated area. The ductile pipe shall be used in the contaminated area. The ductile iron pipe shall extend 100 feet beyond any solvent noted. Any contaminated soil that is excavated shall be placed on an impermeable mat, covered with waterproof covering, and held for disposal. If the site cannot be properly cleaned, then consultation with the Department is necessary prior to continuing with the project construction.
7. This permit does not constitute approval of construction on jurisdictional wetland areas; therefore such approval must be obtained separately from the Water Management District or from DEP ERP Section, as applicable, Permittee shall provide a copy of the permit approval to the Department if water main installation involves activities on wetlands.
8. Permittee shall ensure that the well and drinking water treatment facilities will be protected to prevent tampering, vandalism, and sabotage as required by Rule 62-555.315(1) & 62-555.320(5), F.A.C.
9. All products, including paints, which shall come into contact with potable water, either directly or indirectly, shall conform with National Sanitation Foundation (NSF) International, Water Chemicals Codex, Food Chemicals Codex, American Water Works Association (AWWA) Standards and the Food and Drug Administration, as provided in Rule 62-555.320(3), F.A.C.

Permittee:  
Ron Derossett, Facility Manager  
Seminole Waterworks, Inc.

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10. Water supply facilities, including mains, pipe, fittings, valves, fire hydrants and other materials shall be installed in accordance with the latest applicable AWWA Standards and Department rules and regulations. The system shall be pressure and leak tested in accordance with AWWA Standard C600 C603, or C605, as applicable, and disinfected in accordance with AWWA Standard C651-653, as well as in accordance with Rule 62-555.340, F.A.C.
11. The installation or repairs of any public water system, or any plumbing in residential or nonresidential facilities providing water for human consumption, which is connected to a public water system shall be lead free in accordance with Rule 62-555.322, F.A.C.
12. Setback distances between potable water wells and sanitary hazards shall be in accordance with Rule 62-555.312, F.A.C.
13. Permittee shall maintain vertical clearance and horizontal separation between water mains and sanitary sewers, storm sewers, etc., unless approved otherwise by the Department, as provided in Rule 62-555.314, F.A.C., and Section 8.6 of *Recommended Standards for Water Works*, a manual adopted by reference in Rule 62-555.330(3), F.A.C.
14. The new or altered aboveground piping at the drinking water treatment plant shall be color coded and labeled as recommended in Section 2.14 of "Recommended Standards for Water Works, 1997 Edition". [F.A.C. Rule 62-555.320(10)]
15. Permittee shall ensure that there shall be no cross-connection with any non-potable water source in accordance with Rule 62-555.360, F.A.C.
16. The supplier of water shall operate and maintain the public water system so as to comply with applicable standards in F.A.C. Rule 62-550 and 62-555.350.
17. The permittee shall have complete record drawings produced for the project in accordance with Rule 62-555.530(4), F.A.C.
18. The permittee or suppliers of water shall telephone the State Warning Point (SWP), at 1-800-320-0519 immediately (i.e., within two hours) after discovery of any actual or suspected sabotage or security breach, or any suspicious incident, involving a public water system in accordance with the F.A.C. Rule 62-555.350(10).
19. Permittee shall follow the guidelines of Chapters 62-550, 62-555, and 62-560, F.A.C., regarding public drinking water system standards, monitoring, reporting, permitting, construction, and operation. This facility is a community water system as defined in F.A.C. Rule 62-550.200(12) and shall comply with the applicable chemical, radiological, and bacteriological monitoring requirements of F.A.C. Rule 62-550.
20. The water treatment plant shall maintain throughout the distribution system a minimum continuous and effective free chlorine residual of 0.2 mg/l or its equivalent. A minimum system pressure of 20 psi must be maintained throughout the system. Also, safety equipment shall be provided and located outside of chlorine room.



Permittee:  
Ron Derossett, Facility Manager  
Seminole Waterworks, Inc.

DEP File No.:  
0347913-001-WC/M1

21. The permittee must instruct the engineer of record to request system clearance from the Department within sixty (60) days of completion of construction and testing the system.
22. Permitted construction or alteration of a public water system may not be placed into service until a letter of clearance has been issued by this Department. [F.A.C. Rule 62-555.345]
23. Prior to placing this project into service, Permittee shall submit, at a minimum, all of the following to the Department for evaluation and approval for operation, as provided in Rules 62-555.340 and 62-555.345, F.A.C.:
  - a. the engineer's *Certification of Construction Completion and Request for Clearance to Place Permitted PWS Components Into Operation* {DEP Form 62-555.900(9)};
  - b. certified record drawings, if there are any changes noted for the permitted project;





Jonathan P. Steverson  
Executive Director

## Northwest Florida Water Management District

152 Water Management Drive, Havana, Florida 32333-4712  
(U.S. Highway 90, 10 miles west of Tallahassee)  
(850) 539-5999 (Fax) 539-2777

June 24, 2013

Rowe Utilities, LLC  
Bucklake Estates Water System  
P. O. Box 1389  
Tallahassee, FL 32302

NOTICE OF AGENCY ACTION  
Individual Water Use Permit No. 19900016  
Consumptive Use Permit Application No. I07389

Dear Permittee:

Your Individual Water Use Permit has been approved by the Northwest Florida Water Management District. The permit issued is subject to the terms and conditions set forth in the enclosed permit document. If you have concerns relating to the issued permit and desire an opportunity to discuss it, we urge you to contact the District immediately. If your concerns cannot be addressed to your satisfaction, you have 21 days from the receipt of this letter (as defined by section 40A-1.511, Florida Administrative Code) to file a written petition for an administrative hearing. The procedures for filing a petition for an administrative hearing are contained in the enclosed "Notice of Rights". The petition must comply with section 28-106.201 (enclosed), Florida Administrative Code, and be received by the District's Agency Clerk no later than the petition deadline. Mediation of an administrative dispute is also available and choosing mediation does not affect the right to an administrative hearing. You may also have a right of judicial review of the District's agency action pursuant to section 120.68, Florida Statutes. Notice of appeal pursuant to the Florida Rules of Appellate Procedure must be filed within 30 days of the rendering of the final agency action. If we do not hear from you prior to the 21-day deadline, we will assume that the permit as issued is acceptable to you.

As you are legally responsible for compliance with the conditions of the permit, please read the document thoroughly. Pay close attention to any condition(s) of the permit which requires the one-time or periodic submittal of information to the District. Non-compliance may require the District to initiate enforcement action, including the possible assessment of administrative fines. Please designate an individual as the contact person for compliance. This can be done by sending the person's name, address, phone number and email address in hard-copy to the above address or via email at [compliance@nwfwmd.state.fl.us](mailto:compliance@nwfwmd.state.fl.us).

If the property where the withdrawal facility is located changes ownership, the permit must be transferred. A permit transfer request must be made on NFWMD Form A2-F ([http://www.nwfwmd.state.fl.us/permits/forms/permit\\_transfer.pdf](http://www.nwfwmd.state.fl.us/permits/forms/permit_transfer.pdf)) and approved by the Executive Director. If the permit is not transferred you may remain responsible for compliance with the conditions of the permit.

GEORGE ROBERTS  
Chair  
Panama City

JERRY PATE  
Vice Chair  
Pensacola

JOHN ALTER  
Malone

GUS ANDREWS  
DeFuniak Springs

STEPHANIE BLOYD  
Panama City Beach

GARY CLARK  
Chipley

JON COSTELLO  
Tallahassee

NICK PATRONIS  
Panama City Beach

BO SPRING  
Port Saint Joe

NOTICE OF AGENCY ACTION

Individual Water Use Permit No. 19900016

Page 2

If you have any questions concerning the permit document or if the District can be of any other service, please let us know.

Sincerely,

A handwritten signature in blue ink, appearing to read "Angela Chelette".

Angela Chelette, Chief  
Bureau of Ground Water  
Division of Resource Regulation

Enclosure: Individual Water Use Permit No. 19900016  
Notice of Rights

**NORTHWEST FLORIDA WATER MANAGEMENT DISTRICT  
INDIVIDUAL WATER USE PERMIT**

NWFWM Form No. A2-E, Revised 01/04/2010  
40A-2.381(2)

Permit granted to:	Permit No.: <u>19900016 Renewal</u>
<u>Rowe Utilities, LLC</u>	Date Permit Granted: <u>June 20, 2013</u>
<u>Buck Lake Estates Water System</u>	Permit Expires On: <u>July 1, 2033</u>
<u>Post Office Box 1389</u>	Source Classification: <u>Floridan Aquifer</u>
<u>Tallahassee, Florida 32302</u>	Use Classification: <u>Public Supply</u>
(Legal Name and Address)	
County: <u>Leon</u> Area: <u>C</u>	Location: Section <u>23</u> 1/4 Section _____
Application No.: <u>107389</u>	Township <u>1 North</u> Range <u>1 East</u>

**Terms and standard conditions of this Permit are as follows:**

1. That all statements in the application and in supporting data are true and accurate and based upon the best information available, and that all conditions set forth herein will be complied with. If any of the statements in the application and in the supporting data are found to be untrue and inaccurate, or if the Permittee fails to comply with all of the conditions set forth herein, then this Permit shall be revoked as provided by Chapter 373.243, Florida Statutes.
2. This Permit is predicated upon the assertion by the Permittee that the use of water applied for and granted is and continues to be a reasonable and beneficial use as defined in Section 373.019(16), Florida Statutes, is and continues to be consistent with the public interest, and will not interfere with any legal use of water existing on the date this Permit is granted.
3. This Permit is conditioned on the Permittee having obtained or obtaining all other necessary permit(s) to construct, operate and certify withdrawal facilities and the operation of water system.
4. This Permit is issued to the Permittee contingent upon continued ownership, lease or other present control of property rights in underlying, overlying, or adjacent lands. This Permit may be assigned to a subsequent owner as provided by Chapter 40A-2.351, Florida Administrative Code, and the acceptance by the transferee of all terms and conditions of the Permit.



5. This Permit authorizes the Permittee to make a combined average annual withdrawal of **30,000** gallons of water per day, a maximum combined withdrawal of **100,000** gallons during a single day, and a combined monthly withdrawal of **1,680,000** gallons. Withdrawals for the individual facilities are authorized as shown in the table below in paragraph six. However, the total combined amount of water withdrawn by all facilities listed in paragraph six shall not exceed the amounts identified above.
6. Individual Withdrawal Facility Authorization

WITHDRAWAL POINT ID NO.	LOCATION SEC,TWN,RNG	GALLONS/DAY AVERAGE	GALLONS/DAY MAXIMUM
RDC/BEWS 1 (AAA9202)	Sec. 23, T1N, R1E	30,000	100,000

7. The use of the permitted water withdrawal is restricted to the use classification set forth by the Permit. Any change in the use of said water shall require a modification of this Permit.
8. The District's staff, upon proper identification, will have permission to enter, inspect and observe permitted and related facilities in order to determine compliance with the approved plans, specifications and conditions of this Permit.
9. The District's staff, upon providing prior notice and proper identification, may request permission to collect water samples for analysis, measure static and/or pumping water levels and collect any other information deemed necessary to protect the water resources of the area.
10. The District reserves the right, at a future date, to require the Permittee to submit pumpage records for any or all withdrawal point(s) covered by this Permit.
11. Permittee shall mitigate any significant adverse impact caused by withdrawals permitted herein on the resource and legal water withdrawals and uses, and on adjacent land use, which existed at the time of permit application. The District reserves the right to curtail permitted withdrawal rates if the withdrawal causes significant adverse impact on the resource and legal uses of water, or adjacent land use, which existed at the time of permit application.
12. Permittee shall not cause significant saline water intrusion or increased chloride levels. The District reserves the right to curtail permitted withdrawal rates if withdrawals cause significant saline water intrusion or increased chloride levels.
13. The District, pursuant to Section 373.042, Florida Statutes, at a future date, may establish minimum and/or management water levels in the aquifer, aquifers, or surface water

hydrologically associated with the permitted withdrawals; these water levels may require the Permittee to limit withdrawal from these water sources at times when water levels are below established levels.

14. Nothing in this Permit should be construed to limit the authority of the Northwest Florida Water Management District to declare water shortages and issue orders pursuant to Section 373.175, Florida Statutes, or to formulate and implement a plan during periods of water shortage pursuant to Section 373.246, Florida Statutes, or to declare Water Resource Caution Areas pursuant to Chapters 40A-2.801, and 62-40.520, Florida Administrative Code.
  - (a) In the event of a declared water shortage, water withdrawal reductions shall be made as ordered by the District.
  - (b) In the event of a declared water shortage or an area as a Water Resource Caution Area, the District may alter, modify or inactivate all or parts of this permit.
15. The Permittee shall properly plug and abandon any well determined unsuitable for its intended use, not properly operated and maintained, or removed from service. The well(s) shall be plugged and abandoned to District Standards in accordance with Section 40A-3.531, Florida Administrative Code.
16. This permit does not convey to the Permittee any property rights or privileges other than those specified herein, nor relieve the Permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.
17. Any Specific Permit Condition(s) enumerated in Attachment A are herein made a part of this Permit.

  
\_\_\_\_\_  
**Authorized Signature**  
**Northwest Florida Water Management District**



NORTHWEST FLORIDA WATER MANAGEMENT DISTRICT

STAFF REPORT

TO: Executive Director

FROM: Regulatory Division

DATE: June 13, 2013

SUBJECT: Request for Renewal of Individual Water Use Permit No. 19900016  
Individual Water Use Permit Application No. I07389

---

Applicant: Rowe Utilities, LLC (Buck Lake Estates Water System)

Location: Tallahassee, Leon County, Permit Area C  
Section 23; Township 1 North; Range 1 East

Use: Public Supply

Water Source: Floridan Aquifer

Groundwater Facilities:

Well Number	Florida Unique Well ID	Diameter (inches)	Total Depth (feet)	Cased Depth (feet)	Pump Capacity (gpm)	Well Status
RDC/BEWS 1	AAA9202	8	245	132	130	Existing

Capacity: 130 Gallons per Minute; 187,200 Gallons per Day

Withdrawal Information:

Water Use Totals	Permitted	Requested	Use*	Recommended
Average Day (GPD)	36,000	30,000	17,767	30,000
Maximum Day (GPD)	130,000	60,000	48,200	100,000
Maximum Month (GAL)	1,800,000	1,800,000	849,200	1,680,000

\* 5-year average reported withdrawal rates for 2008-2012

Staff Evaluation:

Rowe Utilities, LLC-Buck Lake Estates (Buck Lake) is requesting renewal and modification of Individual Water Use Permit (IWUP) No. 19900016 with reductions in the average and maximum daily withdrawal rates, and no change in the maximum monthly withdrawal rate. Buck Lake has generally complied with the conditions of the existing IWUP.

Buck Lake withdraws water from the Floridan Aquifer to serve its retail public supply customers within the Buck Lake Estates residential community. The recommended average daily rate is based on a Bureau of Economic and Business Research projected 1.46% annual population growth rate in Leon County for the requested 20 year permit duration. The recommended maximum daily and monthly rates are based on daily and monthly peaking ratios for the distribution system derived from the currently permitted withdrawal amounts. Buck Lake's residential per capita water use of 66 gallons per day meets the



District's water use efficiency goal of 100 gallons per day or less. Water losses are not currently reported by Buck Lake, but are assumed to be minimal considering the small distribution system and per capita use.

Staff used the software program DRAWDOWN to simulate potential impacts to the Floridan Aquifer. The simulated drawdown in the Floridan Aquifer is less than a foot at distances of one-half mile and one mile, respectively, from the center of pumpage. No harm to existing legal users or water resources is anticipated to occur from the withdrawals.

Conclusions and Staff Recommendations:

It is the determination of the staff that the water use amounts recommended, as conditioned, are reasonable-beneficial, consistent with the public's interest, and will not harm the water resources of the area or interfere with existing legal users. This determination has been made according to provisions of Chapter 373, Florida Statutes, and Chapter 40A-2, Florida Administrative Code.

The staff recommends that the applicant be granted an Individual Water Use Permit for an annual average daily withdrawal of 30,000 gallons, a maximum daily withdrawal of 100,000 gallons, and a maximum monthly withdrawal of 1,680,000 gallons. Staff also recommends that the permit expire July 1, 2033 and that the permit be conditioned as per the terms and Standard Conditions of the permit document (NFWFMD Form No. A2-E).



# NOTICE OF RIGHTS

Northwest Florida Water Management District

152 Water Management Drive, Havana, FL 32333-4712

(850) 539-5999 Fax (850) 539-2693

[www.nwfwmd.state.fl.us](http://www.nwfwmd.state.fl.us)



***The following information addresses procedures to be followed if you desire an administrative hearing or other review of agency action.***

## PETITION FOR FORMAL ADMINISTRATIVE PROCEEDINGS

Any person whose substantial interests are or may be affected by the action described in the enclosed Notice of Agency Action, may petition for an administrative hearing in accordance with the requirements of section 28-106.201, Florida Administrative Code, or may choose to pursue mediation as an alternative remedy under section 120.573, Florida Statutes, before the deadline for filing a petition. Pursuit of mediation will not adversely affect the right to administrative proceedings in the event mediation does not result in a settlement. Petitions for an administrative hearing must be filed with the Agency Clerk of the Northwest Florida Water Management District, 81 Water Management Drive, Havana, Florida 32333-9700 by the deadline specified in the attached cover letter. Failure to file a petition within this time period shall constitute a waiver of any rights such person may have to request an administrative determination (hearing) under section 120.57, Florida Statutes, concerning the subject permit application. Petitions which are not filed in accordance with the above provisions are subject to dismissal.

## DISTRICT COURT OF APPEAL

A party who is adversely affected by final agency action on the permit application and who has exhausted available administrative remedies is entitled to judicial review in the District Court of Appeal pursuant to section 120.68, Florida Statutes. Review under section 120.68, Florida Statutes, is initiated by filing a Notice of Appeal in the appropriate District Court of Appeal in accordance with Florida Rule of Appellate Procedure 9.110.



**SECTION 28-106.201, FLORIDA ADMINISTRATIVE CODE, INITIATION OF PROCEEDINGS**

- (1) Unless otherwise provided by statute, and except for agency enforcement and disciplinary actions that shall be initiated under Rule 28-106.2015, F.A.C., initiation of proceedings shall be made by written petition to the agency responsible for rendering final agency action. The term "petition" includes any document that requests an evidentiary proceeding and asserts the existence of a disputed issue of material fact. Each petition shall be legible and on 8 1/2 by 11 inch white paper. Unless printed, the impression shall be on one side of the paper only and lines shall be double-spaced.
- (2) All petitions filed under these rules shall contain:
  - (a) The name and address of each agency affected and each agency's file or identification number, if known;
  - (b) The name, address, any e-mail address, any facsimile number, and telephone number of the petitioner, if the petitioner is not represented by an attorney or a qualified representative; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
  - (c) A statement of when and how the petitioner received notice of the agency decision;
  - (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
  - (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action;
  - (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
  - (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.
- (3) Upon receipt of a petition involving disputed issues of material fact, the agency shall grant or deny the petition, and if granted shall, unless otherwise provided by law, refer the matter to the Division of Administrative Hearings with a request that an administrative law judge be assigned to conduct the hearing. The request shall be accompanied by a copy of the petition and a copy of the notice of agency action.





Jonathan P. Steverson  
Executive Director

## Northwest Florida Water Management District

152 Water Management Drive, Havana, Florida 32333-4712  
(U.S. Highway 90, 10 miles west of Tallahassee)  
(850) 539-5999 (Fax) 539-2777

June 24, 2013

Rowe Utilities, LLC  
Brewster Water System  
P. O. Box 1389  
Tallahassee, FL 32302

NOTICE OF AGENCY ACTION  
Individual Water Use Permit No. 19900014  
Consumptive Use Permit Application No. I07391

Dear Permittee:

Your Individual Water Use Permit has been approved by the Northwest Florida Water Management District. The permit issued is subject to the terms and conditions set forth in the enclosed permit document. If you have concerns relating to the issued permit and desire an opportunity to discuss it, we urge you to contact the District immediately. If your concerns cannot be addressed to your satisfaction, you have 21 days from the receipt of this letter (as defined by section 40A-1.511, Florida Administrative Code) to file a written petition for an administrative hearing. The procedures for filing a petition for an administrative hearing are contained in the enclosed "Notice of Rights". The petition must comply with section 28-106.201 (enclosed), Florida Administrative Code, and be received by the District's Agency Clerk no later than the petition deadline. Mediation of an administrative dispute is also available and choosing mediation does not affect the right to an administrative hearing. You may also have a right of judicial review of the District's agency action pursuant to section 120.68, Florida Statutes. Notice of appeal pursuant to the Florida Rules of Appellate Procedure must be filed within 30 days of the rendering of the final agency action. If we do not hear from you prior to the 21-day deadline, we will assume that the permit as issued is acceptable to you.

As you are legally responsible for compliance with the conditions of the permit, please read the document thoroughly. Pay close attention to any condition(s) of the permit which requires the one-time or periodic submittal of information to the District. Non-compliance may require the District to initiate enforcement action, including the possible assessment of administrative fines. Please designate an individual as the contact person for compliance. This can be done by sending the person's name, address, phone number and email address in hard-copy to the above address or via email at [compliance@nwfwmd.state.fl.us](mailto:compliance@nwfwmd.state.fl.us).

If the property where the withdrawal facility is located changes ownership, the permit must be transferred. A permit transfer request must be made on NFWMD Form A2-F ([http://www.nwfwmd.state.fl.us/permits/forms/permit\\_transfer.pdf](http://www.nwfwmd.state.fl.us/permits/forms/permit_transfer.pdf)) and approved by the Executive Director. If the permit is not transferred you may remain responsible for compliance with the conditions of the permit.

GEORGE ROBERTS  
Chair  
Panama City

JERRY PATE  
Vice Chair  
Pensacola

JOHN ALTER  
Malone

GUS ANDREWS  
DeFuniak Springs

STEPHANIE BLOYD  
Panama City Beach

GARY CLARK  
Chipley

JON COSTELLO  
Tallahassee

NICK PATRONIS  
Panama City Beach

BO SPRING  
Port Saint Joe

NOTICE OF AGENCY ACTION

Individual Water Use Permit No. 19900014

Page 2

If you have any questions concerning the permit document or if the District can be of any other service, please let us know.

Sincerely,

A handwritten signature in blue ink, appearing to read "Angela Chelette". The signature is fluid and cursive, with the first name "Angela" written in a larger, more prominent script than the last name "Chelette".

Angela Chelette, Chief  
Bureau of Ground Water  
Division of Resource Regulation

Enclosure: Individual Water Use Permit No. 19900014  
Notice of Rights

**NORTHWEST FLORIDA WATER MANAGEMENT DISTRICT**  
**INDIVIDUAL WATER USE PERMIT**  
NWFWM Form No. A2-E, Revised 01/04/2010  
40A-2.381(2)

Permit granted to:	Permit No.: <u>19900014 Renewal</u>
<u>Rowe Utilities, LLC</u>	Date Permit Granted: <u>June 20, 2013</u>
<u>Brewster Water System</u>	Permit Expires On: <u>July 1, 2033</u>
<u>Post Office Box 1389</u>	Source Classification: <u>Floridan Aquifer</u>
<u>Tallahassee, Florida 32302</u>	Use Classification: <u>Public Supply</u>
(Legal Name and Address)	
County: <u>Leon</u> Area: <u>C</u>	Location: Section <u>22</u> 1/4 Section <u>      </u>
Application No.: <u>107391</u>	Township <u>1 North</u> Range <u>1 East</u>

**Terms and standard conditions of this Permit are as follows:**

1. That all statements in the application and in supporting data are true and accurate and based upon the best information available, and that all conditions set forth herein will be complied with. If any of the statements in the application and in the supporting data are found to be untrue and inaccurate, or if the Permittee fails to comply with all of the conditions set forth herein, then this Permit shall be revoked as provided by Chapter 373.243, Florida Statutes.
2. This Permit is predicated upon the assertion by the Permittee that the use of water applied for and granted is and continues to be a reasonable and beneficial use as defined in Section 373.019(16), Florida Statutes, is and continues to be consistent with the public interest, and will not interfere with any legal use of water existing on the date this Permit is granted.
3. This Permit is conditioned on the Permittee having obtained or obtaining all other necessary permit(s) to construct, operate and certify withdrawal facilities and the operation of water system.
4. This Permit is issued to the Permittee contingent upon continued ownership, lease or other present control of property rights in underlying, overlying, or adjacent lands. This Permit may be assigned to a subsequent owner as provided by Chapter 40A-2.351, Florida Administrative Code, and the acceptance by the transferee of all terms and conditions of the Permit.



5. This Permit authorizes the Permittee to make a combined average annual withdrawal of **40,000** gallons of water per day, a maximum combined withdrawal of **94,000** gallons during a single day, and a combined monthly withdrawal of **1,460,000** gallons. Withdrawals for the individual facilities are authorized as shown in the table below in paragraph six. However, the total combined amount of water withdrawn by all facilities listed in paragraph six shall not exceed the amounts identified above.
6. Individual Withdrawal Facility Authorization

WITHDRAWAL POINT ID NO.	LOCATION SEC,TWN,RNG	GALLONS/DAY AVERAGE	GALLONS/DAY MAXIMUM
RDC/BEWS #1 (AAA9206)	Sec. 22, T1N, R1E		94,000
RDC/BEWS #2			82,080

7. The use of the permitted water withdrawal is restricted to the use classification set forth by the Permit. Any change in the use of said water shall require a modification of this Permit.
8. The District's staff, upon proper identification, will have permission to enter, inspect and observe permitted and related facilities in order to determine compliance with the approved plans, specifications and conditions of this Permit.
9. The District's staff, upon providing prior notice and proper identification, may request permission to collect water samples for analysis, measure static and/or pumping water levels and collect any other information deemed necessary to protect the water resources of the area.
10. The District reserves the right, at a future date, to require the Permittee to submit pumpage records for any or all withdrawal point(s) covered by this Permit.
11. Permittee shall mitigate any significant adverse impact caused by withdrawals permitted herein on the resource and legal water withdrawals and uses, and on adjacent land use, which existed at the time of permit application. The District reserves the right to curtail permitted withdrawal rates if the withdrawal causes significant adverse impact on the resource and legal uses of water, or adjacent land use, which existed at the time of permit application.
12. Permittee shall not cause significant saline water intrusion or increased chloride levels. The District reserves the right to curtail permitted withdrawal rates if withdrawals cause significant saline water intrusion or increased chloride levels.
13. The District, pursuant to Section 373.042, Florida Statutes, at a future date, may establish minimum and/or management water levels in the aquifer, aquifers, or surface water

hydrologically associated with the permitted withdrawals; these water levels may require the Permittee to limit withdrawal from these water sources at times when water levels are below established levels.

14. Nothing in this Permit should be construed to limit the authority of the Northwest Florida Water Management District to declare water shortages and issue orders pursuant to Section 373.175, Florida Statutes, or to formulate and implement a plan during periods of water shortage pursuant to Section 373.246, Florida Statutes, or to declare Water Resource Caution Areas pursuant to Chapters 40A-2.801, and 62-40.520, Florida Administrative Code.
  - (a) In the event of a declared water shortage, water withdrawal reductions shall be made as ordered by the District.
  - (b) In the event of a declared water shortage or an area as a Water Resource Caution Area, the District may alter, modify or inactivate all or parts of this permit.
15. The Permittee shall properly plug and abandon any well determined unsuitable for its intended use, not properly operated and maintained, or removed from service. The well(s) shall be plugged and abandoned to District Standards in accordance with Section 40A-3.531, Florida Administrative Code.
16. This permit does not convey to the Permittee any property rights or privileges other than those specified herein, nor relieve the Permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.
17. Any Specific Permit Condition(s) enumerated in Attachment A are herein made a part of this Permit.

---

**Authorized Signature**  
**Northwest Florida Water Management District**



# NORTHWEST FLORIDA WATER MANAGEMENT DISTRICT

## STAFF REPORT

TO: Executive Director

FROM: Regulatory Division

DATE: June 13, 2013

SUBJECT: Request for Renewal of Individual Water Use Permit No. 19900014  
Individual Water Use Permit Application No. 107391

Applicant: Rowe Utilities, LLC (Brewster Water System)

Location: Tallahassee, Leon County, Permit Area C  
Section 22; Township 1 North; Range 1 East

Use: Public Supply

Water Source: Floridan Aquifer

### Groundwater Facilities:

Well Number	Florida Unique Well ID	Diameter (inches)	Total Depth (feet)	Cased Depth (feet)	Pump Capacity (gpm)	Well Status
RDC/BEWS #1	AAA9206	6	285	207	300	Existing
RDC/BEWS #2	----	4	215	140	57	Existing

Capacity: 357 Gallons per Minute; 514,080 Gallons per Day

### Withdrawal Information:

Water Use Totals	Permitted	Requested	Use*	Recommended
Average Day (GPD)	40,000	40,000	26,960	40,000
Maximum Day (GPD)	80,000	80,000	53,000	94,000
Maximum Month (GAL)	1,000,000	1,000,000	1,149,333	1,460,000

\* 3-year average reported withdrawal rates for 2008-2012

### Staff Evaluation:

Rowe Utilities, LLC-Brewster Water System (Brewster) is requesting renewal of Individual Water Use Permit (IWUP) No. 19900014 with no change in the average daily, maximum daily, maximum monthly rates of withdrawal. During the permit duration, Brewster has exceeded the maximum daily and monthly withdrawal limits. These exceedances are being addressed through cooperation with the District, in development of demand projections which utilize daily and monthly peaking ratios which better represent Brewster's distribution system.

Brewster withdraws water from the Floridan Aquifer to serve its retail public supply customers within the Brewster residential community. The recommended average daily rate is based on a Bureau of Economic and Business Research projected 1.46% annual population growth rate in Leon County for the requested



20 year permit duration. The recommended maximum daily and monthly rates are based on long-term average daily and monthly peaking ratios for the distribution system. Brewster's residential per capita water use of 76 gallons per day meets the District's water use efficiency goal of 100 gallons per day or less. Water losses are not currently reported by Brewster, but are assumed to be minimal considering the small distribution system and per capita use.

Staff used the software program DRAWDOWN to simulate potential impacts to the Floridan Aquifer. The simulated drawdown in the Floridan Aquifer is less than a foot at distances of one-half mile and one mile from the center of pumpage. No harm to existing legal users or water resources is anticipated to occur from the withdrawals.

#### Conclusions and Staff Recommendations:

It is the determination of the staff that the water use amounts recommended, as conditioned, are reasonable-beneficial, consistent with the public's interest, and will not harm the water resources of the area or interfere with existing legal users. This determination has been made according to provisions of Chapter 373, Florida Statutes, and Chapter 40A-2, Florida Administrative Code.

The staff recommends that the applicant be granted an Individual Water Use Permit for an annual average daily withdrawal of 40,000 gallons, a maximum daily withdrawal of 94,000 gallons, and a maximum monthly withdrawal of 1,460,000 gallons. Staff also recommends that the permit expire July 1, 2033 and that the permit be conditioned as per the terms and Standard Conditions of the permit document (NFWFMD Form No. A2-E).



## NOTICE OF RIGHTS

Northwest Florida Water Management District  
152 Water Management Drive, Havana, FL 32333-4712  
(850) 539-5999 Fax (850) 539-2693  
[www.nwfwmd.state.fl.us](http://www.nwfwmd.state.fl.us)



***The following information addresses procedures to be followed if you desire an administrative hearing or other review of agency action.***

### PETITION FOR FORMAL ADMINISTRATIVE PROCEEDINGS

Any person whose substantial interests are or may be affected by the action described in the enclosed Notice of Agency Action, may petition for an administrative hearing in accordance with the requirements of section 28-106.201, Florida Administrative Code, or may choose to pursue mediation as an alternative remedy under section 120.573, Florida Statutes, before the deadline for filing a petition. Pursuit of mediation will not adversely affect the right to administrative proceedings in the event mediation does not result in a settlement. Petitions for an administrative hearing must be filed with the Agency Clerk of the Northwest Florida Water Management District, 81 Water Management Drive, Havana, Florida 32333-9700 by the deadline specified in the attached cover letter. Failure to file a petition within this time period shall constitute a waiver of any rights such person may have to request an administrative determination (hearing) under section 120.57, Florida Statutes, concerning the subject permit application. Petitions which are not filed in accordance with the above provisions are subject to dismissal.

### DISTRICT COURT OF APPEAL

A party who is adversely affected by final agency action on the permit application and who has exhausted available administrative remedies is entitled to judicial review in the District Court of Appeal pursuant to section 120.68, Florida Statutes. Review under section 120.68, Florida Statutes, is initiated by filing a Notice of Appeal in the appropriate District Court of Appeal in accordance with Florida Rule of Appellate Procedure 9.110.



**SECTION 28-106.201, FLORIDA ADMINISTRATIVE CODE, INITIATION OF PROCEEDINGS**

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- (2) All petitions filed under these rules shall contain:
  - (a) The name and address of each agency affected and each agency's file or identification number, if known;
  - (b) The name, address, any e-mail address, any facsimile number, and telephone number of the petitioner, if the petitioner is not represented by an attorney or a qualified representative; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
  - (c) A statement of when and how the petitioner received notice of the agency decision;
  - (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
  - (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action;
  - (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
  - (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.
- (3) Upon receipt of a petition involving disputed issues of material fact, the agency shall grant or deny the petition, and if granted shall, unless otherwise provided by law, refer the matter to the Division of Administrative Hearings with a request that an administrative law judge be assigned to conduct the hearing. The request shall be accompanied by a copy of the petition and a copy of the notice of agency action.





Jonathan P. Steverson  
Executive Director

## Northwest Florida Water Management District

152 Water Management Drive, Havana, Florida 32333-4712  
(U.S. Highway 90, 10 miles west of Tallahassee)  
(850) 539-5999 (Fax) 539-2777

June 24, 2013

Rowe Utilities, LLC  
Meadow Hills Water System  
P. O. Box 1389  
Tallahassee, FL 32302

NOTICE OF AGENCY ACTION  
Individual Water Use Permit No. 19900011  
Consumptive Use Permit Application No. I07394

Dear Permittee:

Your Individual Water Use Permit has been approved by the Northwest Florida Water Management District. The permit issued is subject to the terms and conditions set forth in the enclosed permit document. If you have concerns relating to the issued permit and desire an opportunity to discuss it, we urge you to contact the District immediately. If your concerns cannot be addressed to your satisfaction, you have 21 days from the receipt of this letter (as defined by section 40A-1.511, Florida Administrative Code) to file a written petition for an administrative hearing. The procedures for filing a petition for an administrative hearing are contained in the enclosed "Notice of Rights". The petition must comply with section 28-106.201 (enclosed), Florida Administrative Code, and be received by the District's Agency Clerk no later than the petition deadline. Mediation of an administrative dispute is also available and choosing mediation does not affect the right to an administrative hearing. You may also have a right of judicial review of the District's agency action pursuant to section 120.68, Florida Statutes. Notice of appeal pursuant to the Florida Rules of Appellate Procedure must be filed within 30 days of the rendering of the final agency action. If we do not hear from you prior to the 21-day deadline, we will assume that the permit as issued is acceptable to you.

As you are legally responsible for compliance with the conditions of the permit, please read the document thoroughly. Pay close attention to any condition(s) of the permit which requires the one-time or periodic submittal of information to the District. Non-compliance may require the District to initiate enforcement action, including the possible assessment of administrative fines. Please designate an individual as the contact person for compliance. This can be done by sending the person's name, address, phone number and email address in hard-copy to the above address or via email at [compliance@nwfwmd.state.fl.us](mailto:compliance@nwfwmd.state.fl.us).

If the property where the withdrawal facility is located changes ownership, the permit must be transferred. A permit transfer request must be made on NFWMD Form A2-F ([http://www.nwfwmd.state.fl.us/permits/forms/permit\\_transfer.pdf](http://www.nwfwmd.state.fl.us/permits/forms/permit_transfer.pdf)) and approved by the Executive Director. If the permit is not transferred you may remain responsible for compliance with the conditions of the permit.

GEORGE ROBERTS  
Chair  
Panama City

JERRY PATE  
Vice Chair  
Pensacola

JOHN ALTER  
Malone

GUS ANDREWS  
DeFuniak Springs

STEPHANIE BLOYD  
Panama City Beach

GARY CLARK  
Chipley

JON COSTELLO  
Tallahassee

NICK PATRONIS  
Panama City Beach

BO SPRING  
Port Saint Joe

NOTICE OF AGENCY ACTION

Individual Water Use Permit No. 19900011

Page 2

If you have any questions concerning the permit document or if the District can be of any other service, please let us know.

Sincerely,

A handwritten signature in blue ink, appearing to read "Angela Chelette". The signature is fluid and cursive, with the first name "Angela" and last name "Chelette" clearly distinguishable.

Angela Chelette, Chief  
Bureau of Ground Water  
Division of Resource Regulation

Enclosure: Individual Water Use Permit No. 19900011  
Notice of Rights

**NORTHWEST FLORIDA WATER MANAGEMENT DISTRICT  
INDIVIDUAL WATER USE PERMIT**

NFWFMD Form No. A2-E, Revised 01/04/2010  
40A-2.381(2)

Permit granted to:	Permit No.: <u>19900011 Renewal</u>
<u>Rowe Utilities, LLC</u>	Date Permit Granted: <u>June 20, 2013</u>
<u>Meadow Hills Water System</u>	Permit Expires On: <u>July 1, 2033</u>
<u>Post Office Box 1389</u>	
<u>Tallahassee, Florida 32302</u>	Source Classification: <u>Floridan Aquifer</u>
(Legal Name and Address)	Use Classification: <u>Public Supply</u>
County: <u>Leon</u> Area: <u>C</u>	Location: Section <u>26</u> 1/4 Section _____
Application No.: <u>I07394</u>	Township <u>1 North</u> Range <u>1 East</u>

**Terms and standard conditions of this Permit are as follows:**

1. That all statements in the application and in supporting data are true and accurate and based upon the best information available, and that all conditions set forth herein will be complied with. If any of the statements in the application and in the supporting data are found to be untrue and inaccurate, or if the Permittee fails to comply with all of the conditions set forth herein, then this Permit shall be revoked as provided by Chapter 373.243, Florida Statutes.
2. This Permit is predicated upon the assertion by the Permittee that the use of water applied for and granted is and continues to be a reasonable and beneficial use as defined in Section 373.019(16), Florida Statutes, is and continues to be consistent with the public interest, and will not interfere with any legal use of water existing on the date this Permit is granted.
3. This Permit is conditioned on the Permittee having obtained or obtaining all other necessary permit(s) to construct, operate and certify withdrawal facilities and the operation of water system.
4. This Permit is issued to the Permittee contingent upon continued ownership, lease or other present control of property rights in underlying, overlying, or adjacent lands. This Permit may be assigned to a subsequent owner as provided by Chapter 40A-2.351, Florida Administrative Code, and the acceptance by the transferee of all terms and conditions of the Permit.



5. This Permit authorizes the Permittee to make a combined average annual withdrawal of **40,000** gallons of water per day, a maximum combined withdrawal of **100,000** gallons during a single day, and a combined monthly withdrawal of **1,290,000** gallons. Withdrawals for the individual facilities are authorized as shown in the table below in paragraph six. However, the total combined amount of water withdrawn by all facilities listed in paragraph six shall not exceed the amounts identified above.

6. Individual Withdrawal Facility Authorization

WITHDRAWAL POINT ID NO.	LOCATION SEC,TWN,RNG	GALLONS/DAY AVERAGE	GALLONS/DAY MAXIMUM
RDC/MHWS #1 (AAA3064)	Sec. 26, T1N, R1E	40,000	100,000

7. The use of the permitted water withdrawal is restricted to the use classification set forth by the Permit. Any change in the use of said water shall require a modification of this Permit.
8. The District's staff, upon proper identification, will have permission to enter, inspect and observe permitted and related facilities in order to determine compliance with the approved plans, specifications and conditions of this Permit.
9. The District's staff, upon providing prior notice and proper identification, may request permission to collect water samples for analysis, measure static and/or pumping water levels and collect any other information deemed necessary to protect the water resources of the area.
10. The District reserves the right, at a future date, to require the Permittee to submit pumpage records for any or all withdrawal point(s) covered by this Permit.
11. Permittee shall mitigate any significant adverse impact caused by withdrawals permitted herein on the resource and legal water withdrawals and uses, and on adjacent land use, which existed at the time of permit application. The District reserves the right to curtail permitted withdrawal rates if the withdrawal causes significant adverse impact on the resource and legal uses of water, or adjacent land use, which existed at the time of permit application.
12. Permittee shall not cause significant saline water intrusion or increased chloride levels. The District reserves the right to curtail permitted withdrawal rates if withdrawals cause significant saline water intrusion or increased chloride levels.
13. The District, pursuant to Section 373.042, Florida Statutes, at a future date, may establish minimum and/or management water levels in the aquifer, aquifers, or surface water

hydrologically associated with the permitted withdrawals; these water levels may require the Permittee to limit withdrawal from these water sources at times when water levels are below established levels.

14. Nothing in this Permit should be construed to limit the authority of the Northwest Florida Water Management District to declare water shortages and issue orders pursuant to Section 373.175, Florida Statutes, or to formulate and implement a plan during periods of water shortage pursuant to Section 373.246, Florida Statutes, or to declare Water Resource Caution Areas pursuant to Chapters 40A-2.801, and 62-40.520, Florida Administrative Code.
  - (a) In the event of a declared water shortage, water withdrawal reductions shall be made as ordered by the District.
  - (b) In the event of a declared water shortage or an area as a Water Resource Caution Area, the District may alter, modify or inactivate all or parts of this permit.
15. The Permittee shall properly plug and abandon any well determined unsuitable for its intended use, not properly operated and maintained, or removed from service. The well(s) shall be plugged and abandoned to District Standards in accordance with Section 40A-3.531, Florida Administrative Code.
16. This permit does not convey to the Permittee any property rights or privileges other than those specified herein, nor relieve the Permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.
17. Any Specific Permit Condition(s) enumerated in Attachment A are herein made a part of this Permit.

---

**Authorized Signature**  
**Northwest Florida Water Management District**



# NORTHWEST FLORIDA WATER MANAGEMENT DISTRICT

## STAFF REPORT

TO: Executive Director

FROM: Regulatory Division

DATE: June 13, 2013

SUBJECT: Request for Renewal of Individual Water Use Permit No. 19900011  
Individual Water Use Permit Application No. I07394

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Applicant: Rowe Utilities, LLC (Meadow Hills Water System)

Location: Tallahassee, Leon County, Permit Area C  
Section 26; Township 1 North; Range 1 East

Use: Public Supply

Water Source: Floridan Aquifer

### Ground Water Facilities:

Well Number	Florida Unique Well ID	Diameter (inches)	Total Depth (feet)	Cased Depth (feet)	Pump Capacity (gpm)	Well Status
RDC/MHWS 1	AAA3064	8	253	123	400	Existing

Capacity: 400 Gallons per Minute; 576,000 Gallons per Day

### Withdrawal Information:

Water Use Totals	Permitted	Requested	Use*	Recommended
Average Day (GPD)	40,000	40,000	29,835	40,000
Maximum Day (GPD)	100,000	99,999	65,600	100,000
Maximum Month (GAL)	1,290,000	1,290,000	1,119,000	1,290,000

\* 5-year average reported withdrawal rates for 2008-2012

### Staff Evaluation:

Rowe Utilities, LLC (Meadow Hills) is requesting renewal of Individual Water Use Permit (IWUP) No. 19900011 with no changes in the average daily, maximum daily, and maximum monthly withdrawal rates. Meadow Hills has generally complied with the conditions of the existing IWUP.

Meadow Hills withdraws water from the Floridan Aquifer to serve its retail public supply customers within the Meadow Hills residential community. The recommended average daily rate is based on a Bureau of Economic and Business Research projected 1.46% annual population growth rate in Leon County for the requested 20 year permit duration. The recommended maximum daily and monthly rates are based on daily and monthly peaking ratios for the distribution system derived from the currently permitted withdrawal amounts. Meadow Hills' residential per capita water use of 75 gallons per day meets the District's water use efficiency goal of 100 gallons per day or less. Water losses are not



currently reported by Meadow Hills, but are assumed to be minimal considering the small distribution system and per capita use.

Staff used the software program DRAWDOWN to simulate potential impacts to the Floridan Aquifer. The simulated drawdown in the Floridan Aquifer is less than a foot at distances of one-half mile and one mile from the center of pumpage. No harm to existing legal users or water resources is anticipated to occur from the withdrawals.

#### Conclusions and Staff Recommendations:

It is the determination of the staff that the water use amounts recommended, as conditioned, are reasonable-beneficial, consistent with the public's interest, and will not harm the water resources of the area or interfere with existing legal users. This determination has been made according to provisions of Chapter 373, Florida Statutes, and Chapter 40A-2, Florida Administrative Code.

The staff recommends that the applicant be granted an Individual Water Use Permit for an annual average daily withdrawal of 40,000 gallons, a maximum daily withdrawal of 100,000 gallons, and a maximum monthly withdrawal of 1,290,000 gallons. Staff also recommends that the permit expire July 1, 2033 and that the permit be conditioned as per the terms and Standard Conditions of the permit document (NFWFMD Form No. A2-E).



## NOTICE OF RIGHTS

Northwest Florida Water Management District  
152 Water Management Drive, Havana, FL 32333-4712  
(850) 539-5999 Fax (850) 539-2693  
[www.nwfwmd.state.fl.us](http://www.nwfwmd.state.fl.us)



***The following information addresses procedures to be followed if you desire an administrative hearing or other review of agency action.***

### PETITION FOR FORMAL ADMINISTRATIVE PROCEEDINGS

Any person whose substantial interests are or may be affected by the action described in the enclosed Notice of Agency Action, may petition for an administrative hearing in accordance with the requirements of section 28-106.201, Florida Administrative Code, or may choose to pursue mediation as an alternative remedy under section 120.573, Florida Statutes, before the deadline for filing a petition. Pursuit of mediation will not adversely affect the right to administrative proceedings in the event mediation does not result in a settlement. Petitions for an administrative hearing must be filed with the Agency Clerk of the Northwest Florida Water Management District, 81 Water Management Drive, Havana, Florida 32333-9700 by the deadline specified in the attached cover letter. Failure to file a petition within this time period shall constitute a waiver of any rights such person may have to request an administrative determination (hearing) under section 120.57, Florida Statutes, concerning the subject permit application. Petitions which are not filed in accordance with the above provisions are subject to dismissal.

### DISTRICT COURT OF APPEAL

A party who is adversely affected by final agency action on the permit application and who has exhausted available administrative remedies is entitled to judicial review in the District Court of Appeal pursuant to section 120.68, Florida Statutes. Review under section 120.68, Florida Statutes, is initiated by filing a Notice of Appeal in the appropriate District Court of Appeal in accordance with Florida Rule of Appellate Procedure 9.110.



**SECTION 28-106.201, FLORIDA ADMINISTRATIVE CODE, INITIATION OF PROCEEDINGS**

- (1) Unless otherwise provided by statute, and except for agency enforcement and disciplinary actions that shall be initiated under Rule 28-106.2015, F.A.C., initiation of proceedings shall be made by written petition to the agency responsible for rendering final agency action. The term "petition" includes any document that requests an evidentiary proceeding and asserts the existence of a disputed issue of material fact. Each petition shall be legible and on 8 1/2 by 11 inch white paper. Unless printed, the impression shall be on one side of the paper only and lines shall be double-spaced.
- (2) All petitions filed under these rules shall contain:
  - (a) The name and address of each agency affected and each agency's file or identification number, if known;
  - (b) The name, address, any e-mail address, any facsimile number, and telephone number of the petitioner, if the petitioner is not represented by an attorney or a qualified representative; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
  - (c) A statement of when and how the petitioner received notice of the agency decision;
  - (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
  - (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action;
  - (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
  - (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.
- (3) Upon receipt of a petition involving disputed issues of material fact, the agency shall grant or deny the petition, and if granted shall, unless otherwise provided by law, refer the matter to the Division of Administrative Hearings with a request that an administrative law judge be assigned to conduct the hearing. The request shall be accompanied by a copy of the petition and a copy of the notice of agency action.





Jonathan P. Stevenson  
Executive Director

## Northwest Florida Water Management District

152 Water Management Drive, Havana, Florida 32333-4712  
(U.S. Highway 90, 10 miles west of Tallahassee)  
(850) 539-5999 (Fax) 539-2777

June 24, 2013

Rowe Utilities, LLC  
North Lake Meadows Water System  
P. O. Box 1389  
Tallahassee, FL 32302

NOTICE OF AGENCY ACTION  
Individual Water Use Permit No. 19900013  
Consumptive Use Permit Application No. I07392

Dear Permittee:

Your Individual Water Use Permit has been approved by the Northwest Florida Water Management District. The permit issued is subject to the terms and conditions set forth in the enclosed permit document. If you have concerns relating to the issued permit and desire an opportunity to discuss it, we urge you to contact the District immediately. If your concerns cannot be addressed to your satisfaction, you have 21 days from the receipt of this letter (as defined by section 40A-1.511, Florida Administrative Code) to file a written petition for an administrative hearing. The procedures for filing a petition for an administrative hearing are contained in the enclosed "Notice of Rights". The petition must comply with section 28-106.201 (enclosed), Florida Administrative Code, and be received by the District's Agency Clerk no later than the petition deadline. Mediation of an administrative dispute is also available and choosing mediation does not affect the right to an administrative hearing. You may also have a right of judicial review of the District's agency action pursuant to section 120.68, Florida Statutes. Notice of appeal pursuant to the Florida Rules of Appellate Procedure must be filed within 30 days of the rendering of the final agency action. If we do not hear from you prior to the 21-day deadline, we will assume that the permit as issued is acceptable to you.

As you are legally responsible for compliance with the conditions of the permit, please read the document thoroughly. Pay close attention to any condition(s) of the permit which requires the one-time or periodic submittal of information to the District. Non-compliance may require the District to initiate enforcement action, including the possible assessment of administrative fines. Please designate an individual as the contact person for compliance. This can be done by sending the person's name, address, phone number and email address in hard-copy to the above address or via email at [compliance@nwfwmd.state.fl.us](mailto:compliance@nwfwmd.state.fl.us).

If the property where the withdrawal facility is located changes ownership, the permit must be transferred. A permit transfer request must be made on NFWMD Form A2-F ([http://www.nwfwmd.state.fl.us/permits/forms/permit\\_transfer.pdf](http://www.nwfwmd.state.fl.us/permits/forms/permit_transfer.pdf)) and approved by the Executive Director. If the permit is not transferred you may remain responsible for compliance with the conditions of the permit.

GEORGE ROBERTS  
Chair  
Panama City

JERRY PATE  
Vice Chair  
Pensacola

JOHN ALTER  
Malone

GUS ANDREWS  
DeFuniak Springs

STEPHANIE BLOYD  
Panama City Beach

GARY CLARK  
Chipley

JON COSTELLO  
Tallahassee

NICK PATRONIS  
Panama City Beach

BO SPRING  
Port Saint Joe

NOTICE OF AGENCY ACTION

Individual Water Use Permit No. 19900013

Page 2

If you have any questions concerning the permit document or if the District can be of any other service, please let us know.

Sincerely,

A handwritten signature in blue ink, appearing to read "Angela Chelette".

Angela Chelette, Chief  
Bureau of Ground Water  
Division of Resource Regulation

Enclosure: Individual Water Use Permit No. 19900013  
Notice of Rights

**NORTHWEST FLORIDA WATER MANAGEMENT DISTRICT  
INDIVIDUAL WATER USE PERMIT**

NFWFMD Form No. A2-E, Revised 01/04/2010  
40A-2.381(2)

Permit granted to:	Permit No.: <u>19900013 Renewal</u>
<u>Rowe Utilities, LLC</u>	Date Permit Granted: <u>June 20, 2013</u>
<u>North Lake Meadows Water System</u>	Permit Expires On: <u>July 1, 2033</u>
<u>Post Office Box 1389</u>	
<u>Tallahassee, Florida 32302</u>	Source Classification: <u>Floridan Aquifer</u>
(Legal Name and Address)	Use Classification: <u>Public Supply</u>
County: <u>Leon</u> Area: <u>C</u>	Location: Section <u>20</u> 1/4 Section _____
Application No.: <u>107392</u>	Township <u>2 North</u> Range <u>1 West</u>

**Terms and standard conditions of this Permit are as follows:**

1. That all statements in the application and in supporting data are true and accurate and based upon the best information available, and that all conditions set forth herein will be complied with. If any of the statements in the application and in the supporting data are found to be untrue and inaccurate, or if the Permittee fails to comply with all of the conditions set forth herein, then this Permit shall be revoked as provided by Chapter 373.243, Florida Statutes.
2. This Permit is predicated upon the assertion by the Permittee that the use of water applied for and granted is and continues to be a reasonable and beneficial use as defined in Section 373.019(16), Florida Statutes, is and continues to be consistent with the public interest, and will not interfere with any legal use of water existing on the date this Permit is granted.
3. This Permit is conditioned on the Permittee having obtained or obtaining all other necessary permit(s) to construct, operate and certify withdrawal facilities and the operation of water system.
4. This Permit is issued to the Permittee contingent upon continued ownership, lease or other present control of property rights in underlying, overlying, or adjacent lands. This Permit may be assigned to a subsequent owner as provided by Chapter 40A-2.351, Florida Administrative Code, and the acceptance by the transferee of all terms and conditions of the Permit.



5. This Permit authorizes the Permittee to make a combined average annual withdrawal of **25,000** gallons of water per day, a maximum combined withdrawal of **60,000** gallons during a single day, and a combined monthly withdrawal of **1,025,000** gallons. Withdrawals for the individual facilities are authorized as shown in the table below in paragraph six. However, the total combined amount of water withdrawn by all facilities listed in paragraph six shall not exceed the amounts identified above.

6. Individual Withdrawal Facility Authorization

WITHDRAWAL POINT ID NO.	LOCATION SEC,TWN,RNG	GALLONS/DAY AVERAGE	GALLONS/DAY MAXIMUM
RDC/NLM #1 (AAA9220)	Sec. 20, T2N, R1W	25,000	60,000

7. The use of the permitted water withdrawal is restricted to the use classification set forth by the Permit. Any change in the use of said water shall require a modification of this Permit.
8. The District's staff, upon proper identification, will have permission to enter, inspect and observe permitted and related facilities in order to determine compliance with the approved plans, specifications and conditions of this Permit.
9. The District's staff, upon providing prior notice and proper identification, may request permission to collect water samples for analysis, measure static and/or pumping water levels and collect any other information deemed necessary to protect the water resources of the area.
10. The District reserves the right, at a future date, to require the Permittee to submit pumpage records for any or all withdrawal point(s) covered by this Permit.
11. Permittee shall mitigate any significant adverse impact caused by withdrawals permitted herein on the resource and legal water withdrawals and uses, and on adjacent land use, which existed at the time of permit application. The District reserves the right to curtail permitted withdrawal rates if the withdrawal causes significant adverse impact on the resource and legal uses of water, or adjacent land use, which existed at the time of permit application.
12. Permittee shall not cause significant saline water intrusion or increased chloride levels. The District reserves the right to curtail permitted withdrawal rates if withdrawals cause significant saline water intrusion or increased chloride levels.
13. The District, pursuant to Section 373.042, Florida Statutes, at a future date, may establish minimum and/or management water levels in the aquifer, aquifers, or surface water

hydrologically associated with the permitted withdrawals; these water levels may require the Permittee to limit withdrawal from these water sources at times when water levels are below established levels.

14. Nothing in this Permit should be construed to limit the authority of the Northwest Florida Water Management District to declare water shortages and issue orders pursuant to Section 373.175, Florida Statutes, or to formulate and implement a plan during periods of water shortage pursuant to Section 373.246, Florida Statutes, or to declare Water Resource Caution Areas pursuant to Chapters 40A-2.801, and 62-40.520, Florida Administrative Code.
  - (a) In the event of a declared water shortage, water withdrawal reductions shall be made as ordered by the District.
  - (b) In the event of a declared water shortage or an area as a Water Resource Caution Area, the District may alter, modify or inactivate all or parts of this permit.
15. The Permittee shall properly plug and abandon any well determined unsuitable for its intended use, not properly operated and maintained, or removed from service. The well(s) shall be plugged and abandoned to District Standards in accordance with Section 40A-3.531, Florida Administrative Code.
16. This permit does not convey to the Permittee any property rights or privileges other than those specified herein, nor relieve the Permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.
17. Any Specific Permit Condition(s) enumerated in Attachment A are herein made a part of this Permit.

  
\_\_\_\_\_  
**Authorized Signature**  
**Northwest Florida Water Management District**



# NORTHWEST FLORIDA WATER MANAGEMENT DISTRICT

## STAFF REPORT

TO: Executive Director

FROM: Regulatory Division

DATE: June 13, 2013

SUBJECT: Request for Renewal of Individual Water Use Permit No. 19900013  
Individual Water Use Permit Application No. I07392

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Applicant: Rowe Utilities, LLC (North Lake Meadows Water System)

Location: Tallahassee, Leon County, Permit Area C  
Section 20; Township 2 North; Range 1 West

Use: Public Supply

Water Source: Floridan Aquifer

### Groundwater Facilities:

Well Number	Florida Unique Well ID	Diameter (inches)	Total Depth (feet)	Cased Depth (feet)	Pump Capacity (gpm)	Well Status
RDC/NLM 1	AAA9220	6	348	269	250	Existing

Capacity: 250 Gallons per Minute; 360,000 Gallons per Day

### Withdrawal Information:

Water Use Totals	Permitted	Requested	Use*	Recommended
Average Day (GPD)	25,000	25,000	16,501	25,000
Maximum Day (GPD)	60,000	60,000	31,400	60,000
Maximum Month (GAL)	1,025,000	1,025,000	653,200	1,025,000

\* 5-year average reported withdrawal rates for 2008-2012

### Staff Evaluation:

Rowe Utilities, LLC-North Lake Meadows (North Lake) is requesting renewal of Individual Water Use Permit (IWUP) No. 19900013 with no change in the average daily, maximum daily, and maximum monthly withdrawal rates. North Lake has generally complied with the conditions of the existing IWUP.

North Lake withdraws water from the Floridan Aquifer to serve its retail public supply customers within the North Lake Meadows residential community. The recommended average daily rate is based on a Bureau of Economic and Business Research projected 1.46% annual population growth rate in Leon County for the requested 20 year permit duration. The recommended maximum daily and monthly rates are based on daily and monthly peaking ratios for the distribution system derived from the currently permitted withdrawal amounts. North Lake's residential per capita water use of 53 gallons per day meets the District's water use efficiency goal of 100 gallons per day or less. Water losses are not currently



reported by North Lake, but are assumed to be minimal considering the small distribution system and per capita use.

Staff used the software program DRAWDOWN to simulate potential impacts to the Floridan Aquifer. The simulated drawdown in the Floridan Aquifer is less than a foot at distances of one-half mile and one mile from the center of pumpage. No harm to existing legal users or water resources is anticipated to occur from the withdrawals.

#### Conclusions and Staff Recommendations:

It is the determination of the staff that the water use amounts recommended, as conditioned, are reasonable-beneficial, consistent with the public's interest, and will not harm the water resources of the area or interfere with existing legal users. This determination has been made according to provisions of Chapter 373, Florida Statutes, and Chapter 40A-2, Florida Administrative Code.

The staff recommends that the applicant be granted an Individual Water Use Permit for an annual average daily withdrawal of 25,000 gallons, a maximum daily withdrawal of 60,000 gallons, and a maximum monthly withdrawal of 1,025,000 gallons. Staff also recommends that the permit expire July 1, 2033 and that the permit be conditioned as per the terms and Standard Conditions of the permit document (NFWFMD Form No. A2-E).



## NOTICE OF RIGHTS

Northwest Florida Water Management District  
152 Water Management Drive, Havana, FL 32333-4712  
(850) 539-5999 Fax (850) 539-2693  
[www.nwfwmd.state.fl.us](http://www.nwfwmd.state.fl.us)



***The following information addresses procedures to be followed if you desire an administrative hearing or other review of agency action.***

### PETITION FOR FORMAL ADMINISTRATIVE PROCEEDINGS

Any person whose substantial interests are or may be affected by the action described in the enclosed Notice of Agency Action, may petition for an administrative hearing in accordance with the requirements of section 28-106.201, Florida Administrative Code, or may choose to pursue mediation as an alternative remedy under section 120.573, Florida Statutes, before the deadline for filing a petition. Pursuit of mediation will not adversely affect the right to administrative proceedings in the event mediation does not result in a settlement. Petitions for an administrative hearing must be filed with the Agency Clerk of the Northwest Florida Water Management District, 81 Water Management Drive, Havana, Florida 32333-9700 by the deadline specified in the attached cover letter. Failure to file a petition within this time period shall constitute a waiver of any rights such person may have to request an administrative determination (hearing) under section 120.57, Florida Statutes, concerning the subject permit application. Petitions which are not filed in accordance with the above provisions are subject to dismissal.

### DISTRICT COURT OF APPEAL

A party who is adversely affected by final agency action on the permit application and who has exhausted available administrative remedies is entitled to judicial review in the District Court of Appeal pursuant to section 120.68, Florida Statutes. Review under section 120.68, Florida Statutes, is initiated by filing a Notice of Appeal in the appropriate District Court of Appeal in accordance with Florida Rule of Appellate Procedure 9.110.



## **SECTION 28-106.201, FLORIDA ADMINISTRATIVE CODE, INITIATION OF PROCEEDINGS**

- (1) Unless otherwise provided by statute, and except for agency enforcement and disciplinary actions that shall be initiated under Rule 28-106.2015, F.A.C., initiation of proceedings shall be made by written petition to the agency responsible for rendering final agency action. The term "petition" includes any document that requests an evidentiary proceeding and asserts the existence of a disputed issue of material fact. Each petition shall be legible and on 8 1/2 by 11 inch white paper. Unless printed, the impression shall be on one side of the paper only and lines shall be double-spaced.
- (2) All petitions filed under these rules shall contain:
  - (a) The name and address of each agency affected and each agency's file or identification number, if known;
  - (b) The name, address, any e-mail address, any facsimile number, and telephone number of the petitioner, if the petitioner is not represented by an attorney or a qualified representative; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
  - (c) A statement of when and how the petitioner received notice of the agency decision;
  - (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
  - (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action;
  - (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
  - (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.
- (3) Upon receipt of a petition involving disputed issues of material fact, the agency shall grant or deny the petition, and if granted shall, unless otherwise provided by law, refer the matter to the Division of Administrative Hearings with a request that an administrative law judge be assigned to conduct the hearing. The request shall be accompanied by a copy of the petition and a copy of the notice of agency action.





Jonathan P. Steverson  
Executive Director

## Northwest Florida Water Management District

152 Water Management Drive, Havana, Florida 32333-4712  
(U.S. Highway 90, 10 miles west of Tallahassee)  
(850) 539-5999 (Fax) 539-2777

June 24, 2013

Rowe Utilities, LLC  
Plantation Estates Water System  
P. O. Box 1389  
Tallahassee, FL 32302

NOTICE OF AGENCY ACTION  
Individual Water Use Permit No. 19900012  
Consumptive Use Permit Application No. I07393

Dear Permittee:

Your Individual Water Use Permit has been approved by the Northwest Florida Water Management District. The permit issued is subject to the terms and conditions set forth in the enclosed permit document. If you have concerns relating to the issued permit and desire an opportunity to discuss it, we urge you to contact the District immediately. If your concerns cannot be addressed to your satisfaction, you have 21 days from the receipt of this letter (as defined by section 40A-1.511, Florida Administrative Code) to file a written petition for an administrative hearing. The procedures for filing a petition for an administrative hearing are contained in the enclosed "Notice of Rights". The petition must comply with section 28-106.201 (enclosed), Florida Administrative Code, and be received by the District's Agency Clerk no later than the petition deadline. Mediation of an administrative dispute is also available and choosing mediation does not affect the right to an administrative hearing. You may also have a right of judicial review of the District's agency action pursuant to section 120.68, Florida Statutes. Notice of appeal pursuant to the Florida Rules of Appellate Procedure must be filed within 30 days of the rendering of the final agency action. If we do not hear from you prior to the 21-day deadline, we will assume that the permit as issued is acceptable to you.

As you are legally responsible for compliance with the conditions of the permit, please read the document thoroughly. Pay close attention to any condition(s) of the permit which requires the one-time or periodic submittal of information to the District. Non-compliance may require the District to initiate enforcement action, including the possible assessment of administrative fines. Please designate an individual as the contact person for compliance. This can be done by sending the person's name, address, phone number and email address in hard-copy to the above address or via email at [compliance@nwfwmd.state.fl.us](mailto:compliance@nwfwmd.state.fl.us).

If the property where the withdrawal facility is located changes ownership, the permit must be transferred. A permit transfer request must be made on NFWMD Form A2-F ([http://www.nwfwmd.state.fl.us/permits/forms/permit\\_transfer.pdf](http://www.nwfwmd.state.fl.us/permits/forms/permit_transfer.pdf)) and approved by the Executive Director. If the permit is not transferred you may remain responsible for compliance with the conditions of the permit.

GEORGE ROBERTS  
Chair  
Panama City

JERRY PATE  
Vice Chair  
Pensacola

JOHN ALTER  
Malone

GUS ANDREWS  
DeFuniak Springs

STEPHANIE BLOYD  
Panama City Beach

GARY CLARK  
Chipley

JON COSTELLO  
Tallahassee

NICK PATRONIS  
Panama City Beach

BO SPRING  
Port Saint Joe

NOTICE OF AGENCY ACTION

Individual Water Use Permit No. 19900012

Page 2

If you have any questions concerning the permit document or if the District can be of any other service, please let us know.

Sincerely,

A handwritten signature in blue ink, appearing to read "Angela Chelette". The signature is fluid and cursive, with the first name "Angela" and last name "Chelette" clearly distinguishable.

Angela Chelette, Chief  
Bureau of Ground Water  
Division of Resource Regulation

Enclosure: Individual Water Use Permit No. 19900012  
Notice of Rights

**NORTHWEST FLORIDA WATER MANAGEMENT DISTRICT  
INDIVIDUAL WATER USE PERMIT**

NWFWM Form No. A2-E, Revised 01/04/2010  
40A-2.381(2)

Permit granted to:	Permit No.: <u>19900012 Renewal</u>
<u>Rowe Utilities, LLC</u>	Date Permit Granted: <u>June 20, 2013</u>
<u>Plantation Estates Water System</u>	Permit Expires On: <u>July 1, 2033</u>
<u>Post Office Box 1389</u>	Source Classification: <u>Floridan Aquifer</u>
<u>Tallahassee, Florida 32302</u>	Use Classification: <u>Public Supply</u>
(Legal Name and Address)	
County: <u>Leon</u> Area: <u>C</u>	Location: Section <u>17</u> 1/4 Section _____
Application No.: <u>107393</u>	Township <u>1 North</u> Range <u>2 East</u>

**Terms and standard conditions of this Permit are as follows:**

1. That all statements in the application and in supporting data are true and accurate and based upon the best information available, and that all conditions set forth herein will be complied with. If any of the statements in the application and in the supporting data are found to be untrue and inaccurate, or if the Permittee fails to comply with all of the conditions set forth herein, then this Permit shall be revoked as provided by Chapter 373.243, Florida Statutes.
2. This Permit is predicated upon the assertion by the Permittee that the use of water applied for and granted is and continues to be a reasonable and beneficial use as defined in Section 373.019(16), Florida Statutes, is and continues to be consistent with the public interest, and will not interfere with any legal use of water existing on the date this Permit is granted.
3. This Permit is conditioned on the Permittee having obtained or obtaining all other necessary permit(s) to construct, operate and certify withdrawal facilities and the operation of water system.
4. This Permit is issued to the Permittee contingent upon continued ownership, lease or other present control of property rights in underlying, overlying, or adjacent lands. This Permit may be assigned to a subsequent owner as provided by Chapter 40A-2.351, Florida Administrative Code, and the acceptance by the transferee of all terms and conditions of the Permit.



5. This Permit authorizes the Permittee to make a combined average annual withdrawal of **54,000** gallons of water per day, a maximum combined withdrawal of **110,000** gallons during a single day, and a combined monthly withdrawal of **2,070,000** gallons. Withdrawals for the individual facilities are authorized as shown in the table below in paragraph six. However, the total combined amount of water withdrawn by all facilities listed in paragraph six shall not exceed the amounts identified above.


6. Individual Withdrawal Facility Authorization

WITHDRAWAL POINT ID NO.	LOCATION SEC,TWN,RNG	GALLONS/DAY AVERAGE	GALLONS/DAY MAXIMUM
RDC/PEWS #1 (AAA9208)	Sec. 17, T1N, R2E		110,000
RDC/PEWS #2 (AAA9915)	Sec. 17, T1N, R2E		110,000

7. The use of the permitted water withdrawal is restricted to the use classification set forth by the Permit. Any change in the use of said water shall require a modification of this Permit.
8. The District's staff, upon proper identification, will have permission to enter, inspect and observe permitted and related facilities in order to determine compliance with the approved plans, specifications and conditions of this Permit.
9. The District's staff, upon providing prior notice and proper identification, may request permission to collect water samples for analysis, measure static and/or pumping water levels and collect any other information deemed necessary to protect the water resources of the area.
10. The District reserves the right, at a future date, to require the Permittee to submit pumpage records for any or all withdrawal point(s) covered by this Permit.
11. Permittee shall mitigate any significant adverse impact caused by withdrawals permitted herein on the resource and legal water withdrawals and uses, and on adjacent land use, which existed at the time of permit application. The District reserves the right to curtail permitted withdrawal rates if the withdrawal causes significant adverse impact on the resource and legal uses of water, or adjacent land use, which existed at the time of permit application.
12. Permittee shall not cause significant saline water intrusion or increased chloride levels. The District reserves the right to curtail permitted withdrawal rates if withdrawals cause significant saline water intrusion or increased chloride levels.
13. The District, pursuant to Section 373.042, Florida Statutes, at a future date, may establish minimum and/or management water levels in the aquifer, aquifers, or surface water

hydrologically associated with the permitted withdrawals; these water levels may require the Permittee to limit withdrawal from these water sources at times when water levels are below established levels.

14. Nothing in this Permit should be construed to limit the authority of the Northwest Florida Water Management District to declare water shortages and issue orders pursuant to Section 373.175, Florida Statutes, or to formulate and implement a plan during periods of water shortage pursuant to Section 373.246, Florida Statutes, or to declare Water Resource Caution Areas pursuant to Chapters 40A-2.801, and 62-40.520, Florida Administrative Code.
  - (a) In the event of a declared water shortage, water withdrawal reductions shall be made as ordered by the District.
  - (b) In the event of a declared water shortage or an area as a Water Resource Caution Area, the District may alter, modify or inactivate all or parts of this permit.
15. The Permittee shall properly plug and abandon any well determined unsuitable for its intended use, not properly operated and maintained, or removed from service. The well(s) shall be plugged and abandoned to District Standards in accordance with Section 40A-3.531, Florida Administrative Code.
16. This permit does not convey to the Permittee any property rights or privileges other than those specified herein, nor relieve the Permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.
17. Any Specific Permit Condition(s) enumerated in Attachment A are herein made a part of this Permit.

  
\_\_\_\_\_  
**Authorized Signature**  
**Northwest Florida Water Management District**



# NORTHWEST FLORIDA WATER MANAGEMENT DISTRICT

## STAFF REPORT

TO: Executive Director

FROM: Regulatory Division

DATE: June 13, 2013

SUBJECT: Request for Renewal and Modification of Individual Water Use Permit No. 19900012  
Individual Water Use Permit Application No. I07393

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Applicant: Rowe Utilities, LLC (Plantation Estates Water System)

Location: Tallahassee, Leon County, Permit Area C  
Section 17; Township 1 North; Range 2 East

Use: Public Supply

Water Source: Floridan Aquifer

### Groundwater Facilities:

Well Number	Florida Unique Well ID	Diameter (inches)	Total Depth (feet)	Cased Depth (feet)	Pump Capacity (gpm)	Well Status
RDC/PEWS 1	AAA9208	6	215	108	200	Existing
RDC/PEWS 2	AAA9915	8	235	109	280	Existing

Capacity: 480 Gallons per Minute; 691,200 Gallons per Day

### Withdrawal Information:

Water Use Totals	Permitted	Requested	Use*	Recommended
Average Day (GPD)	80,000	40,000	40,631	54,000
Maximum Day (GPD)	210,000	99,000	79,600	110,000
Maximum Month (GAL)	3,000,000	2,000,000	1,531,2000	2,070,000

\* 5-year average reported withdrawal rates for 2008-2012

### Staff Evaluation:

Rowe Utilities, LLC-Plantation Estates (Plantation) is requesting renewal and modification of Individual Water Use Permit (IWUP) No. 19900012 with reductions in the average daily, maximum daily, and maximum monthly withdrawal rates. Plantation has generally complied with the conditions of the existing IWUP.

Plantation withdraws water from the Floridan Aquifer to serve its retail public supply customers within the Plantation Estates residential community. The recommended average daily rate is based on a Bureau of Economic and Business Research projected 1.46% annual population growth rate in Leon County for the requested 20 year permit duration. The recommended maximum daily and monthly rates are based on daily and monthly peaking ratios for the distribution system derived from long-term withdrawal records.



Plantation's residential per capita water use of 90 gallons per day meets the District's water use efficiency goal of 100 gallons per day or less. Water losses are not currently reported by Plantation, but are assumed to be minimal considering the small distribution system and per capita use.

Staff used the software program DRAWDOWN to simulate potential impacts to the Floridan Aquifer. The simulated drawdown in the Floridan Aquifer is less than a foot at distances of one-half mile and one mile from the center of pumpage. No harm to existing legal users or water resources is anticipated to occur from the withdrawals.

#### Conclusions and Staff Recommendations:

It is the determination of the staff that the water use amounts recommended, as conditioned, are reasonable-beneficial, consistent with the public's interest, and will not harm the water resources of the area or interfere with existing legal users. This determination has been made according to provisions of Chapter 373, Florida Statutes, and Chapter 40A-2, Florida Administrative Code.

The staff recommends that the applicant be granted an Individual Water Use Permit for an annual average daily withdrawal of 54,000 gallons, a maximum daily withdrawal of 110,000 gallons, and a maximum monthly withdrawal of 2,070,000 gallons. Staff also recommends that the permit expire July 1, 2033 and that the permit be conditioned as per the terms and Standard Conditions of the permit document (NFWFMD Form No. A2-E).



## NOTICE OF RIGHTS

Northwest Florida Water Management District  
152 Water Management Drive, Havana, FL 32333-4712  
(850) 539-5999 Fax (850) 539-2693  
[www.nwfwmd.state.fl.us](http://www.nwfwmd.state.fl.us)



***The following information addresses procedures to be followed if you desire an administrative hearing or other review of agency action.***

### PETITION FOR FORMAL ADMINISTRATIVE PROCEEDINGS

Any person whose substantial interests are or may be affected by the action described in the enclosed Notice of Agency Action, may petition for an administrative hearing in accordance with the requirements of section 28-106.201, Florida Administrative Code, or may choose to pursue mediation as an alternative remedy under section 120.573, Florida Statutes, before the deadline for filing a petition. Pursuit of mediation will not adversely affect the right to administrative proceedings in the event mediation does not result in a settlement. Petitions for an administrative hearing must be filed with the Agency Clerk of the Northwest Florida Water Management District, 81 Water Management Drive, Havana, Florida 32333-9700 by the deadline specified in the attached cover letter. Failure to file a petition within this time period shall constitute a waiver of any rights such person may have to request an administrative determination (hearing) under section 120.57, Florida Statutes, concerning the subject permit application. Petitions which are not filed in accordance with the above provisions are subject to dismissal.

### DISTRICT COURT OF APPEAL

A party who is adversely affected by final agency action on the permit application and who has exhausted available administrative remedies is entitled to judicial review in the District Court of Appeal pursuant to section 120.68, Florida Statutes. Review under section 120.68, Florida Statutes, is initiated by filing a Notice of Appeal in the appropriate District Court of Appeal in accordance with Florida Rule of Appellate Procedure 9.110.



**SECTION 28-106.201, FLORIDA ADMINISTRATIVE CODE, INITIATION OF PROCEEDINGS**

- (1) Unless otherwise provided by statute, and except for agency enforcement and disciplinary actions that shall be initiated under Rule 28-106.2015, F.A.C., initiation of proceedings shall be made by written petition to the agency responsible for rendering final agency action. The term "petition" includes any document that requests an evidentiary proceeding and asserts the existence of a disputed issue of material fact. Each petition shall be legible and on 8 1/2 by 11 inch white paper. Unless printed, the impression shall be on one side of the paper only and lines shall be double-spaced.
- (2) All petitions filed under these rules shall contain:
  - (a) The name and address of each agency affected and each agency's file or identification number, if known;
  - (b) The name, address, any e-mail address, any facsimile number, and telephone number of the petitioner, if the petitioner is not represented by an attorney or a qualified representative; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
  - (c) A statement of when and how the petitioner received notice of the agency decision;
  - (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
  - (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action;
  - (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
  - (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.
- (3) Upon receipt of a petition involving disputed issues of material fact, the agency shall grant or deny the petition, and if granted shall, unless otherwise provided by law, refer the matter to the Division of Administrative Hearings with a request that an administrative law judge be assigned to conduct the hearing. The request shall be accompanied by a copy of the petition and a copy of the notice of agency action.





Jonathan P. Stevenson  
Executive Director

## Northwest Florida Water Management District

152 Water Management Drive, Havana, Florida 32333-4712  
(U.S. Highway 90, 10 miles west of Tallahassee)  
(850) 539-5999 (Fax) 539-2777

June 24, 2013

Rowe Utilities, LLC  
Sedgefield Water System  
P. O. Box 1389  
Tallahassee, FL 32302

NOTICE OF AGENCY ACTION  
Individual Water Use Permit No. 19900015  
Consumptive Use Permit Application No. I07390

Dear Permittee:

Your Individual Water Use Permit has been approved by the Northwest Florida Water Management District. The permit issued is subject to the terms and conditions set forth in the enclosed permit document. If you have concerns relating to the issued permit and desire an opportunity to discuss it, we urge you to contact the District immediately. If your concerns cannot be addressed to your satisfaction, you have 21 days from the receipt of this letter (as defined by section 40A-1.511, Florida Administrative Code) to file a written petition for an administrative hearing. The procedures for filing a petition for an administrative hearing are contained in the enclosed "Notice of Rights". The petition must comply with section 28-106.201 (enclosed), Florida Administrative Code, and be received by the District's Agency Clerk no later than the petition deadline. Mediation of an administrative dispute is also available and choosing mediation does not affect the right to an administrative hearing. You may also have a right of judicial review of the District's agency action pursuant to section 120.68, Florida Statutes. Notice of appeal pursuant to the Florida Rules of Appellate Procedure must be filed within 30 days of the rendering of the final agency action. If we do not hear from you prior to the 21-day deadline, we will assume that the permit as issued is acceptable to you.

As you are legally responsible for compliance with the conditions of the permit, please read the document thoroughly. Pay close attention to any condition(s) of the permit which requires the one-time or periodic submittal of information to the District. Non-compliance may require the District to initiate enforcement action, including the possible assessment of administrative fines. Please designate an individual as the contact person for compliance. This can be done by sending the person's name, address, phone number and email address in hard-copy to the above address or via email at [compliance@nwfwmd.state.fl.us](mailto:compliance@nwfwmd.state.fl.us).

If the property where the withdrawal facility is located changes ownership, the permit must be transferred. A permit transfer request must be made on NFWMD Form A2-F ([http://www.nwfwmd.state.fl.us/permits/forms/permit\\_transfer.pdf](http://www.nwfwmd.state.fl.us/permits/forms/permit_transfer.pdf)) and approved by the Executive Director. If the permit is not transferred you may remain responsible for compliance with the conditions of the permit.

GEORGE ROBERTS  
Chair  
Panama City

JERRY PATE  
Vice Chair  
Pensacola

JOHN ALTER  
Malone

GUS ANDREWS  
DeFuniak Springs

STEPHANIE BLOYD  
Panama City Beach

GARY CLARK  
Chipley

JON COSTELLO  
Tallahassee

NICK PATRONIS  
Panama City Beach

BO SPRING  
Port Saint Joe

NOTICE OF AGENCY ACTION

Individual Water Use Permit No. 19900015

Page 2

If you have any questions concerning the permit document or if the District can be of any other service, please let us know.

Sincerely,

A handwritten signature in blue ink, appearing to read "Angela Chelette". The signature is fluid and cursive, with the first name "Angela" and last name "Chelette" clearly distinguishable.

Angela Chelette, Chief  
Bureau of Ground Water  
Division of Resource Regulation

Enclosure: Individual Water Use Permit No. 19900015  
Notice of Rights

**NORTHWEST FLORIDA WATER MANAGEMENT DISTRICT**  
**INDIVIDUAL WATER USE PERMIT**  
NWWFMD Form No. A2-E, Revised 01/04/2010  
40A-2.381(2)

Permit granted to:	Permit No.: <u>19900015 Renewal</u>
<u>Rowe Utilities, LLC</u>	Date Permit Granted: <u>June 20, 2013</u>
<u>Sedgefield Water System</u>	Permit Expires On: <u>July 1, 2033</u>
<u>Post Office Box 1389</u>	
<u>Tallahassee, Florida 32302</u>	Source Classification: <u>Floridan Aquifer</u>
(Legal Name and Address)	Use Classification: <u>Public Supply</u>
County: <u>Leon</u> Area: <u>C</u>	Location: Section <u>24</u> 1/4 Section _____
Application No.: <u>I07390</u>	Township <u>1 North</u> Range <u>1 East</u>

**Terms and standard conditions of this Permit are as follows:**

1. That all statements in the application and in supporting data are true and accurate and based upon the best information available, and that all conditions set forth herein will be complied with. If any of the statements in the application and in the supporting data are found to be untrue and inaccurate, or if the Permittee fails to comply with all of the conditions set forth herein, then this Permit shall be revoked as provided by Chapter 373.243, Florida Statutes.
2. This Permit is predicated upon the assertion by the Permittee that the use of water applied for and granted is and continues to be a reasonable and beneficial use as defined in Section 373.019(16), Florida Statutes, is and continues to be consistent with the public interest, and will not interfere with any legal use of water existing on the date this Permit is granted.
3. This Permit is conditioned on the Permittee having obtained or obtaining all other necessary permit(s) to construct, operate and certify withdrawal facilities and the operation of water system.
4. This Permit is issued to the Permittee contingent upon continued ownership, lease or other present control of property rights in underlying, overlying, or adjacent lands. This Permit may be assigned to a subsequent owner as provided by Chapter 40A-2.351, Florida Administrative Code, and the acceptance by the transferee of all terms and conditions of the Permit.



5. This Permit authorizes the Permittee to make a combined average annual withdrawal of **40,000** gallons of water per day, a maximum combined withdrawal of **100,000** gallons during a single day, and a combined monthly withdrawal of **1,800,000** gallons. Withdrawals for the individual facilities are authorized as shown in the table below in paragraph six. However, the total combined amount of water withdrawn by all facilities listed in paragraph six shall not exceed the amounts identified above.

6. Individual Withdrawal Facility Authorization

WITHDRAWAL POINT ID NO.	LOCATION SEC,TWN,RNG	GALLONS/DAY AVERAGE	GALLONS/DAY MAXIMUM
RDC/SWS #1 (AAA9205)	Sec. 24, T1N, R1E	40,000	100,000

7. The use of the permitted water withdrawal is restricted to the use classification set forth by the Permit. Any change in the use of said water shall require a modification of this Permit.
8. The District's staff, upon proper identification, will have permission to enter, inspect and observe permitted and related facilities in order to determine compliance with the approved plans, specifications and conditions of this Permit.
9. The District's staff, upon providing prior notice and proper identification, may request permission to collect water samples for analysis, measure static and/or pumping water levels and collect any other information deemed necessary to protect the water resources of the area.
10. The District reserves the right, at a future date, to require the Permittee to submit pumpage records for any or all withdrawal point(s) covered by this Permit.
11. Permittee shall mitigate any significant adverse impact caused by withdrawals permitted herein on the resource and legal water withdrawals and uses, and on adjacent land use, which existed at the time of permit application. The District reserves the right to curtail permitted withdrawal rates if the withdrawal causes significant adverse impact on the resource and legal uses of water, or adjacent land use, which existed at the time of permit application.
12. Permittee shall not cause significant saline water intrusion or increased chloride levels. The District reserves the right to curtail permitted withdrawal rates if withdrawals cause significant saline water intrusion or increased chloride levels.
13. The District, pursuant to Section 373.042, Florida Statutes, at a future date, may establish minimum and/or management water levels in the aquifer, aquifers, or surface water

hydrologically associated with the permitted withdrawals; these water levels may require the Permittee to limit withdrawal from these water sources at times when water levels are below established levels.

14. Nothing in this Permit should be construed to limit the authority of the Northwest Florida Water Management District to declare water shortages and issue orders pursuant to Section 373.175, Florida Statutes, or to formulate and implement a plan during periods of water shortage pursuant to Section 373.246, Florida Statutes, or to declare Water Resource Caution Areas pursuant to Chapters 40A-2.801, and 62-40.520, Florida Administrative Code.
  - (a) In the event of a declared water shortage, water withdrawal reductions shall be made as ordered by the District.
  - (b) In the event of a declared water shortage or an area as a Water Resource Caution Area, the District may alter, modify or inactivate all or parts of this permit.
15. The Permittee shall properly plug and abandon any well determined unsuitable for its intended use, not properly operated and maintained, or removed from service. The well(s) shall be plugged and abandoned to District Standards in accordance with Section 40A-3.531, Florida Administrative Code.
16. This permit does not convey to the Permittee any property rights or privileges other than those specified herein, nor relieve the Permittee from complying with any applicable local government, state, or federal law, rule, or ordinance.
17. Any Specific Permit Condition(s) enumerated in Attachment A are herein made a part of this Permit.

  
\_\_\_\_\_  
**Authorized Signature**  
**Northwest Florida Water Management District**



# NORTHWEST FLORIDA WATER MANAGEMENT DISTRICT

## STAFF REPORT

TO: Executive Director

FROM: Regulatory Division

DATE: June 13, 2013

SUBJECT: Request for Renewal and Modification of Individual Water Use Permit No. 19900015  
Individual Water Use Permit Application No. I07390

---

Applicant: Rowe Utilities, LLC (Sedgefield Water System)

Location: Tallahassee, Leon County, Permit Area C  
Section 24; Township 1 North; Range 1 East

Use: Public Supply

Water Source: Floridan Aquifer

### Groundwater Facilities:

Well Number	Florida Unique Well ID	Diameter (inches)	Total Depth (feet)	Cased Depth (feet)	Pump Capacity (gpm)	Well Status
RDC/SWS #1	AAA9205	8	182	85	200	Existing

Capacity: 200 Gallons per Minute; 288,000 Gallons per Day

### Withdrawal Information:

Water Use Totals	Permitted	Requested	Use*	Recommended
Average Day (GPD)	40,000	40,000	24,539	40,000
Maximum Day (GPD)	160,000	99,999	50,600	100,000
Maximum Month (GAL)	1,940,000	1,240,000	1,023,600	1,800,000

\* 5-year average reported withdrawal rates for 2008-2012

### Staff Evaluation:

Rowe Utilities, LLC (Sedgefield) is requesting renewal and modification of Individual Water Use Permit (IWUP) No. 19900015 with no change in the average daily rate, and reductions in the maximum daily and monthly rates of withdrawal. Sedgefield has generally complied with the conditions of the existing IWUP.

Sedgefield withdraws water from the Floridan Aquifer to serve its retail public supply customers within the Sedgefield residential community. The recommended average daily rate is based on a Bureau of Economic and Business Research projected 1.46% annual population growth rate in Leon County for the requested 20 year permit duration. The recommended maximum daily and monthly rates are based on long-term average daily and monthly peaking ratios for the distribution system. Sedgefield's residential per capita water use of 78 gallons per day meets the District's water use efficiency goal of 100 gallons per



day or less. Water losses are not currently reported by Sedgefield, but are assumed to be minimal considering the small distribution system and per capita use.

Staff used the software program DRAWDOWN to simulate potential impacts to the Floridan Aquifer. The simulated drawdown in the Floridan Aquifer is less than a foot at distances of one-half mile and one mile from the center of pumpage. No harm to existing legal users or water resources is anticipated to occur from the withdrawals.

Conclusions and Staff Recommendations:

It is the determination of the staff that the water use amounts recommended, as conditioned, are reasonable-beneficial, consistent with the public's interest, and will not harm the water resources of the area or interfere with existing legal users. This determination has been made according to provisions of Chapter 373, Florida Statutes, and Chapter 40A-2, Florida Administrative Code.

The staff recommends that the applicant be granted an Individual Water Use Permit for an annual average daily withdrawal of 40,000 gallons, a maximum daily withdrawal of 100,000 gallons, and a maximum monthly withdrawal of 1,800,000 gallons. Staff also recommends that the permit expire July 1, 2033 and that the permit be conditioned as per the terms and Standard Conditions of the permit document (NFWFMD Form No. A2-E).



# NOTICE OF RIGHTS

Northwest Florida Water Management District  
152 Water Management Drive, Havana, FL 32333-4712  
(850) 539-5999 Fax (850) 539-2693  
[www.nwfwmd.state.fl.us](http://www.nwfwmd.state.fl.us)



***The following information addresses procedures to be followed if you desire an administrative hearing or other review of agency action.***

## PETITION FOR FORMAL ADMINISTRATIVE PROCEEDINGS

Any person whose substantial interests are or may be affected by the action described in the enclosed Notice of Agency Action, may petition for an administrative hearing in accordance with the requirements of section 28-106.201, Florida Administrative Code, or may choose to pursue mediation as an alternative remedy under section 120.573, Florida Statutes, before the deadline for filing a petition. Pursuit of mediation will not adversely affect the right to administrative proceedings in the event mediation does not result in a settlement. Petitions for an administrative hearing must be filed with the Agency Clerk of the Northwest Florida Water Management District, 81 Water Management Drive, Havana, Florida 32333-9700 by the deadline specified in the attached cover letter. Failure to file a petition within this time period shall constitute a waiver of any rights such person may have to request an administrative determination (hearing) under section 120.57, Florida Statutes, concerning the subject permit application. Petitions which are not filed in accordance with the above provisions are subject to dismissal.

## DISTRICT COURT OF APPEAL

A party who is adversely affected by final agency action on the permit application and who has exhausted available administrative remedies is entitled to judicial review in the District Court of Appeal pursuant to section 120.68, Florida Statutes. Review under section 120.68, Florida Statutes, is initiated by filing a Notice of Appeal in the appropriate District Court of Appeal in accordance with Florida Rule of Appellate Procedure 9.110.



**SECTION 28-106.201, FLORIDA ADMINISTRATIVE CODE, INITIATION OF PROCEEDINGS**

- (1) Unless otherwise provided by statute, and except for agency enforcement and disciplinary actions that shall be initiated under Rule 28-106.2015, F.A.C., initiation of proceedings shall be made by written petition to the agency responsible for rendering final agency action. The term "petition" includes any document that requests an evidentiary proceeding and asserts the existence of a disputed issue of material fact. Each petition shall be legible and on 8 1/2 by 11 inch white paper. Unless printed, the impression shall be on one side of the paper only and lines shall be double-spaced.
- (2) All petitions filed under these rules shall contain:
  - (a) The name and address of each agency affected and each agency's file or identification number, if known;
  - (b) The name, address, any e-mail address, any facsimile number, and telephone number of the petitioner, if the petitioner is not represented by an attorney or a qualified representative; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
  - (c) A statement of when and how the petitioner received notice of the agency decision;
  - (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
  - (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action;
  - (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
  - (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.
- (3) Upon receipt of a petition involving disputed issues of material fact, the agency shall grant or deny the petition, and if granted shall, unless otherwise provided by law, refer the matter to the Division of Administrative Hearings with a request that an administrative law judge be assigned to conduct the hearing. The request shall be accompanied by a copy of the petition and a copy of the notice of agency action.



## **Exhibit J**

**Approximately 690 Residential customers all with 5/8 X 3/4" meters**

**All service areas are built out.**

# EXHIBIT K

## WATER LEGAL DESCRIPTION

### **Brewster Estates:**

In Section 22, Township 1 North, Range 1 East:

Located North of U.S. Highway 90 – also known as Mahan Drive including:

Brewster Road  
Bear Creek Road  
Panther Creek Road

### **Buck Lake Estates:**

In Section 23, Township 1 North, Range 1 East:

Located North of Buck Lake Road including:

Charlais Street  
Drake Drive  
Angus Street  
Pintail Drive

### **Meadow Hills:**

Located South of Buck Lake Road, including:

A portion of Buck Lake Road east of Quail Road.

Quail Road  
Lester Road  
Davis Drive  
Vernon Road  
Meak Road  
Dove Road

### **North Lake Meadows:**

In Section 19, Township 2 North, Range 1 West:

Located West of Old Bainbridge Road including:

A portion of Old Bainbridge Road north and south of Susannah Drive

Susannah Drive  
Newfield Drive

Garrett Road  
Nola Court  
Marty Court  
Olga Court  
Kidd Drive

**Plantation Estates:**

In Section 17, Township 1 North, Range 2 East:

Located South of U.S. Highway 90, also known as Mahan Drive including:

A portion of US Hwy 90 (Mahan Drive) east of Plantation Forest Drive

Plantation Forest Drive  
Pineland Drive  
Burnt Pine Drive  
Foshalee Drive  
Rocky Comfort Drive  
Shady Rest Lane  
Mistletoe Court  
Nilo Lane

**Sedgefield:**

Located North of Buck Lake Road including:

Sedgefield Road  
Springhaven Road  
Old Forge Court  
Landsdowne Road  
Lawndale Road  
Grassland Road  
Burnwell Road