



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20021010

Approval Date: October 10, 2002

TOFTREES RESORT AND CONFERENCE CENTER

Consumptive Water Use of Up to 0.270 mgd, for Golf Course Irrigation,
Patton Township, Centre County, Pennsylvania

Review Authority

This project is subject to review pursuant to Article 3, Section 3.10 of the Susquehanna River Basin Compact, P.L. 91-575, and Commission Regulation §803.4, relating to projects requiring review and approval, and §803.42, relating to the consumptive use of water. The Commission received the application on August 21, 2000.

Description

Purpose. The purpose of the application is to request approval for the consumptive use of 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 02050204, Spring Creek Watershed, Patton Township, Centre County, Pennsylvania.

Project Features. The project sponsor has requested approval for a maximum daily consumptive use of water of up to 0.270 million gallons per day (mgd). The project sponsor calculates the project's maximum average 30-day consumptive water use to be 0.137 mgd and current peak-day consumptive water use to be 0.237 mgd. The primary water source is treated sewage effluent from The Pennsylvania State University (Penn State).

The project opened in 1968 as an 18-hole golf course. As part of the original project, the project sponsor utilized an existing natural pond for irrigation water storage. The total acreage of the storage pond is approximately 7.1 acres, with an average depth of approximately 5 feet. Based on these dimensions, Commission staff has calculated a total capacity of approximately 11.6 million gallons of water when full. The project sponsor has sufficient storage on-site to meet the project's irrigation demands for approximately 84 days, based on the documented maximum 30-day average use of 0.137 mgd.

The storage pond is filled with water primarily from treated sewage effluent from Penn State and the pond is maintained full at all times. Water is pumped from the storage pond to the golf course using an irrigation system equipped with a totalizing meter.

Findings

The project is subject to Commission approval and reporting requirements, as per Commission Regulation §803.42.

All water withdrawn from the storage pond and used for golf course irrigation is considered to be used consumptively. The irrigation system is equipped with a meter that measures the quantity of water pumped to the system.

Commission staff has agreed to the project sponsor's calculated pre-1971 consumptive water use of 0.052 mgd for the project and, for purposes of this docket, this quantity of water is considered "grandfathered" and is exempt from water compensation requirements.

The project sponsor has requested a consumptive water use approval of up to 0.270 mgd. Based on an analysis of irrigation records supplied by the project sponsor, Commission staff is recommending approval of the requested amount, which represents an increase of approximately 14 percent above the current peak-day use of 0.237 mgd. This will allow for an anticipated increase in water usage over the 25-year duration of this approval. Should the project's future consumptive water use exceed or be expected to exceed 0.270 mgd, the project sponsor must apply for a modification to this docket at that time.

The project's consumptive use of water in excess of the grandfathered quantity is subject to water compensation requirements, as per Commission Regulation §803.42. To satisfy these requirements, the project sponsor proposes to use its own storage during low flow periods. Staff has determined that the quantity of storage is sufficient to supply the golf course during drought conditions. In order for this storage to be an acceptable method of compliance with Commission Regulation §803.42, the project sponsor is limited to using one volume of the storage pond (11.6 million gallons) during periods of low flow and upon notice by the Commission. Commission staff recommends that the U.S. Geological Survey's stream gage 01546400, located on the Spring Creek at Houserville, Pa., be used as a reference gage for this project. Further, Commission staff recommends that the project sponsor limit its use of water to that contained in the storage pond when the streamflow as measured at the U.S. Geological Survey's stream gage 01546400, located on the Spring Creek at Houserville, Pa., is less than 9.7 mgd, or 15.0 cfs, the 7-day 10-year low flow (Q7-10) for the Houserville gage.

The project sponsor will need to maintain sufficient water storage in order to meet the project's demand for irrigation water. Staff recommends that the project sponsor submit documentation to Commission staff of the available on-site storage every five years.

The project is subject to water conservation requirements, as per Commission Regulation §804.20(c).

The project sponsor has elected to pay the application fee in installments, pursuant to Commission Regulation §803.28 and in accordance with Commission Resolution 98-19, as amended by Commission Resolution 2000-06. The project sponsor has provided all proofs of notification, as required by Commission Regulation §803.25.

The project is physically feasible, does not conflict with or adversely affect the Commission's Comprehensive Plan, and does not adversely influence the present or future use and development of the water resources of the basin.

Compliance Incentive Program

Commission staff has determined that the project sponsor is eligible to participate in the Commission's Compliance Incentive Program (CIP). Therefore, the project sponsor would not be subject to penalties for water consumed in violation of Commission Regulation §803.42 prior to January 1, 2001.

Decision

The project's consumptive use of water of up to 0.270 mgd is approved pursuant to Article 3, Section 3.10 of the Compact subject to the following conditions:

a. The project sponsor shall comply with all Commission regulations, including consumptive water use reporting requirements, as per Commission Regulation §803.42.

b. The project sponsor shall keep daily records of the project's consumptive water use, and shall report the data to the Commission quarterly, and as otherwise required. The daily quantity of water consumptively used shall be the quantity pumped to the irrigation system. The project sponsor shall maintain metering on the irrigation system, accurate to within five (5) percent.

c. The project sponsor shall keep daily records of the project's surface-water withdrawal and shall provide the results to the Commission quarterly, and as otherwise required. The project sponsor also shall keep daily records of readings from the U.S. Geological Survey's stream gage 01546400, located on the Spring Creek at Houserville, Pa., during the irrigation season, and shall provide the results to the Commission quarterly, and as otherwise required.

d. To satisfy the Commission's current compensation requirements for consumptive water use set forth in Commission Regulation §803.42, the project sponsor shall use water stored in the storage pond. The project sponsor shall limit its use of water to that stored in the storage pond, 11.6 million gallons, when the streamflow, as measured at the U.S. Geological Survey's stream gage 01546400, located on Spring Creek at Houserville, Pa., is less than 9.7 mgd, or 15.0 cfs, the calculated Q7-10 for this gage, or upon notice from the Commission during periods of low flow. The project sponsor shall provide the Commission with documentation every five (5) years certifying that sufficient water storage exists in its storage pond.

e. The project sponsor shall comply with the water conservation requirements contained in Commission Regulation §804.20(c).

f. The project sponsor is eligible to participate in the Commission's Compliance Incentive Program. Therefore, the project sponsor is not subject to penalties for its prior noncompliance.

g. The project sponsor may pay the application fee in installments, pursuant to Commission Regulation §803.28 and in accordance with Commission Resolution 98-19, as amended by Commission Resolution 2000-06. The project sponsor has paid two annual installments and shall be invoiced for the balance over the next year.

h. 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.

i. The Commission reserves the right to inspect or investigate the project facility, and the project sponsor shall allow authorized employees or agents of the Commission, without advance notice or a search warrant, 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. Such employees or agents shall be authorized to conduct tests or sampling, to take photographs, to perform measurements, surveys, and other tests, to inspect the methods of construction, operation, or maintenance, to inspect all measurement equipment, to audit, examine, and copy books, papers, and records pertinent to any matter under investigation, and to take any other action necessary to assure that the project is constructed, operated, or maintained in accordance with the terms and conditions of this approval or any other rule, regulation, or order of the Commission.

j. If the project sponsor fails to comply with any term or condition of this docket, the Commission may suspend, modify, or revoke its approval of same, and may impose appropriate fines and penalties. Upon written notice by the Commission, the project sponsor shall have thirty (30) days to correct such noncompliance, unless an alternate period is specified in the notice. Failure to comply within thirty (30) days, or within the alternate period identified in the notice, shall result in a ninety (90)-day suspension of approval of this docket. If the project sponsor fails to address the noncompliance to the satisfaction of the Commission within the suspension period, this approval may be revoked. Nothing herein shall preclude the Commission from exercising its authority to immediately modify, suspend, or revoke this approval where it determines exigent circumstances warrant such action, or from imposing fines and penalties, regardless of the period of noncompliance.

k. 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.

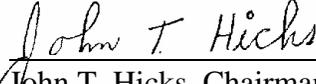
l. Commission approval confers no property rights upon the project sponsor. The securing of all rights necessary and incident to the project sponsor's development and operation of the project shall be the sole and exclusive responsibility of the project sponsor, and this approval shall be subject thereto.

m. This approval is effective until October 10, 2027. The project sponsor shall submit a renewal application by April 10, 2027, and obtain Commission approval prior to continuing operation beyond October 10, 2027.

n. 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: October 10, 2002



John T. Hicks, Chairman
New York Commissioner