

PLANTATION BAY UTILITY  
WATER CONSUMPTIVE USE PERMIT



# St. Johns River

## Water Management District

Kirby B. Green III, Executive Director • David W. Fisk, Assistant Executive Director  
David Dewey, Altamonte Springs Service Center Director

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975 Keller Road • Altamonte Springs, FL 32714-1618 • (407) 659-4800  
On the Internet at [floridaswater.com](http://floridaswater.com).

March 16, 2011

Plantation Bay Utility Company  
Attn: Douglas Ross  
2379 Beville Rd.  
Daytona Beach, FL 32119 USA

Re: Plantation Bay Utility Co.  
Permit No. 2-035-1960-6  
Item No. 928470  
Permit Condition Number 21

Dear Mr. Ross:

Condition 21 of the above referenced Consumptive Use Permit currently requires the submittal of a compliance report every five years during the term of the permit. In 2010, the Florida Legislature revised Chapter 373.236(4), Florida Statutes, to require the submittal of the compliance reports at 10 years instead of every 5 years for new permits. At its March 2011 Governing Board meeting, the Board ordered that any currently existing 20-year permit requiring the submittal of a compliance report every 5 years be modified to require submittal of this report at 10 years to conform to the newly revised statute.

Therefore, this letter is to notify you that the District is changing the submittal due date for your upcoming compliance report from April 1, 2011 to April 1, 2016. District staff will manually remove this 5-year compliance report submittal requirement from your compliance submittal tab on the District's e-permitting website and will replace it with a 10-year compliance report submittal requirement due April 1, 2016.

Should you wish to retain the requirement to submit a compliance report every five years, (for example, if you have invested time and money to prepare your compliance report which is imminently due) please contact Joy Kokjohn at 386-329-4223 or via e-mail at [jkokjohn@sjrwmd.com](mailto:jkokjohn@sjrwmd.com) within 30 days of receipt of this letter to discuss your options.

Sincerely,

A handwritten signature in black ink that reads "Shannon L. Joyce".

Shannon L. Joyce, P.G., Compliance Manager  
Cc: RIM; Joy Kokjohn

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**GOVERNING BOARD**

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FORT McCOY



# St. Johns River Water Management District

Kirby B. Green III, Executive Director • David W. Fisk, Assistant Executive Director

4049 Reid Street • P.O. Box 1429 • Palatka, FL 32178-1429 • (386) 329-4500  
On the Internet at [www.sjrwmd.com](http://www.sjrwmd.com).

March 13, 2001

Plantation Bay Utility Company  
2379 Beville Road  
Daytona Beach, FL 32119

DEC 29 2008

**SUBJECT:** Consumptive Use Permit Number 1960  
5 Year Compliance Report  
Plantation Bay Utility Co.

Dear Sir/Madam:

Enclosed is your permit and the forms necessary for submitting information to comply with conditions of the permit as authorized by the St. Johns River Water Management District on November 11, 2008.

Please be advised that the period of time within which a third party may request an administrative hearing on this permit may not have expired by the date of issuance. A potential petitioner has twenty-six (26) days from the date on which the actual notice is deposited in the mail, or twenty-one (21) days from publication of this notice when actual notice is not provided, within which to file a petition for an administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes. Receipt of such a petition by the District may result in this permit becoming null and void.

Permit issuance does not relieve you from the responsibility of obtaining permits from any federal, state and/or local agencies asserting concurrent jurisdiction over this work.

The enclosed permit is a legal document and should be kept with your other important records. Please read the permit and conditions carefully since the referenced conditions may require submittal of additional information. All information submitted as compliance with permit conditions must be submitted to the nearest District Service Center and should include the above referenced permit number.

Sincerely,

Gloria Lewis, Director  
Division of Regulatory Information Management

Enclosures: Permit, Conditions for Issuance

cc: District Permit File

**Agent:** Finley Engineering Group  
5531 So. Ridgewood Ave. Unit # 1  
Port Orange, FL 32127

**GOVERNING BOARD**

Susan N. Hughes, CHAIRMAN FOITE VEDRA	W. Leonard Wood, VICE CHAIRMAN FERNANDINA BEACH	Hersey "Herky" Hullman, SECRETARY ENTERPRISE	Hans G. Tanzler III, TREASURER JACKSONVILLE
Douglas C. Bournique VERO BEACH	Michael Ertel OWEGO	David G. Graham JACKSONVILLE	Arlen N. Jumper FORT MCCOY
			Ann T. Moore RUMMEL

PERMIT NO. 1960

ORIGINAL PERMIT ISSUED: March 13, 2001

Compliance Report Permit Date: November 11, 2008

PROJECT NAME: Plantation Bay Utility Co.

**A PERMIT AUTHORIZING:**

The District authorizes, as limited by the attached permit conditions, the use of 139.50 million gallons per year (0.382 mgd average) of groundwater from the Floridan aquifer for public supply use (which includes household, commercial, water utility, and unaccounted-for uses) and 0.60 million gallons per day for essential use (fire protection).

**LOCATION:**

Site: Plantation Bay Utility Co.  
Flagler, Volusia Counties

Section(s): 2, 3, 4, 5, 8, 9, Township(s): 13S Range(s): 31E  
10, 11, 14, 15,  
16, 22, 23

**ISSUED TO:**

Plantation Bay Utility Company  
2379 Beville Road  
Daytona Beach, FL 32119

Permittee agrees to hold and save the St. Johns River Water Management District and its successors harmless from any and all damages, claims, or liabilities which may arise from permit issuance. Said application, including all maps and specifications attached thereto, is by reference made a part hereof.

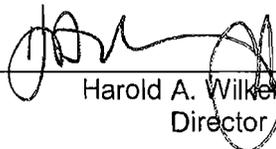
This permit does not convey to permittee any property rights nor any rights of privileges other than those specified herein, nor relieve the permittee from complying with any law, regulation or requirement affecting the rights of other bodies or agencies. All structures and works installed by permittee hereunder shall remain the property of the permittee.

This permit may be revoked, modified or transferred at any time pursuant to the appropriate provisions of Chapter 373, Florida Statutes and 40C-1, Florida Administrative Code.

**PERMIT IS CONDITIONED UPON:**

See conditions on attached "Exhibit A", dated November 11, 2008

**AUTHORIZED BY:** St. Johns River Water Management District  
Department of Resource Management

By:   
Harold A. Wilkening III  
Director

By:   
Kirby B. Green, III  
Executive Director

**"EXHIBIT A"**  
**CONDITIONS FOR ISSUANCE OF PERMIT NUMBER 1960**  
**PLANTATION BAY UTILITY COMPANY**  
**DATED NOVEMBER 11, 2008**

1. District Authorized 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.
2. Nothing in this permit should be construed to limit the authority of the St. Johns River Water Management District to declare a water shortage and issue orders pursuant to Section 373.175, Florida Statutes, or to formulate a plan for implementation during periods of water shortage, pursuant to Section 373.246, Florida Statutes. In the event a water shortage, is declared by the District Governing Board, the permittee must adhere to the water shortage restriction as specified by the District, even though the specified water shortage restrictions may be inconsistent with the terms and conditions of this permit.
3. Prior to the construction, modification, or abandonment of a well, the permittee must obtain a Water Well Construction Permit from the St. Johns River Water Management District, or the appropriate local government pursuant to Chapter 40C-3, Florida Administrative Code. Construction, modification, or abandonment of a well will require modification of the consumptive use permit when such construction, modification or abandonment is other than that specified and described on the consumptive use permit application form.
4. Leaking or inoperative well casings, valves, or controls must be repaired or replaced as required to eliminate the leak or make the system fully operational.
5. Off-site land uses existing at the time of permit application may not be significantly adversely impacted as a result of the consumptive use. If unanticipated significant adverse impacts occur, the District shall revoke the permit in whole or in part to curtail or abate the adverse impacts, unless the impacts can be mitigated by the permittee.
6. The District must be notified, in writing, within 30 days of any sale, conveyance, or other transfer of a well or facility from which the permitted consumptive use is made or within 30 days of any transfer of ownership or control of the real property at which the permitted consumptive use is located. All transfers of ownership or transfers of permits are subject to the provisions of section 40C-1.612, Florida Administrative Code.
7. A District-issued identification tag shall be prominently displayed at each withdrawal site by permanently affixing such tag to the pump, headgate, valve or other withdrawal facility as provided by Section 40C-2.401, Florida Administrative Code. Permittee shall notify the District in the event that a replacement tag is needed.
8. All submittals made to demonstrate compliance with this permit must include the permit number 1960 plainly labeled on the submittals.
9. This permit will expire on March 13, 2021.
10. Maximum annual groundwater withdrawals from the Floridan aquifer for public supply type use (which includes household, commercial, water utility, and unaccounted for uses) must not exceed the following allocations:  
  
79.79 million gallons per year (0.219 mgd average) in 2008;  
84.75 million gallons per year (0.232 mgd average) in 2009;  
89.72 million gallons per year (0.246 mgd average) in 2010;  
94.68 million gallons per year (0.259 mgd average) in 2011;

99.68 million gallons per year (0.273 mgd average) in 2012;  
104.64 million gallons per year (0.287 mgd average) in 2013;  
109.64 million gallons per year (0.300 mgd average) in 2014;  
114.57 million gallons per year (0.314 mgd average) in 2015;  
119.57 million gallons per year (0.328 mgd average) in 2016;  
124.54 million gallons per year (0.341 mgd average) in 2017;  
129.54 million gallons per year (0.355 mgd average) in 2018;  
134.50 million gallons per year (0.369 mgd average) in 2019; and  
139.50 million gallons per year (0.382 mgd average) in 2020 and 2021.

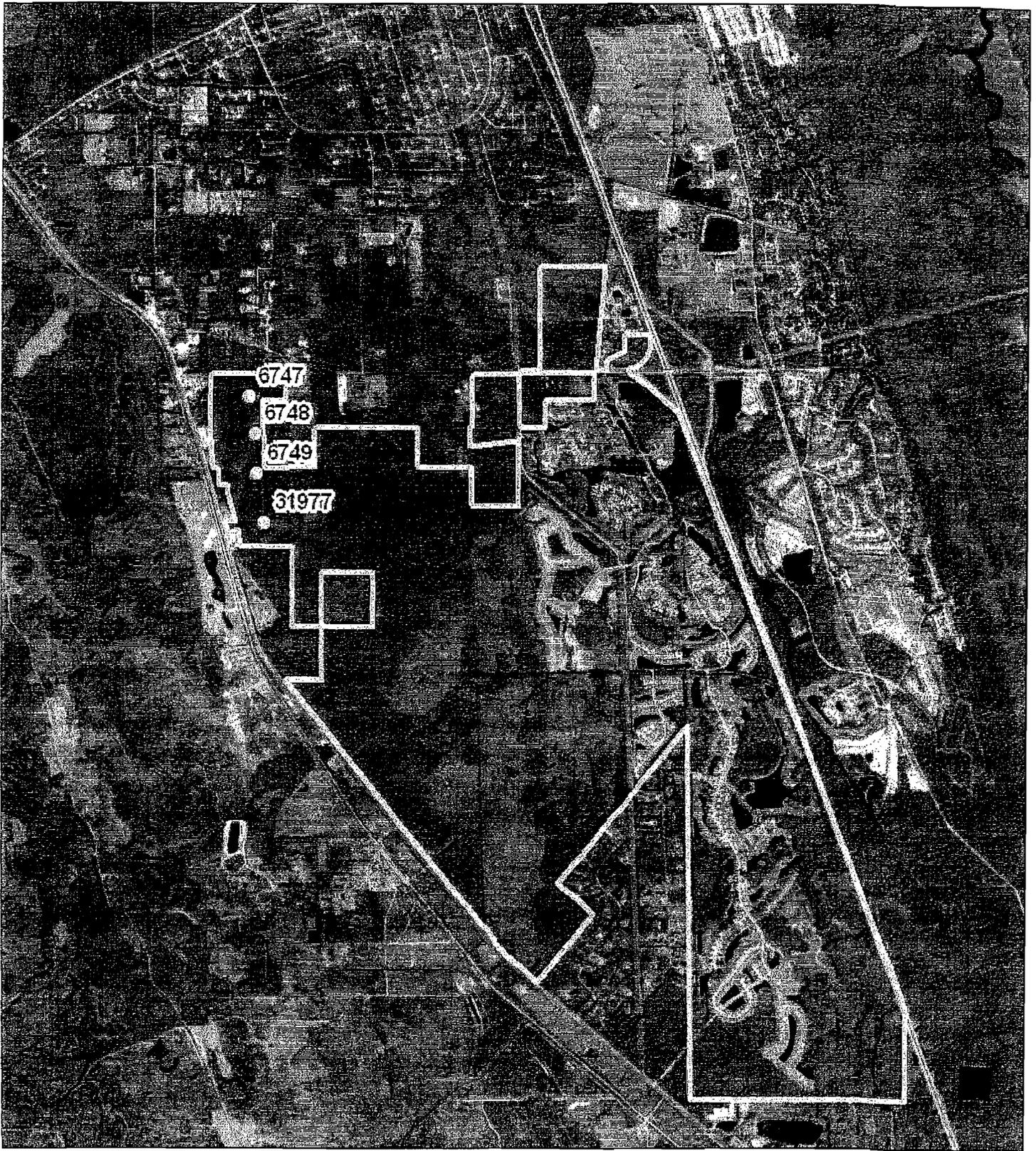
11. Maximum daily withdrawals from the Floridan aquifer for essential fire protection must not exceed 0.6 million gallons.
12. Wells A-1 (ID 6747), B-2 (ID 6748), C-3 (ID 6749), and D-4 (ID 31977), as listed on the application, are equipped with totalizing flow meters. These meters must maintain 95% accuracy, be verifiable, and be installed according to the manufacturer's specification.
13. Total withdrawals from wells A-1 (ID 6747), B-2 (ID 6748), C-3 (ID 6749), and D-4 (ID 31977), as listed on the application, must be recorded continuously, totaled monthly, and reported to the District at least every six months for the duration of the permit using Form No. EN-50. The reporting dates each year will be as follows:

Reporting Period:	Report Due Date:
January - June	July 31
July - December	January 31
14. The permittee must have each flow meter checked for accuracy at least once every three years and recalibrated if the difference between the actual flow and meter reading is greater than 5%. The permittee must submit District form EN-51 to the District within ten days of inspection/calibration.
15. The permittee must maintain all flow meters. In case of failure or breakdown of any meter, the permittee must notify the District in writing within five days of its discovery. The permittee must repair or replace a defective meter within 30 days of its discovery.
16. The water conservation plans submitted to the District on December 6, 2007 and March 4, 2008 must be implemented in accordance with the implementation schedule contained therein.
17. The lowest quality water source, such as reclaimed water and surface/storm water, must be used as irrigation water when deemed feasible pursuant to District rules and applicable state law.
18. The permittee must continue to furnish the total daily flow of reclaimed water to the Plantation Bay Club de BonMont Golf Course for use as irrigation water.
19. Withdrawals from production wells A-1 (ID 6747), B-2 (ID 6748), C-3 (ID 6749), and D-4 (ID 31977), as listed on the application, must not cause the water level in the Floridan aquifer at any of these wells to drop below 4 feet NGVD. The permittee must maintain the water level monitors on the production wells, which will automatically shut off each well if water levels reach 4 feet NGVD.
20. Water samples must be collected from wells A-1 (ID 6747), B-2 (ID 6748), C-3 (ID 6749), and D-4 (ID 31977), as listed on the application, in accordance with a District approved QA/QC program in May and October of each year for the duration of the permit. The water samples must be analyzed for the following:

Calcium	Total Alkalinity
Sodium	Magnesium
Potassium	Sulfate
Chlorides	Total Hardness
Ph	Carbonate

All major ion analyses must be performed on filtered samples and must be checked for a cation-anion balance of less than 5%. If this 5% error margin is exceeded in any sample, an additional sample must be collected immediately and reanalyzed. Results of these tests must be submitted to the District on a semi-annual basis.

21. The permittee shall submit, to the District, a compliance report pursuant to subsection 373.236(3), F.S., 10, and 15 years from the date of issuance of this permit. Specifically, the permittee shall submit the report by April 1<sup>st</sup> of 2011 and 2016. The report shall contain sufficient information to demonstrate that the permittee's use of water will continue, for the remaining duration of the permit, to meet the conditions for permit issuance set forth in the District rules that existed at the time the permit was issued for 20 years by the District. At a minimum, the compliance report must:
  - a) meet the submittal requirements of section 4.2 of the Applicant's Handbook: Consumptive Uses of Water, February 8, 1999; and
  - b) demonstrate that the use of water authorized by this permit can be supplied by the source.
22. The permittee shall not irrigate landscape for more than the number of days and the time periods provided for in section 40C-2.042, Florida Administrative Code.
23. Legal uses of water existing at the time of the permit application may not be significantly impacted as a result of the consumptive use. If significant impacts occur (including interference with other existing legal users), the District may revoke the permit in whole or in part to abate the adverse impact unless otherwise mitigated by the permittee. In those cases, where other permit holders are identified by the District as also contributing to the adverse impact, the permittee may choose to mitigate in a cooperative effort with these other permittees. The permittee must submit a mitigation plan to the District for approval prior to implementing such mitigation.
24. The permittee's consumptive use shall not adversely impact wetlands, lakes, and spring flows or cause or contribute to a violation of minimum flows and levels (MFLs) adopted in Chapter 40C-8, F.A.C., except as authorized by an SJRWMD-approved MFL recovery strategy. If unanticipated significant adverse impacts occur, the SJRWMD shall revoke the permit in whole or in part to curtail or abate the adverse impacts, unless the impacts are mitigated by the permittee pursuant to a District-approved plan.



0 0.5 1 Miles

Created October 24, 2008

Plantation Bay Utility Co.  
1960-6  
Flagler/Volusia Counties

2004 Digital Ortho Quadrangle



# INSURANCE BINDER

OP ID: GS

DATE (MM/DD/YYYY)

09/06/2012

**THIS BINDER IS A TEMPORARY INSURANCE CONTRACT, SUBJECT TO THE CONDITIONS SHOWN ON THE REVERSE SIDE OF THIS FORM.**

AGENCY <b>Brown &amp; Brown of Florida, Inc. Daytona Beach Office P.O. Box 2412 Daytona Beach, FL 32115-2412 Richard Fulton</b>		COMPANY <b>Arch Insurance Company</b>		BINDER # <b>16508</b>	
PHONE (A/C, No, Ext): <b>386-252-9601</b>		FAX (A/C, No): <b>386-239-5729</b>		THIS BINDER IS ISSUED TO EXTEND COVERAGE IN THE ABOVE NAMED COMPANY PER EXPIRING POLICY #: <b>GWPKG0069407</b>	
AGENCY CUSTOMER ID: <b>PLANT-5</b>		DESCRIPTION OF OPERATIONS/VEHICLES/PROPERTY (Including Location)			
INSURED <b>PLANTATION BAY UTILITY COMPANY C/O INTERVEST CONST. INC. 2379 BEVILLE ROAD DAYTONA BEACH FL 32119</b>					

**COVERAGES****LIMITS**

TYPE OF INSURANCE	COVERAGE/FORMS	DEDUCTIBLE	COINS %	AMOUNT
PROPERTY CAUSES OF LOSS <input type="checkbox"/> BASIC <input type="checkbox"/> BROAD <input type="checkbox"/> SPEC	SEE SCHEDULE ATTACHED WINDSTORM & HAIL DEDUCTIBLE	2,500 25,000	100	
GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR	RETRO DATE FOR CLAIMS MADE:	EACH OCCURRENCE		\$ 1,000,000
		DAMAGE TO RENTED PREMISES		\$ 100,000
		MED EXP (Any one person)		\$ 5,000
		PERSONAL & ADV INJURY		\$ 1,000,000
		GENERAL AGGREGATE		\$ 3,000,000
		PRODUCTS - COMP/OP AGG		\$ 3,000,000
AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS	RETRO DATE FOR CLAIMS MADE:	COMBINED SINGLE LIMIT		\$ 1,000,000
		BODILY INJURY (Per person)		\$
		BODILY INJURY (Per accident)		\$
		PROPERTY DAMAGE		\$
		MEDICAL PAYMENTS		\$
		PERSONAL INJURY PROT		\$
		UNINSURED MOTORIST		\$
AUTO PHYSICAL DAMAGE DEDUCTIBLE <input type="checkbox"/> COLLISION <input type="checkbox"/> OTHER THAN COL:	<input type="checkbox"/> ALL VEHICLES <input type="checkbox"/> SCHEDULED VEHICLES	ACTUAL CASH VALUE		\$
		STATED AMOUNT		\$
		OTHER		\$
GARAGE LIABILITY <input type="checkbox"/> ANY AUTO	RETRO DATE FOR CLAIMS MADE:	AUTO ONLY - EA ACCIDENT		\$
		OTHER THAN AUTO ONLY:		\$
		EACH ACCIDENT		\$
		AGGREGATE		\$
EXCESS LIABILITY <input type="checkbox"/> UMBRELLA FORM <input type="checkbox"/> OTHER THAN UMBRELLA FORM	RETRO DATE FOR CLAIMS MADE:	EACH OCCURRENCE		\$
		AGGREGATE		\$
		SELF-INSURED RETENTION		\$
WORKER'S COMPENSATION AND EMPLOYER'S LIABILITY		WC STATUTORY LIMITS		\$
		E.L. EACH ACCIDENT		\$
		E.L. DISEASE - EA EMPLOYEE		\$
		E.L. DISEASE - POLICY LIMIT		\$
SPECIAL CONDITIONS/ OTHER COVERAGES		FEES		\$
		TAXES		\$
		ESTIMATED TOTAL PREMIUM		\$

**NAME & ADDRESS**

	MORTGAGEE	ADDITIONAL INSURED
	LOSS PAYEE	
	LOAN #	
	AUTHORIZED REPRESENTATIVE 	

Plantation Bay Utility Company

**PROPOSED SCHEDULE OF PROPERTY VALUES AND LOCATIONS**

*Client ultimately chooses value insured*

Limits of Insurance

<u>Location/Building</u>	<u>Building</u>	<u>Business Income</u>
1) Wastewater Treatment Tank	\$ 700,000	\$ 100,000
2) Gravity Filter	\$ 150,000	
3) Chlorine/Mud Well	\$ 125,000	
4) Blowers & Ctrl Bldg	\$ 200,000	
5) Reuse Pumphouse	\$ 160,000	
6) Pump Stations 14@\$16,500	\$ 910,000	
7) Lime Softening Basin	\$ 450,000	
8) Gravity Filter	\$ 155,000	
9) Lime Storage Silo	\$ 220,000	
10) Transfer Tank	\$ 35,000	
11) Backwash Recovery Tank	\$ 110,000	
12) Hydropneumatic Tanks	\$ 96,000	
13) High Service Pump Station	\$ 250,000	
14) Ground Storage Tank	\$ 315,000	
15) Chlorine Storage Building	\$ 45,000	
16) 4 Well Pump Buildings	\$ 180,000	
17) Generator/Pump Station/Motors	\$ 300,000	
18) Space Fire Pump	\$ 15,221	
19) Pressure Pump	\$ 5,654	
<b>Total Values</b>	<b>\$ 4,421,875</b>	<b>\$ 100,000</b>

**Brown & Brown  
of Florida, Inc.**