

PERMIT NO. 016-0014  
ISSUANCE DATE:



# GEORGIA

DEPARTMENT OF NATURAL RESOURCES

## ENVIRONMENTAL PROTECTION DIVISION

### PERMIT TO USE GROUNDWATER

PERMIT HOLDER'S NAME: **Bulloch County Board of Commissioners**  
PERMIT HOLDER'S ADDRESS: 113 North Main Street, Statesboro, GA 30458  
COUNTY: **Bulloch County**

In accordance with the Provisions of the Groundwater Use Act, (O.C.G.A § 12-5-90 et seq.) as amended, and the Rules and Regulations for Groundwater Use, Chapter 391-3-2, promulgated pursuant thereto, this Permit is issued to withdraw, obtain, or utilize a maximum system wide total of groundwater in the amount of:

**3.500** million gallons per day monthly average and **3.125** million gallons per day annual average;

from **two** well(s) located near **where I-16 crosses the county line in southeastern Bulloch County, Georgia** for the purpose of a consumptive use to **provide water to the various entities at the Bryan County Industrial Mega-Site and other associated development.**

This Permit is conditioned upon the permit holder complying with all of the terms, conditions, and schedules of compliance specified on the attached pages, which are hereby made a part of this Permit.

In accordance with the application dated **August 21, 2023** and in conformity with the statements and supporting data entered therein or attached thereto, all of which are filed with the Environmental Protection Division (EPD) and are hereby made part of this Permit.

This permit is effective from the date first above written and is subject to revocation on evidence of noncompliance with any of the provisions of the Groundwater Use Act, as amended, or any of the Rules and Regulations promulgated pursuant thereto; or with any representation made in the above mentioned application or the statements and supporting data entered therein or attached thereto; or with any condition of this permit.

Absent prior revocation in accordance with the above language, this Permit will expire **ten (10) years from the issuance date on this permit.**



Jeffrey W. Cown, Director  
Environmental Protection Division

This Permit is conditioned upon the permit holder complying with the provisions of the Groundwater Use Act, as amended, or any of the Rules and Regulations promulgated pursuant thereto;

**1) GENERAL REQUIREMENTS**

- a) This Permit is valid for ground water withdrawal from the **Floridan** Aquifer(s). No other aquifer(s) can be used without the approval of the EPD.
- b) The withdrawal of groundwater is limited to the quantities and purpose of the water herein specified.
- c) Water associated with this Permit must not be withdrawn by, released for, or otherwise utilized by any other entity or for any other purpose, without first modifying this Permit.
- d) This Permit must not be transferred except with the approval of the EPD.
- e) The replacement of any permitted well must receive prior approval from the EPD.
- f) This permit supersedes any and all previous permits of the same permit number.

**2) PERMIT RENEWAL**

All permit holders desiring to renew a permit shall submit an application for renewal to the EPD Director within six (6) months of the permit's expiration.

**3) PERMIT MODIFICATION**

- a) The permit holder may seek modification of any of the terms of an unexpired permit upon written request to the EPD Director.
- b) The Georgia EPD has the authority to modify any groundwater withdrawal permit at any time.

**4) MONITORING AND REPORTING**

- a) If multiple aquifers are designated in Condition (1a) above, groundwater withdrawal from each aquifer must be reported separately, in addition to the total amount withdrawn from all wells. Each aquifer must be identified on the Groundwater Withdrawal Report, in addition to listing the well or wells that are producing from each aquifer. If a well is producing in more than one aquifer, it is to be noted.
- b) The Groundwater Withdrawal Report must be submitted MONTHLY in accordance with the following schedule:
  - Production between the first day of the month and the last day of the month will be submitted to EPD by the 10<sup>th</sup> day of the following month (ex. January 1<sup>st</sup> through January 31<sup>st</sup> groundwater withdrawal data will be reported to the EPD by February 10<sup>th</sup>).

**4) MONITORING AND REPORTING (Continued)**

- c) In accordance with the Groundwater Use Rules, 391-3-2-.08(1), a permit holder will measure and record the static and pumping levels of each aquifer utilized and the date the water levels were measured on a semi-annual basis, submitting the results to EPD. Semi-Annual Water Level measurements must be collected from the highest yielding wells, using the same wells for each reporting period and preferably taking the measurements during the same two months of the year (six months apart). One well should be measured for every five permitted wells (i.e., if you have between one and five permitted wells, conduct measurements for one well; if you have between six and ten permitted wells, conduct measurements from two of the permitted wells, etc.).
- d) In accordance with the Groundwater Use Rules, 391-3-2-.08(2), a permit holder will analyze a raw groundwater sample for specific conductance on an annual basis. Analysis for specific conductance must be conducted in accordance with 40 Code of Federal Regulations, Part 141.89. A raw groundwater sample must be collected for every five permitted wells (i.e., if you have between one and five permitted wells, collect one raw groundwater sample for analysis; if you have between six and ten permitted wells, collect a raw groundwater sample from two of the permitted wells, etc.). The groundwater samples will be collected from the highest yielding wells. The results must be submitted to EPD and include the date sampled, well number, temperature of water sample at time of testing, the specific conductance result, and the units of measurement.

**5) WATER PLANNING REQUIREMENTS**

- a) This groundwater withdrawal permit and any future modifications or re-issuances of such, is conditioned upon implementation of the permit holder's Water Conservation Plan developed in accordance with the Rules and Regulations for Groundwater Use, Chapter 391-3-2, and the Georgia Water Stewardship Act. It should be regularly updated to be consistent with current EPD guidelines.
- b) The permit holder must submit a Water Conservation Progress Report to the Division five years after permit issuance, and every five years thereafter.
- c) The permit holder must demonstrate an effort to increase water use efficiency.
- d) When the service population of the Bulloch County Board of Commissioners' water system reaches 3,300, the Bulloch County Board of Commissioner's must submit an annual water audit to EPD as outlined below:

In accordance with the Rules for Public Water Systems to Improve Water Supply Efficiency (391-3-33), Public Water Systems that regularly serve 3,300 or more individuals must submit an annual Water Audit to EPD by March 1 of each year. Any future permit action is conditional upon the demonstration of progress toward increased water efficiency. The permit holder must maintain ongoing compliance with the following:

1. Establishment of a Water Loss Control Program and associated goals to set measures of water supply efficiency.
2. Demonstration of progress toward increased water efficiency using the measures established.

5) **WATER PLANNING REQUIREMENTS (Continued)**

- e) The permit holder must abide by all applicable drought response requirements, which include but are not limited to the Georgia Drought Management Rule (391-3-30), the Georgia Water Stewardship Act, and the permit holder's Drought Contingency Plan.
- f) The permit holder must maintain ongoing compliance with applicable **Coastal Georgia** Regional Water Plan requirements.

6) **SPECIAL CONDITIONS**

- a) The EPD has produced the **'Coastal Georgia Water & Wastewater Permitting Plan for Managing Salt Water Intrusion'** (the Plan). The Plan has identified an array of water conservation, efficiency, and reuse requirements for public and private water providers. The permit holder is required to fully implement and otherwise comply with ALL appropriate requirements identified in the Plan.

**ADDRESSING SHORT TERM IMPACTS:**

- b) The permittee must create a joint Bulloch County and Bryan County municipal managed fund, which may include contributions from other entities, to address any potential significant impacts to existing Floridan aquifer wells in an area defined by a circle with a 5-mile radius from the center point at the I-16 and Highway 119 interchange.
  - 1. The permittee must develop mitigation fund mechanisms with defined forms, mitigation practices, processes and protocols prior to withdrawals from the permitted groundwater wells.
  - 2. No groundwater withdrawals may be made until the materials approved under item b(1) above are made readily available on the permittee's website to the public.
  - 3. This mitigation fund must be implemented for the duration of authorized groundwater usage from the permitted wells.
- c) A water well driller or pump installer licensed in the State of Georgia may investigate alleged significant impacts to existing wells. A list of those licensed professionals must be published on the permittee's website. If an investigator finds that a significant impact to an existing water well was caused by the Floridan Aquifer drawdown from the permitted withdrawals, the fund referenced in Special Condition 6(b) shall be used to mitigate, in a timely manner, the specific issues of the affected party.

6) **SPECIAL CONDITIONS (Continued)**

- d) The permittee must submit to EPD an annual report regarding the fund referenced in Special Condition 6(b), describing the fund amounts available, the amount of funds distributed to each user, the total amount of funds distributed, and all fund actions taken over the course of the preceding year, including the total number of wells rehabilitated and how each well was rehabilitated (for example, whether the well was deepened or the pump was lowered). The annual report must be submitted by January 31 following each year that the fund is in place.

**ADDRESSING POTENTIAL LONG-TERM IMPACT:**

- e) The permittee must work to expeditiously and thoroughly plan for the timely provision of surface water or other water alternatives, such as reuse water, as a replacement for the Floridan aquifer groundwater withdrawals authorized by this permit, the construction of all infrastructure necessary to deliver quantities of such alternative sourced water to the Bryan County Mega-Site and associated developments sufficient to replace the groundwater withdrawals authorized under this permit, and the funding sources necessary to deliver and utilize the alternative sourced water. This provision of surface water or other water alternatives, or a combination thereof, and the construction and operation of all infrastructure necessary to use the alternative water supply source(s) must be accomplished within 25 years of the date of this permit. Such planning will require ensuring surface water (or other alternative sourced water) sufficient to provide for the water needs of the Bryan County Mega-Site and the existing and future water needs of any additional industrial, commercial, and residential growth which may occur in the Bryan County Mega-Site area.
- f) The Floridan aquifer groundwater withdrawals authorized by this permit must be reduced in equal quantity to the amount of alternate water capacity available upon completion and operation of the necessary infrastructure to deliver surface water or other non-Floridan aquifer alternative water to the Bryan County Mega-Site and associated developments. This shall mean that at the end of the 25 years from this permit issuance, the permittee shall have fully replaced the groundwater withdrawal from these two permitted wells by surface water or an alternative water source. Prior to the end of the 25 year period, the permittee shall have the right to submit an application to modify the permit and EPD will review and consider the request in compliance with Georgia law at the time of the application.
- g) Any future request to drill new Floridan aquifer wells away from the Savannah Cone of Depression (such as farther west or north) and then transfer or move any of the already issued permitted groundwater limits contained in this permit must comply with all EPD groundwater policy and permitting requirements and practices in place at the time of such an application or proposal and receive formal EPD approval.

**6) SPECIAL CONDITIONS (Continued)**

- h) The permittee must submit an initial written report to EPD within six months of the issuance of this permit, before the first use of the groundwater wells. This report may be a joint report from Bryan County and Bulloch County. This initial report must be made readily available on the permittee's website for the public.
1. This initial report must include:
    - i. Candidate surface water alternatives;
    - ii. Candidate other alternative sources of water;
    - iii. An initial prioritization and delineation of these alternate resources in terms of ready deliverability;
    - iv. An initial prioritization of what specific areas will be served by these non-Floridan Aquifer groundwater alternative water sources;
    - v. Provide an itemization of the potential goals and milestones for this source water transition;
    - vi. The potential funding mechanisms for planning and implementation efforts for the development and delivery of alternate sources, as listed below.
- i) Following the initial report, the permittee must submit an annual written report to EPD. The annual report must be submitted by January 31 of the following year for each year that the permitted wells are operational. The annual report must be made available on the permittee's website to the public and must include:
1. A demonstration of progress to develop sufficient funding sources to pay for the transition to surface water or other alternative water sources.
  2. A list of meetings or discussions addressing the construction of infrastructure necessary for the delivery and use of alternative water sources.
  3. A copy of any fully executed contractual document necessary for the delivery and use of an alternative water source.
  4. A demonstration of the extent of completion of construction and operation of the delivery of an alternative water source and the commensurate reduction in Floridan aquifer groundwater withdrawals to date.
  5. An updated timetable for the construction and operation of the delivery and use of alternate water sources, and the commensurate reduction of Floridan aquifer groundwater withdrawals to be accomplished within 25 years of the date of this permit.