



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20240309

Approval Date: March 14, 2024

GOLF ENTERPRISES, INC.

FACILITY: VALLEY GREEN GOLF COURSE

**Consumptive Use (30-Day Average) of up to 0.099 mgd
from Fishing Creek and Public Water Supply**

Section 1. Approval

After review of the record, including the technical findings of Susquehanna River Basin Commission (Commission) staff, the Commission has determined that no significant adverse impacts are anticipated by the operation of this project as described and conditioned herein, the project is physically feasible, and does not conflict with or adversely affect the Commission's Comprehensive Plan. Accordingly, the Commission hereby approves renewal of the project described herein in accordance with the conditions set forth below.

This approval is a renewal of the project which was previously approved by Commission Docket No. 20021019 on October 10, 2002, and modified June 13, 2007, December 20, 2018, and April 30, 2020, as Commission Docket Nos. 20021019-1, 20021019-2, and 20021019-3, respectively. The project sponsor requested a reduction of the surface water withdrawal quantity, a reduction of the consumptive use quantity, a change to consumptive use from a peak day basis to a 30-day average basis, and a change to consumptive use mitigation method by use of storage and discontinuance. Commission staff recommended that the project be approved as requested.

The project utilizes public water supply from Veolia Water Pennsylvania, Inc. for potable/sanitary water uses. The project previously used an on-site well for potable/sanitary purposes but no longer utilizes the well in any form.

Commission staff has coordinated with the Pennsylvania Department of Environmental Protection (PADEP), the Department of Conservation and Natural Resources (DCNR), and the Pennsylvania Fish and Boat Commission (PFBC) during review of this project.

Section 2. Project Information

Information concerning the project sponsor, water use type, and location are set forth in the table below.

Project Information	
Project Sponsor:	Golf Enterprises, Inc.
Facility:	Valley Green Golf Course
Approval Type:	Consumptive Use
Previous Docket Nos:	20021019, 20021019-2, and 20021019-3
Authorized Water Use Purpose:	Golf Course Irrigation and Related Incidental Uses
Municipality:	Newberry Township
County:	York County
State:	Pennsylvania

Section 3. Approved Consumptive Use Quantities and Limitations

The consumptive use approved hereunder is subject to the quantitative limits and restrictions set forth in the table below.

Approved Consumptive Use Quantities and Limitations	
Sources for Project Consumptive Use:	1. Fishing Creek 2. Public Water Supply – Veolia Water Pennsylvania, Inc.
30-Day Average Consumptive Use Amount (mgd):	0.099 (Not to Exceed)
Authorized Project Consumptive Uses:	1. Golf Course Irrigation 2. Related Incidental Uses
Consumptive Use Mitigation Type:	Utilize Storage and Discontinuance (see Special Condition 18)
mgd – million gallons per day	

The consumptive use is also subject to all other conditions set forth in this docket approval.

Section 4. Under Threshold Withdrawals

The surface water withdrawal from Fishing Creek will be operated below the Commission's regulatory threshold; therefore, the withdrawal does not require separate application or Commission review and approval if the withdrawal remains below 0.100 mgd (consecutive 30-day average). The project sponsor may continue withdrawal from the surface water source below 0.100 mgd, maximum consecutive 30-day average, in support of uses identified in Section 3, without Commission review and approval. Operation of the withdrawal at or above 0.100 mgd (consecutive 30-day average), individually or in combination with other withdrawal sources, will require prior review and approval in accordance with Special Condition 19.

Evaluation of the below threshold withdrawal from Fishing Creek has been considered in conjunction with review of this consumptive use renewal. Considering the project setting and

identified resource limitations, and in accordance with 18 CFR § 806.4(a)(1) and § 806.23, appropriate withdrawal limitations are being maintained with this renewal as provided below.

Withdrawal Limitations		
Flow Protection Type:		Seasonal passby expressed as monthly values
Method for Monitoring Flow Protection:		Off-site monitoring of USGS Real-Time Gage 01574000; West Conewago Creek near Manchester, Pennsylvania
Passby Schedule:		
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs) *</i>
December to June	2.2	130
July to November	1.3	80
USGS – U.S. Geological Survey 1 cubic foot per second (cfs) = 448.8 gallons per minute (gpm) * Flow Protection Threshold		

Section 5. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, 18 CFR Parts 801, 806, and 808. This project is subject to the Annual Compliance and Monitoring fee as specified in the Commission’s Regulatory Program Fee Schedule, which may be modified over the term of the approval.

2. The project sponsor shall adhere to the metering plan reviewed and approved by Commission staff. Any modifications proposed for the metering plan shall be submitted for review and, if appropriate, approval by Commission staff in accordance with 18 CFR § 806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan.

3. The project sponsor shall maintain the totalizing meter and other flow and volume measuring devices, accurate to within five (5) percent, so as to provide an accurate record of consumptive 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.

4. The project sponsor shall keep daily records of the project’s withdrawal and consumptive use and shall report the data to the Commission quarterly, and as otherwise required, in the form and manner as prescribed by Commission staff. Quarterly monitoring reports shall be submitted online and are due within thirty (30) days after the close of the preceding quarter. Any alternative measuring, monitoring, or accounting procedure requested by the project sponsor shall be submitted for review and approval by Commission staff in accordance with 18 CFR § 806.30. Modifications shall not be made until the project sponsor receives written approval of the amended

plan. All data collected and submitted as required under this approval shall be maintained by the project sponsor for the duration of the approval and all subsequent renewals.

5. The project sponsor or any other person representing the project sponsor shall allow authorized employees or agents of the Commission, without advance notice, at any reasonable time and upon presentation of appropriate credentials, and without delay, to have access to and to inspect all areas where the project is being constructed, operated, or maintained, or otherwise exercise all investigative powers authorized under 18 CFR § 808.12.

6. In accordance with 18 CFR § 806.30(b)(2), the project sponsor shall report violations of any withdrawal or consumptive use limits and any conditions of this approval within five (5) days of such violation or report loss of measuring or recording capabilities required under 18 CFR § 806.30(a)(1) within five (5) days after any such loss.

7. In accordance with 18 CFR § 806.6, if ownership of the project changes or if the project sponsor undergoes a name change, the project sponsor shall submit application for transfer or reissuance of all approvals to the Commission within ninety (90) days of the change in ownership or project sponsor name change.

8. The project sponsor shall comply with the water conservation requirements specified in 18 CFR § 806.25.

9. This approval is conditioned on the project sponsor maintaining legal access to the withdrawal location for the duration of the approval.

10. The project sponsor shall register with the appropriate agency all water sources described herein, and adhere to reporting requirements as may be required by regulations of the member jurisdiction.

11. If the project sponsor fails to comply with the provisions of the Susquehanna River Basin Compact or any rule, regulation, or order of the Commission, or any term or condition of this docket, the project sponsor is subject to enforcement actions pursuant to 18 CFR Part 808.

12. Commission approval shall not be construed to exempt the project sponsor from obtaining and maintaining all necessary permits and/or approvals required for the project from other federal, state, or local government agencies having jurisdiction over the project. All such permits and/or approvals shall be obtained prior to the withdrawal of water. The Commission may modify, suspend, or revoke this approval if the project sponsor fails to obtain or maintain such permits and/or approvals.

13. The Commission may at any time reopen any project approval 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, pursuant to 18 CFR § 806.32.

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 project is approved for inclusion in the Commission's Comprehensive Plan for the Water Resources of the Susquehanna River Basin.

16. The project sponsor is required to apply for and obtain approval prior to any increase in consumptive use that would exceed the amounts listed herein or to add a source used for consumptive use that is not listed in Section 3.

Section 6. Special Conditions

17. The date of the last meter certification was July 27, 2022; therefore, the next meter certification is due no later than July 27, 2027. Certification of meter accuracy shall be provided to the Commission no less frequent than once every five (5) years from the date of the last certification.

18. The project's consumptive use is subject to mitigation requirements, as per 18 CFR § 806.22(b). Consistent with Section 3, mitigation requirements for consumptive use at the project are outlined below:

- a. To satisfy the Commission's mitigation requirements for consumptive use by using storage and discontinuance during a Commission-designated low flow period in accordance with 18 CFR § 806.22(b)(i) and (iii), the project sponsor shall adhere to the consumptive use mitigation plan reviewed and approved by Commission staff. Prior to any modifications of the consumptive use mitigation plan, the project sponsor shall contact Commission staff to determine appropriate application requirements for submittal for review and, if appropriate, approval prior to undertaking such modification(s).
- b. In any case of the project's failure to adhere to the mitigation plan for the consumptive use mitigation requirements described in Section 3 and Special Condition 18(a), in addition to any compliance action under 18 CFR Part 808, the project sponsor shall provide mitigation in the form of payment of the mitigation fee for the calendar year in which such failure occurs, and the Commission will reevaluate the continued acceptability of the method of mitigation. The payment of consumptive use mitigation fees shall be calculated by applying the rate from the effective Regulatory Program Fee Schedule, as modified from time to time by the Commission, for every day in the calendar year in which water was consumed if the foregoing were to occur. The rate of payment using this method of compliance is subject to change at the Commission's discretion.

19. The project sponsor is required to apply for and obtain approval prior to any increase in withdrawals from Fishing Creek that would be equal to or exceed 0.100 mgd (consecutive 30-day average) individually or in combination with any other withdrawal sources.

20. Effective April 1, 2024, the project sponsor shall reduce withdrawals to no more than 20,000 gallons per day (gpd) from the approved source when streamflow, as measured at the U.S. Geological Survey stream gage specified in Section 4, is less than the applicable flow protection threshold specified in Section 4, and shall not reinstate withdrawals until the streamflow has remained above such flow protection threshold for 48 hours.

21. The project sponsor shall, on a daily basis, collect and record streamflow as measured at the U.S. Geological Survey stream gage specified in Section 4, and shall report the data to the Commission quarterly, and as otherwise required, in the form and manner as prescribed by Commission staff. Quarterly monitoring reports shall be submitted online and are due within thirty (30) days after the close of the preceding quarter. The project sponsor may propose alternative flow monitoring to the Commission for staff review and, if appropriate, approval.

22. Prior to supplying water for any use not authorized pursuant to Sections 2 or 3 of this approval, the project sponsor shall first submit a minor modification application under 18 CFR § 806.18(c)(4) for such new use to the Executive Director. The project sponsor shall not supply water for such use unless and until such authorization is granted, and pursuant to any supplemental terms and conditions contained in such approval.

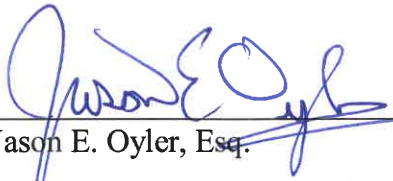
Section 7. Term

23. This approval shall be effective April 1, 2024, and shall remain effective until March 31, 2039. As specified in 18 CFR § 806.31(e), if the project sponsor submits an application on or before September 30, 2038, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

24. Commission Docket Nos. 20021019, 20021019-2, and 20021019-3 shall remain effective through March 31, 2024, whereupon they shall expire.

CERTIFICATION: I, Jason E. Oyler, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on March 14, 2024.

Dated: March 15, 2024



Jason E. Oyler, Esq.