

October 10, 2018

Mr. James Skinner, General Manager  
Eagles Ridge Golf Course  
122 WM Cemetery Road  
Curwensville, PA 16833-8635

Re: Notice of Transfer of Approval;  
from Kratzer Run Development, LLC, t/a Eagles Ridge Golf Club  
to Coal Mountain Development and Recreation LLC, d/b/a Eagles Ridge Golf Course;  
Ferguson Township, Clearfield County, Pennsylvania;  
Commission Docket No. 20080613

Dear Mr. Skinner:

The Susquehanna River Basin Commission (Commission) received a Request for Transfer of Approval (Commission Form #86) on June 4, 2018, for Commission Docket No. 20080613. Commission Form #86 indicated the change in ownership was effective March 15, 2018, from Kratzer Run Development, LLC, t/a Eagles Ridge Golf Club to Coal Mountain Development and Recreation LLC, d/b/a Eagles Ridge Golf Course (Eagles Ridge Golf Course). Upon review of the project and the submitted request for transfer, it was determined that the request is in compliance with the regulations and consistent with 18 CFR § 806.6(a). Therefore, the approval listed above is hereby transferred effective October 10, 2018.

A copy of the above-referenced approval is available on the Commission's Water Application and Approval Viewer (WAAV) at [mdw.srbc.net/waav](http://mdw.srbc.net/waav).

Please note that Eagles Ridge Golf Course may operate under the terms and conditions of the transferred approval not inconsistent with the conditions of this transfer, provided that:

1. Eagles Ridge Golf Course submits an updated, comprehensive metering plan to the Commission for review and approval by Commission staff that accounts for all withdrawals and consumptive use associated with this approval by January 8, 2019.
2. In accordance with the Commission's Regulatory Program Fee Schedule, the facility is subject to the Annual Compliance and Monitoring fee (ACMF). The ACMF is contained in the Regulatory Program Fee Schedule adopted annually by the

Commission. The ACMF will be invoiced separately and may be modified over the term of the transferred approval.

Please be advised that this transfer is contingent upon compliance with all provisions of the Susquehanna River Basin Compact (Compact), as well as the Commission's rules, regulations, approvals, conditions of approval, and any other requirements of the Commission. It is your obligation to fulfill all conditions of this approval within the specified time limits and provide written notification to the Commission, as appropriate, and comply with all conditions set forth therein. Failure to meet any term or condition within the specified time may subject you to enforcement action and imposition of civil penalties pursuant to 18 CFR Part 808, Subpart B, and Section 15.17 of the Compact. Penalties range from \$50 to \$1,000 per day, per condition (which includes exceeding approved quantities), with every day being a separate offense.

Pursuant to 18 CFR § 808.2 relating to administrative appeals, an appeal to this action must be made to the Commission within 30 days of receipt of this notice. All appeals must be made in writing on the Commission's Notice of Appeal form and conform to the requirements of 18 CFR § 808.2. Pursuant to 18 CFR § 808.2(i), an appeal made under this section stays the commencement of the 90-day appeal period contained in Section 3.10(6) of the Compact.

Should you have any questions, please contact Todd Eaby, Manager of Project Review, at (717) 238-0423, extension 1234, or via e-mail at [teaby@srbc.net](mailto:teaby@srbc.net).

Sincerely,



Andrew D. Dehoff  
Executive Director



# SUSQUEHANNA RIVER BASIN COMMISSION

1721 North Front Street • Harrisburg, Pennsylvania 17102-2391

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**Docket No. 20080613**

**Approval Date: June 12, 2008**

## **KRATZER RUN DEVELOPMENT, LLC T/A EAGLES RIDGE GOLF CLUB**

Surface Water Withdrawal (Peak Day) of up to 0.099 mgd  
from a Storage Pond in the Headwaters of an Unnamed Tributary to Watts Creek,  
and Consumptive Water Use (Peak Day) of up to 0.099 mgd,  
for Golf Course Irrigation,  
Ferguson Township, Clearfield County, Pennsylvania

### **Review Authority**

This project is subject to review pursuant to Article 3, Section 3.10, of the Susquehanna River Basin Compact (Compact), P.L. 91-575, 84 Stat. 1509 et seq., and Susquehanna River Basin Commission (Commission) Regulation §806.4, relating to projects requiring review and approval. The Commission received the surface water withdrawal and consumptive water use applications on January 25, 2008, and additional information on April, 28 2008.

### **Description**

**Purpose.** The purpose of the application is to request approval for a surface water withdrawal and the consumptive use of that water for irrigation of greens, tees, and fairways at an existing 18-hole golf course.

**Location.** The project is located in the West Branch Susquehanna Subbasin, HUC 02050201, Clearfield Creek Watershed, Ferguson Township, Clearfield County, Pennsylvania.

**Project Features.** The project sponsor has requested approval for consumptive use up to 0.099 million gallons per day (mgd), and a maximum daily withdrawal of up to 0.099 mgd from an on-site spring-fed storage pond located in the headwaters of an unnamed tributary to Watts Creek. The project sponsor reports its maximum average 30-day consumptive use to be 0.040 mgd and peak day consumptive use to be 0.073 mgd.

Specific location information concerning discrete water-related project features has been withheld for security reasons.

The golf course was constructed in 1977 as an 18-hole golf course. Installation of the current irrigation system was completed in 1992. The current owners, Kratzer Run Development, LLC, purchased the golf course in August 2006, and changed the name from Grandview Golf Course to Eagles Ridge Golf Club.

The spring-fed storage pond was constructed as part of the original golf course development in 1977. The pond has a surface area of approximately 2.95 acres, is approximately 21 feet deep, and has an estimated capacity of 20.2 million gallons of water, when full.

The sources of water for the storage pond are springs reportedly within the footprint of the pond excavation and runoff from the adjacent upland areas. Water is withdrawn from the pond to supply the golf course's irrigation system. The withdrawal is currently metered at the point of taking. The maximum pumping rate of the irrigation system is limited by the intake pump, which has a reported maximum pumping rate of 600 gallons per minute (gpm). An outflow pipe has been placed in the downgradient corner of the pond to allow minimum flows to pass through the pond to meet previous passby requirements.

### **Findings**

The project is subject to Commission approval, monitoring, and reporting requirements as per Commission Regulations §806.4, §806.22, §806.23, and §806.30.

All water evaporated and withdrawn from the storage pond and used for golf course irrigation is considered to be used consumptively. Water evaporated from the pond will be calculated by the project sponsor employing a methodology acceptable to the Commission. The irrigation system is equipped with a meter that measures the daily quantity of water withdrawn from the pond at the point of taking.

The project sponsor is required to electronically report the daily quantity of water consumptively used at the golf course to the Commission quarterly, as specified in Commission Regulation §806.30(b)(1).

Should the proposed accounting procedure fail to accurately measure the project's consumptive water use, the Commission reserves the right to modify the metering, monitoring, and accounting procedures. Commission staff will provide the project sponsor with written notice of any required change in the metering, monitoring, and accounting procedures.

The project's requested consumptive use of water for irrigation is subject to consumptive use mitigation requirements, as per Commission Regulation §806.22. To satisfy these requirements, the project sponsor proposes to make quarterly payments to the Commission to mitigate its consumptive water use.

The project sponsor has requested a consumptive water use approval of up to 0.099 mgd. Based on the irrigation records supplied by the project sponsor, Commission staff is recommending approval of the requested amount. Should the project's future consumptive water use be expected to exceed 0.099 mgd, the project sponsor must apply for a modification to this docket.

The project sponsor has requested a withdrawal of up to 0.099 mgd at a maximum instantaneous pumping rate of 600 gpm. Commission staff is recommending approval of the requested quantity and rate. A meter is in place to quantify the withdrawal and the project sponsor should keep daily records of its withdrawal. These data should be electronically reported to the Commission quarterly, as specified in Commission Regulation §806.30(b)(1).

The project's sole source of water for the irrigation system is the surface water withdrawal from the on-site spring-fed storage pond. Overflow from the pond discharges to an unnamed tributary to Watts Creek, which flows to Little Clearfield Creek, both of which are classified as high quality, cold water fisheries (HQCWF) (Title 25, Chapter, 93, Pennsylvania Code).

Commission staff, based on flow data from a gage on the West Branch of the Susquehanna River at Bower, Pennsylvania, has determined the 7-day, 10-year low flow (Q7-10 flow) in the unnamed tributary to Watts Creek at the point of taking to be 0.0043 cubic feet per second (cfs) or 1.93 gpm, and the average daily flow to be 0.1763 cfs or 79.13 gpm. The proposed maximum instantaneous rate of withdrawal (600 gpm) is greater than 10 percent of the Q7-10 of the unnamed tributary and, therefore, a passby flow is required to protect aquatic resources and downstream users.

Based on the project's classification, its geographic location in the watershed, and the anticipated associated fishery of brown trout and combined species of fish, Commission staff used the Instream Flow Incremental Methodology (SRBC Publication No. 191, May 1998) to determine the appropriate passby flow requirement. Commission staff has determined a minimum flow of 33 percent of the annual average daily flow (ADF), or 19.78 gpm, is required to prevent loss of aquatic habitat. Commission staff recommends that a release be maintained from the storage pond equal or greater to 19.78 gpm.

Based on the proposed withdrawal and consumptive use, the project sponsor has sufficient storage to meet its irrigation needs and release for approximately 158 days without recharge. Commission staff recommends that the project sponsor upgrade the current passby device that is in place to ensure the release is made throughout the irrigation season and until the pond spills naturally after the irrigation season has ended.

The project is subject to the Commission's water conservation requirements, as per Commission Regulation §806.25(c).

The project sponsor has paid the appropriate application fee pursuant to Commission Regulation §806.16, and in accordance with Commission Resolution No. 2007-07. The project sponsor had provided all proofs of notification as required by Commission Regulation §806.15.

The project is physically feasible and does not adversely influence the present or future use and development of the water resources of the basin.

## Decision

1. The project's surface water withdrawal from a storage pond in the headwater of an unnamed tributary to Watts Creek of up to 0.099 mgd, when available, and the consumptive use of up to 0.099 mgd are approved pursuant to Article 3, Section 3.10, of the Compact.
2. The foregoing findings are hereby adopted and shall be incorporated into and made a part of this decision.
3. The project sponsor shall comply with all Commission regulations, including monitoring and reporting requirements as per Commission Regulation §806.30.
4. The project sponsor shall keep daily records of the consumptive water use and shall provide the results to the Commission quarterly, and as otherwise required. Quarterly monitoring reports shall be submitted on-line within thirty (30) days after the close of the preceding quarter. The daily quantity of water consumptively used shall be the quantity evaporated from the storage pond plus water used for irrigation. Commission staff shall review and approve the method of calculation of evaporative loss from the storage ponds.
5. The project sponsor shall keep daily records of the surface water withdrawal from the headwater pond and shall provide the results to the Commission quarterly, and as otherwise required. Quarterly monitoring reports shall be submitted on-line and are due within thirty (30) days after the close of the preceding quarter. The project sponsor may propose alternative monitoring to the Commission for staff review and approval.
6. The project sponsor shall allow a release to the unnamed tributary to Watts Creek at the downstream edge of the headwater pond of not less than 0.0041 cfs (19.78 gpm). The project sponsor shall upgrade the existing passive device that insures the outflow of the pond, and shall certify to the Commission that the upgrade is complete. The release system shall be kept fully functional and free of debris. The Commission reserves the right to inspect the release system at any time.
7. To satisfy the Commission's current mitigation requirements for consumptive water use set forth in Commission Regulation §806.22, the project sponsor shall make quarterly payments to the Commission based on the rate of \$0.14 per 1,000 gallons of the water consumptively used by the project. The daily quantity of water consumptively used shall be the quantity of water evaporated from the storage pond plus water pumped to the irrigation system. Quarterly payments are due and payable within thirty (30) days after the close of the preceding quarter. The rate of payment, after appropriate notice to consumptive users of water using this method of compliance, is subject to change at the Commission's discretion.
8. The project sponsor shall maintain any meters or other measuring devices approved by the Commission, accurate to within five (5) percent, so as to provide a continuous, accurate record of withdrawals and uses, and certify to the Commission once every five (5) years, or as otherwise requested, the accuracy of all measuring devices and methods to within five (5) percent of actual flow.

9. The project sponsor shall comply with the water conservation requirements specified in Commission Regulation §806.25(c).

10. To satisfy the Commission's registration requirement, the project sponsor shall register with the Pennsylvania Department of Environmental Protection all surface water and groundwater sources described in this docket in accordance with the Pennsylvania Water Resources Planning Act (Pennsylvania Act 220).

11. Commission approval shall not be construed to exempt the project sponsor from obtaining all necessary permits and/or approvals required for the project from other federal, state, or local government agencies having jurisdiction over the project. The Commission reserves the right to modify, suspend, or revoke this action if the project sponsor fails to obtain or maintain such approvals.

12. If the project sponsor fails to comply with the provisions of the Compact or any rule, regulation, or order of the Commission, or any term or condition of this docket, the project is subject to enforcement actions pursuant to Commission Regulation §808.

13. The Commission reserves the right to reopen any project docket or issue such additional orders, as may be necessary, to mitigate or avoid adverse impacts or otherwise to protect public health, safety, welfare, or the environment.

14. Commission approval confers no property rights upon the project sponsor. The securing of all rights necessary and incident to the project sponsor's development and operation of the project shall be the sole and exclusive responsibility of the project sponsor, and this approval shall be subject thereto.

15. This approval is effective until June 12, 2023. As specified in Commission Regulation §806.31(e), if the project sponsor submits a renewal application no later than December 12, 2022, the existing approval shall be deemed extended until such time as the Commission renders decision on the application.

16. If the project is discontinued for such a period of time and under such circumstances that an abandonment of the project may reasonably be inferred, the Commission may rescind the approval of the project unless a renewal is requested by the project sponsor and approved by the Commission.

By the Commission:

Dated: June 12, 2008

A handwritten signature in dark ink, appearing to read "Susan K. Weaver", is written over a horizontal line.

Susan K. Weaver, Chair  
Pennsylvania Commissioner