



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

DATE: September 25, 2008
TO: Ann Cole, Commission Clerk - PSC, Office of Commission Clerk
FROM: Stephen B. Fletcher, Public Utilities Supervisor, Division of Economic Regulation *SBF*
RE: Docket No. 060122-WU, Joint petition for approval for stipulation on procedure with Office of Public Counsel, and application for limited proceeding increase in water rates in Pasco County by Aloha Utilities, Inc.

Attached is a document for inclusion in the docket file for Docket No. 060122-WU, Joint petition for approval for stipulation on procedure with Office of Public Counsel, and application for limited proceeding increase in water rates in Pasco County by Aqua Utilities, Inc.

The document is a fax dated February 6, 2008, which contains Aloha Utilities, Inc.'s current water use permit issued by the Southwest Florida Water Management District.

RECEIVED-FPSC
08 SEP 25 PM 4:50
COMMISSION
CLERK

DOCUMENT NUMBER-DATE

09070 SEP 25 08

FPSC-COMMISSION CLERK

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
WATER USE
INDIVIDUAL
PERMIT NO. 20003182.005

EXPIRATION DATE: November 26, 2013 **PERMIT ISSUE DATE: November 26, 2007**

The Permittee is responsible for submitting an application to renew this permit no sooner than one year prior to the expiration date, and no later than the end of the last business day before the expiration date, whether or not the Permittee receives prior notification by mail. Failure to submit a renewal application prior to the expiration date and continuing to withdraw water after the expiration date is a violation of Chapter 373, Florida Statutes, and Chapter 40D-2, Florida Administrative Code, and may result in a monetary penalty and/or loss of the right to use the water. Issuance of a renewal of this permit is contingent upon District approval.

TYPE OF APPLICATION: Renewal
GRANTED TO: Aloha Utilities, Inc.
6915 Perrine Ranch Road
New Port Richey, FL 34655
PROJECT NAME: Aloha Utilities Seven Springs Service Area
WATER USE CAUTION AREA: Northern Tampa Bay

PROPERTY LOCATION: 1.6 owned acres, 144 controlled acres and 7,173 serviced acres in Pasco County, approximately 3 miles east of New Port Richey, adjacent to State Road 54.

ABSTRACT: This is a renewal of an existing water use permit for public supply. The permit authorizes no change in average annual daily quantity (2,040,000 gallons per day) and an increase in peak month quantity of 1,030,000 gallons per day (from 2,470,000 gpd to 3,500,000 gpd). The increase in peak month quantity is temporarily authorized to allow Aloha Utilities, Inc. ("Aloha") to continue to meet peak demands using purchased bulk water supply from Pasco County and the authorized quantity in this permit. The peak month quantity will revert to 2,470,000 gallons per day upon full delivery of water from Pasco County.

The District officially notified Aloha of their over pumping status in a consent order dated August 25, 2002. In order to maintain compliance with the water use permit, Aloha entered into an agreement with Pasco County to purchase up to 5.1 million gallons per day of potable water. Pasco County has committed to provide the first 2.4 mgd by January 2008 and the remaining quantity within the next three years.

In order to accept the full quantity of water from Pasco County, Aloha must design and construct additional water supply facilities at its existing water treatment plant. A special condition is included in the permit that requires Aloha to seek Public Service Commission approval for new rates for the amount of water purchased from Pasco County. Other special conditions include continued metering and reporting groundwater withdrawals monthly, reporting the quantity of water purchased from Pasco County monthly, monitoring and reporting water quality in eight production wells and two monitor wells quarterly, reporting annually on service area water use, and reporting annually on conservation plan implementation.

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DEC 20 2007

DOCUMENT NUMBER-DATE

09070 SEP 25 08

FPSC-COMMISSION CLERK

CHANGES FROM PRIOR PERMIT: The permit authorizes no change in Average Annual Daily quantity (2,040,000 gallons per day) and an increase in Peak Month quantity of 1,030,000 gallons per day (from 2,470,000 gpd to 3,500,000 gpd).

Permit Information			
	Existing 2006	Applicant Requested 2013	Staff Recommendation 2013
Annual Average (gpd)			
Ground Water	3,831,848	2,040,000	2,040,000
Surface Water			
Peak Month (gpd)			
Ground Water	4,532,203	3,500,000*	3,500,000*
Surface Water			
Population Served	32,435	43,221	43,221
Imports (gpd)	93,852	3,100,000** 5,100,000**	3,100,000** 5,100,000**
Exports (gpd)	0	0	0
Treatment Losses (gpd)	167,589	256,000	256,000
Gross Use (gpd)			
Gross Per Capita (gpd/person)	113	113	113
Adjustments:			
Significant Uses (gpd)	N/A	N/A	N/A
Environmental Mitigation (gpd)	N/A	N/A	N/A
Reclaimed Water Offsets	N/A	N/A	N/A
Adjusted Gross Per Capita (gpd/person)	N/A	N/A	N/A
Residential Use (gpd)	N/A	N/A	N/A
Residential Per Capita (gpd/person)	N/A	N/A	N/A
Unaccounted Water Use (gpd)	N/A	N/A	N/A
Waste Water Inflow (gpd)	N/A	N/A	N/A
Reclaimed Water Flow (gpd)	N/A	N/A	N/A
Beneficially Used (gpd)	N/A	N/A	N/A
Potable Water Offset (gpd)	N/A	N/A	N/A
Percent Potable Water Offset (gpd)	N/A	N/A	N/A

* 3,500,000 GPD Peak Month ground water withdrawal required until Pasco County can deliver and Aloha begins taking additional bulk water supplies up to 5.1 MGD. Thereafter, the Peak Month Average Daily Withdrawal of groundwater will be reduced to 2,470,000 GPD.

** Pasco County has reported that they are projecting that they will have the necessary facilities and capacity in place to supply Aloha 2.4 to 3.1 MGD by January 2008 and the full 5.1 MGD by 2010.

SPECIAL CONDITIONS:

All conditions referring to approval by the Regulation Department Director, Resource Regulation, shall refer to the Director, Brooksville Regulation Department, Resource Regulation.

- All reports and data required by conditions of the permit shall be submitted to the District according to the due dates contained in the specific condition. If the report or data is received on or before the tenth day of the month following data collection, it shall be

deemed as a timely submittal. The Permittee may use the District's website to submit data, plans or reports online. To set up an account, the Permittee can address the request to permitdata@watermatters.org. All mailed reports and data are to be sent to:

Permit Data Section, Regulation Performance Management Department
Southwest Florida Water Management District
2379 Broad Street
Brooksville, Florida 34604-6899

Submission of plans and reports: Unless submitted online or otherwise indicated in the special condition, the original and two copies of each plan and report, such as conservation plans, environmental analyses, aquifer test results, per capita annual reports, etc. are required.

Submission of data: Unless otherwise indicated in the special condition, an original (no copies) is required for data submittals such as crop report forms, meter readings and/or pumpage, rainfall, water level evapotranspiration, or water quality data.

2. The Permittee shall meter withdrawals, and meter readings from each withdrawal shall be recorded on a monthly basis within the last week of the month. The meter readings shall be reported to the Permit Data Section, Regulation Performance Management Department (using District scanning forms, unless the District has approved another arrangement for submission of this data) on or before the tenth day of the following month. If a metered withdrawal is not utilized during a given month, the meter report shall be submitted to the District indicating the same meter reading as was submitted the previous month. The following withdrawals shall be metered as applicable:

Permittees with existing permitted withdrawal facilities shall continue to maintain and operate existing, non-resettable, totalizing flow meters or other flow measuring devices as approved by the Regulation Department Director on District ID Nos. **19, 20, 21, 22, 23, 24, 26 and 27**, Permittee ID Nos. **3, 4, 1, 2, 6, 7, 8 and 9**.

The meters shall adhere to the following descriptions and shall be installed or maintained as follows:

- A. The meters shall be non-resettable, totalizing flow meters which have a totalizer of sufficient magnitude to retain total gallon data for a minimum of the three highest consecutive months permitted quantities. Approval shall be obtained in writing from the Regulation Department Director. If other measuring devices are proposed the Permittee shall submit documentation that the other measuring devices or accounting methods meet the stipulations listed in this condition, prior to installation. Approval for other measuring devices or accounting methods shall be obtained in writing from the Regulation Department Director.
- B. The flow meters or other approved devices shall have and maintain an accuracy within five percent of the actual flow as installed.
- C. The flow meter-water piping system shall be designed for inline field access for meter accuracy testing. The meter shall be tested for accuracy on-site, as installed, every five years beginning from the date of its installation for new meters or from the date of initial issuance of this permit containing the metering condition with an accuracy-test requirement for existing meters unless the Permittee demonstrates to the satisfaction of the District that a longer period of time for testing is warranted. The test shall be performed by a person certified in the test equipment used. If the actual flow is found to be greater than 5% different from the measured flow, within 30 days, the Permittee shall have the

meter re-calibrated, repaired, or replaced, whichever is necessary.

Documentation of the test and a certificate of re-calibration, if applicable, shall be submitted within 30 days of each test or re-calibration.

- D. The meter shall be installed according to the manufacturer's instructions for achieving accurate flow to the specifications above, or it shall be installed in a straight length of pipe where there is at least an upstream length equal to ten (10) times the outside pipe diameter and a downstream length equal to two (2) times the outside pipe diameter. Where there is not at least a length of ten diameters upstream available, flow straightening vanes shall be used in the line.
 - E. If the meter or other flow measuring device malfunctions or breaks, the Permittee shall notify the District within 15 days of discovering the malfunction or breakage and replace it with a repaired or new meter, subject to the same specifications given above, within 30 days of the discovery. If the meter is removed from the withdrawal for any other reason, it shall be replaced with another meter having the same specifications given above, or the meter shall be reinstalled within 30 days of its removal from the withdrawal. In either event, a fully functioning meter shall not be off the withdrawal point for more than 60 consecutive days.
 - F. While the meter is off the withdrawal, the Permittee shall estimate their use by multiplying the number of hours the withdrawal point was used during that month times the flow capacity of the pump or mainline, whichever is appropriate, or the Permittee may request instructions on how to estimate use from the Permit Data Section. The estimate of the number of gallons used each month during that period shall be noted as an estimate when it is submitted to the District.
 - G. In the event a new meter is installed to replace a broken meter, it and its installation shall meet the specifications of this condition. The permittee shall notify the District of the replacement with the first submittal of meter readings from the new meter.
3. The Annual Average Daily and Peak Month Average Daily quantities for all existing production wells, shown above in the Withdrawal Point Quantity Table, are estimates based on historic and/or projected distribution of pumpage, and are for water use inventory and impact analysis purposes. The quantities listed in the table for these individual sources are not intended to dictate the distribution of pumpage from permitted sources. The permittee may make adjustments in pumpage distribution as necessary, up to and including the full pumping capacity of any of the wells, on a daily basis to best operate its water system. In addition, the permittee may make adjustments in the Annual Average Daily and Peak Month Average Daily distribution of pumping up to 1.3 times the permitted quantities for the individual wells, so long as adverse environmental impacts do not result and other conditions of this Permit are complied with. In all cases, the total Annual Average Daily withdrawal (2,040,000 gallons per day) and the total Peak Month Average Daily withdrawal (3,500,000 gallons per day) shall not be exceeded.

The total Peak Month Average Daily withdrawal of 3,500,000 gpd is a temporary allowance in effect until (a) such time as the permittee begins to receive the full quantity of 5.1 mgd that Pasco County has agreed to provide to permittee (expected to occur in 2009 or 2010); or (b) the current expiration date of this permit, whichever occurs first. Upon the occurrence of (a) or (b), the total Peak Month Average Daily withdrawal permitted will revert back to 2,470,000 gpd.

4. Water quality samples from monitor wells shall be collected and analyzed for the District ID Nos. 25 and 50, parameters, and frequencies specified in the table below. Water quality samples shall be collected after pumping the monitor wells to a constant temperature, pH, and conductivity. Sampling methods shall be designed to collect water quality samples that are chemically representative of the zone to be sampled. Water

quality samples shall be analyzed by a laboratory certified by the Florida Department of Health utilizing the standards and methods applicable to the parameters analyzed and to the water use pursuant to Chapter 64E-1, F.A.C., "Certification of Environmental Testing Laboratories". The Permittee's sampling procedures shall follow the handling and chain of custody procedures designated by the certified laboratory which will undertake the analysis. A report describing the sampling and chain of custody procedures shall be included with the first data submitted after the date this permit is granted, and upon any change in sampling and/or analytical methods. Any variance in sampling and/or analytical methods shall have prior approval of the Regulation Department Director, Resource Regulation. Reports of the analyses shall be submitted to the Permit Data Section, Regulation Performance Management Department, on District forms on or before the tenth day of the following month, and shall include the signature of an authorized representative and certification number of the certified laboratory that undertook the analysis. The parameters and frequency of sampling and analysis may be modified by the District as necessary to ensure the protection of the resource.

District ID No.	Permittee ID No.	Parameter	Sample Frequency
25	MW-A	Chloride, Sulfates	February, May,
50	MW-B	& Specific Conductivity	August and November

Water quality samples shall be collected based on the following timetable:

Quarterly Same week of months specified

Analyses shall be performed according to procedures outlined in the current edition of Standard Methods for the Examination of Water and Wastewater by the American Public Health Association-American Water Works Association-Water Pollution Control Federation (APHA-AWWA-WPCF) or Methods for Chemical Analyses of Water and Wastes by the U.S. Environmental Protection Agency (EPA).

- Water quality samples shall be collected and analyzed, for parameters, and frequencies specified below. Water quality samples from production wells shall be collected whether or not the well is being used, unless infeasible. If sampling is infeasible the Permittee shall indicate the reason for not sampling on the water quality data form. Water quality samples shall be analyzed by a laboratory certified by the Florida Department of Health utilizing the standards and methods applicable to the parameters analyzed and to the water use pursuant to Chapter 64E-1, F.A.C., "Certification of Environmental Testing Laboratories". At a minimum, water quality samples shall be collected after pumping the well at its normal rate for a pumping time specified in the table below, or to a constant temperature, pH, and conductivity. In addition, the Permittee's sampling procedure shall follow the handling and chain of custody procedures designated by the certified laboratory which will undertake the analysis. Any variance in sampling and/or analytical methods shall have prior approval of the Regulation Department Director, Resource Regulation. Reports of the analyses shall be submitted to the Permit Data Section, Regulation Performance Management Department, (using District forms) on or before the tenth day of the following month, and shall include the signature of an authorized representative and certification number of the certified laboratory which undertook the analysis. The parameters and frequency of sampling and analysis may be modified by the Regulation Department Director, Resource Regulation, as necessary to ensure the protection of the resource.

District	Permittee	Minimum	Pumping

<u>ID No.</u>	<u>ID No.</u>	<u>Time (minutes)</u>	<u>Parameter</u>	<u>Sampling Frequency</u>
19	3	15	Chlorides,	February, May,
20	4		Sulfates, and	August and November
21	1		Specific Conductivity	
22	2			
23	6			
24	7			
26	8			
27	9			

Water quality samples shall be collected based on the following timetable:

Quarterly Same week of months specified

Analyses shall be performed according to procedures outlined in the current edition of Standard Methods for the Examination of Water and Wastewater by the American Public Health Association-American Water Works Association-Water Pollution Control Federation (APHA-AWWA-WPCF) or Methods for Chemical Analyses of Water and Wastes by the U.S. Environmental Protection Agency (EPA).

6. The District reserves the right to set **chloride and sulfate** concentration limits on any production well in the future, based on data collected and after a sufficient database has been established to determine limits. These limits shall be required after discussions with the Permittee. At such time as the concentration in any water sample reaches or exceeds the designated concentration limits, the Permittee shall take appropriate action to reduce concentrations to below those set for the particular well. If the District determines that long-term upward trends or other significant water quality changes are occurring, the District may reconsider the quantities permitted.
7. The Permittee shall have a per capita water rate equal to or less than 150 gpd, and this standard shall remain in effect until modified by rule. For planning purposes, be advised that the District may establish lower per-capita rate requirements for future management periods through future rulemaking. These rates are 140 gallons per capita per day (gpcd) and five years afterwards, 130 gpcd.

By April 1 of each year for the preceding period of October 1 through September 30, the Permittee shall submit a report detailing:

- A. The population served;
- B. Significant deducted uses, the associated quantity, and conservation measures applied to these uses;
- C. Total withdrawals;
- D. Treatment losses;
- E. Environmental mitigation quantities;
- F. Sources and quantities of incoming and outgoing transfers of water and wholesale purchases and sales of water, with quantities determined at the supplier's departure point; and
- G. Documentation of reuse and desalination credits, if taken.

If for some reason, the Permittee does not achieve the specified per capita rate, the report shall document why the rate and requirements were not achievable, measures taken to attempt meeting them, and a plan to bring the permit into compliance. This

report is subject to District approval. If the report is not approved, the Permittee is in violation of the Water Use Permit. The District will evaluate information submitted by Permittees who do not achieve these requirements to determine whether the lack of achievement is justifiable and a variance is warranted. Permittees may justify lack of achievement by documenting unusual water needs, such as larger-than-average lot sizes with greater water irrigation needs than normal-sized lots. However, even with such documented justification, phased reductions in water use shall be required unless the District determines that water usage was reasonable under the circumstances reported and that further reductions are not feasible. For such Permittees, on a case-by-case basis, individual water conservation requirements may be developed for each management period. Per capita rate requirements may be adjusted upward or downward through rulemaking and will become requirements.

8. By April 1 of each year, the Permittee shall submit a residential water use report for the preceding period of October 1, through September 30, detailing:
- A. The number of single family dwelling units served and their total water use,
 - B. The number of multi-family dwelling units served and their total water use,
 - C. The number of mobile homes served and their total water use.

Where separate indoor and outdoor meters exist, residential water use quantities shall include both the indoor and outdoor water uses associated with the dwelling units, including irrigation water.

9. By January 1 of each year, for the preceding period of October 1 through September 30, the Permittee shall submit a report detailing:
- A. Quantity of total reclaimed water provided by the Permittee for reuse on both a total annual average daily and monthly basis;
 - B. For all individual customer reuse connections with line sizes of 4 inches or greater, list:
 - 1. account name and address;
 - 2. location of connections by latitude - longitude;
 - 3. line size;
 - 4. meter (yes or no); and
 - 5. metered quantities, if metered.
10. The Permittee shall begin carrying out the provisions of its District approved conservation plan dated **October 20, 2005**, upon receipt of this permit. The Permittee shall submit progress reports to the Permit Data Section, Regulation Performance Management Department, concerning implementation of the plan on **July 27, 2008**.
11. In conjunction with the required monthly submittal of meter readings from the eight ground water wells, the Permittee shall submit total gallons of water received from external sources, including those from the interconnects with Pasco County, to the District by the 10th day of the following month.
12. The Permittee shall:
- A. Perform the actions described in the Stipulation on Procedure, dated February 3, 2006, and approved by order of the Public Service Commission (PSC), dated March 1, 2006 (Stipulation).

- B. On or before October 1, 2007, file a limited proceeding with the PSC regarding potable water supply rates as described in the Stipulation and submit a copy of the filing (less attachments) to the District within one week of the filing. The Permittee will comply with all schedules and dates set forth by the PSC in the proceeding.
 - C. Begin purchasing a minimum of 2,400,000 gpd of water from Pasco County on or before April 11, 2008, as detailed in, and in accordance with, the terms of condition 13 herein.
 - D. Submit monthly status reports that detail each action undertaken during this permit term to meet every requirement of this Special Condition.
13. The permittee shall file with the Public Service Commission that rate proceeding which is a condition precedent to the procurement by the permittee of that approximately 2.4 mgd of bulk water which Pasco County has agreed it can deliver to permittee, pursuant to the Bulk Water Agreement between permittee and Pasco County, by no later than October 1, 2007. The permittee shall begin the purchase and delivery of said water to its customers as soon as the Public Service Commission approves final, unappealable rates sufficient to allow permittee to pay for such water and infrastructure, and the necessary infrastructure has been put in place by permittee and Pasco County. The permittee anticipates such final, unappealable rates, and the necessary infrastructure, shall be in place by April 11, 2008. The permittee may request in writing an extension of time for the purchase and delivery of said water. The District shall grant the requested extension in writing for good cause, which is defined as any act, event, or condition that adversely affects the ability of the permittee to perform any obligation hereunder or comply with any condition hereunder, if such act, event, or condition is beyond the reasonable control of the permittee. Any denial of such request by the District shall be proposed agency action.

WITHDRAWAL POINT QUANTITY TABLE

Water use from these withdrawal points are restricted to the quantities given below:

I.D. NO. PERMITTEE/ DISTRICT	DIAM. (IN.)	DEPTH TTL./CSD.FT. (feet bls)	USE	GALLONS PER DAY	
				AVERAGE	PEAK MONTH
3 / 19	6	350 / UNK	B	122,000	219,636
4 / 20	6	350 / UNK	B	167,000	298,988
1 / 21	10	280 / 84	B	449,000	741,094
2 / 22	8	500 / 303	B	288,000	491,700
6 / 23	8	305 / 120	B	239,000	430,769
7 / 24	8	302 / 145	B	284,000	493,117
8 / 26	10	342 / 226	B	259,000	446,356
9 / 27	10	342 / 220	B	232,000	378,340


B = Public Supply

WITHDRAWAL POINT LOCATION TABLE

DISTRICT I.D. NO.	LATITUDE/LONGITUDE	SECTION/TOWNSHIP/RANGE
19	281222.50/824013.00	23/26/16
20	281222.10/824023.10	23/26/16
21	281149.51/823810.03	30/26/17
22	281136.60/823723.10	29/26/17
23	281349.76/823930.14	13/26/16
24	281341.86/823910.54	13/26/16
26	281114.50/824130.50	34/26/15
27	281102.80/824142.40	34/26/16

STANDARD CONDITIONS:

The Permittee shall comply with the Standard Conditions attached hereto, incorporated herein by reference as Exhibit "A" and made a part hereof.



 Authorized Signature

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

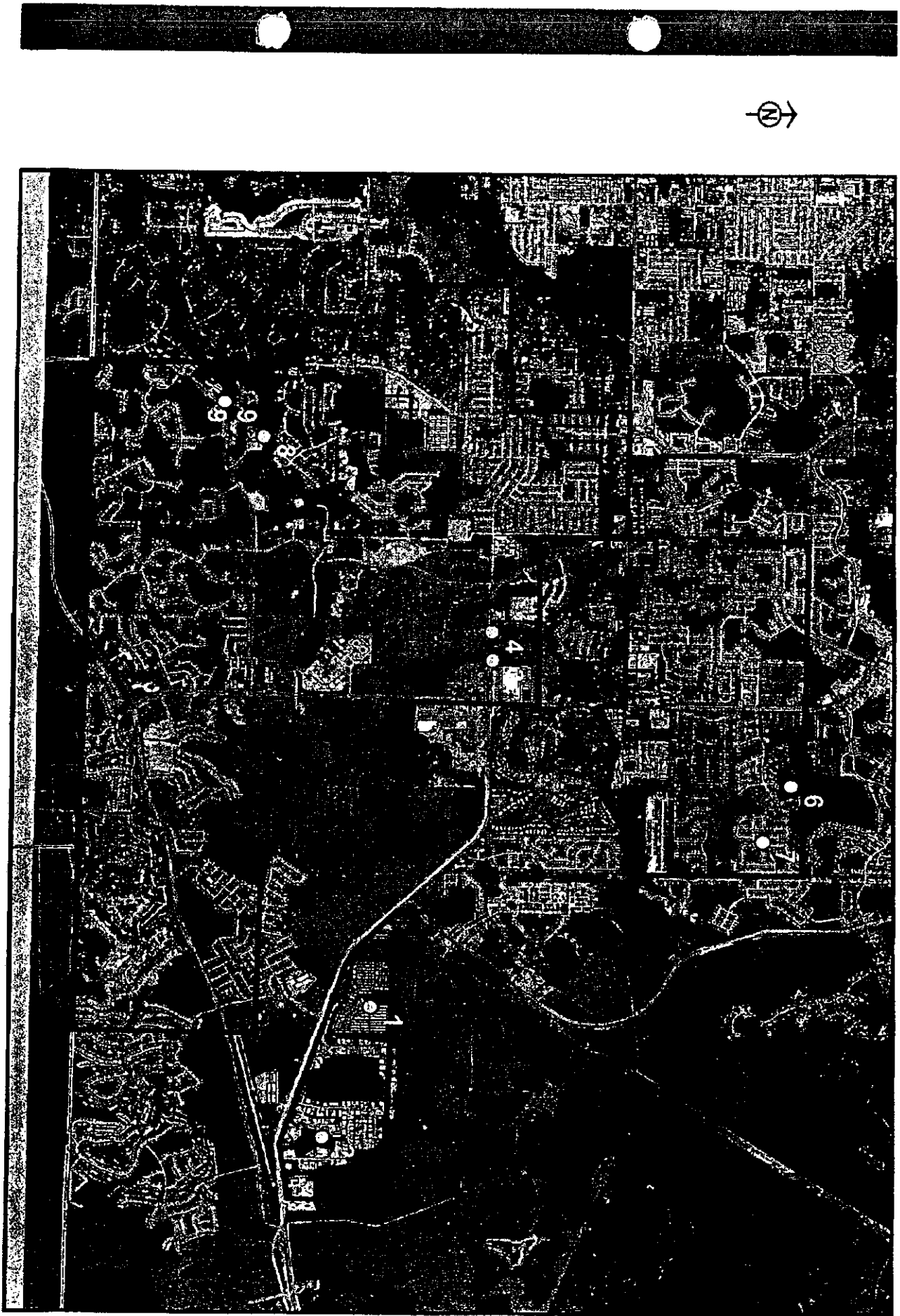
This permit, issued under the provision of Chapter 373, Florida Statutes and Florida Administrative Code 40D-2, authorizes the Permittee to withdraw the quantities outlined above, and may require various activities to be performed by the Permittee as described in the permit, including the Special Conditions. 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.

40D-2
Exhibit "A"

WATER USE PERMIT STANDARD CONDITIONS

1. 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 provisions of Chapter 373, F.S., Chapter 40D, or the conditions set forth herein, the Governing Board shall revoke this permit in accordance with Rule 40D-2.341, following notice and hearing.
2. This permit is issued based on information provided by the Permittee demonstrating that the use of water is reasonable and beneficial, consistent with the public interest, and will not interfere with any existing legal use of water. If, during the term of the permit, it is determined by the District that the use is not reasonable and beneficial, in the public interest, or does impact an existing legal use of water, the Governing Board shall modify this permit or shall revoke this permit following notice and hearing.
3. The Permittee shall not deviate from any of the terms or conditions of this permit without written approval by the District.
4. In the event the District declares that a Water Shortage exists pursuant to Chapter 40D-21, the District shall alter, modify, or declare inactive all or parts of this permit as necessary to address the water shortage.
5. The District shall collect water samples from any withdrawal point listed in the permit or shall require the Permittee to submit water samples when the District determines there is a potential for adverse impacts to water quality.
6. The Permittee shall provide access to an authorized District representative to enter the property at any reasonable time to inspect the facility and make environmental or hydrologic assessments. The Permittee shall either accompany District staff onto the property or make provision for access onto the property.
7. Issuance of this permit does not exempt the Permittee from any other District permitting requirements.
8. The Permittee shall cease or reduce surface water withdrawal as directed by the District if water levels in lakes fall below applicable minimum water level established in Chapter 40D-8 or rates of flow in streams fall below the minimum levels established in Chapter 40D-8.
9. The Permittee shall cease or reduce withdrawal as directed by the District if water levels in aquifers fall below the minimum levels established by the Governing Board.
10. The Permittee shall practice water conservation to increase the efficiency of transport, application, and use, as well as to decrease waste and to minimize runoff from the property. At such time as the Governing Board adopts specific conservation requirements for the Permittee's water use classification, this permit shall be subject to those requirements upon notice and after a reasonable period for compliance.
11. The District may establish special regulations for Water Use Caution Areas. At such time as the Governing Board adopts such provisions, this permit shall be subject to them upon notice and after a reasonable period for compliance.

12. The Permittee shall mitigate any adverse impact to existing legal uses caused by withdrawals. When adverse impacts occur or are imminent, the District shall require the Permittee to mitigate the impacts. Adverse impacts include:
 - A. A reduction in water levels which impairs the ability of the well to produce water;
 - B. Significant reduction in levels or flows in water bodies such as lakes, impoundments, wetlands, springs, streams or other watercourses; or
 - C. Significant inducement of natural or manmade contaminants into a water supply or into a usable portion of any aquifer water body.
13. The Permittee shall mitigate any adverse impact to environmental features or offsite land uses as a result of withdrawals. When adverse impacts occur or are imminent, the District shall require the Permittee to mitigate the impacts. Adverse impacts include:
 - A. Significant reduction in levels or flows in water bodies such as lakes, impoundments, wetlands, springs, streams or other watercourses;
 - B. Sinkholes or subsidence caused by reduction in water levels;
 - C. Damage to crops and other vegetation causing financial harm to the owner; and
 - D. Damage to the habitat of endangered or threatened species.
14. When necessary to analyze impacts to the water resource or existing users, the District shall require the Permittee to install flow metering or other measuring devices to record withdrawal quantities and submit the data to the District.
15. A District identification tag shall be prominently displayed at each withdrawal point by permanently affixing the tag to the withdrawal facility.
16. Notwithstanding the provisions of Rule 40D-1.6105, F.A.C., persons who wish to continue the water use permitted herein and who have acquired ownership or legal control of permitted water withdrawal facilities or the land on which the facilities are located must apply to transfer the permit to themselves within 45 days of acquiring ownership or legal control of the water withdrawal facilities or the land.
17. All permits issued pursuant to these Rules are contingent upon continued ownership or legal control of all property on which pumps, wells, diversions or other water withdrawal facilities are located.
18. Within the Southern Water Use Caution Area, if the District determines that significant water quantity or quality changes, impacts to existing legal uses, or adverse environmental impacts are occurring, the Board, upon reasonable notice to the permittee, including a statement of facts upon which the District based its determination, may reconsider the quantities permitted or other conditions of the permit as appropriate to address the change or impact but only after an opportunity for the permittee to resolve or mitigate the change or impact or to request a hearing.



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