



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20030403

Approval Date: April 10, 2003

R.C. RICKARD DEVELOPMENT CORPORATION dba CONKLIN PLAYERS CLUB

Consumptive Water Use of Up to 0.100 mgd, for Golf Course Irrigation,
Town of Conklin, Broome County, New York

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 Regulations §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 February 5, 2001.

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 Upper Susquehanna Subbasin, HUC 02050101, Susquehanna River Watershed, Town of Conklin, Broome County, New York.

Project Features. The project sponsor has requested approval for the consumptive use of water of up to 0.095 million gallons per day (mgd). Based on irrigation data for the years 2001 and 2002 submitted by the project sponsor, Commission staff calculates the project's maximum average 30-day consumptive water use to be 0.081 mgd and current peak-day consumptive water use to be 0.098 mgd. The primary water source is an existing spring-fed pond located on the golf course property.

The project was constructed as an 18-hole golf course, and has been in continuous operation since 1991. Installation of the current irrigation system for the greens, tees, and fairways of the golf course was completed in 1991.

As part of the project, the project sponsor constructed a spring-fed pond that provides for on-site water storage. The pond is approximately 10.2 acres in size, approximately 12 feet deep, and has a total estimated capacity of approximately 39 million gallons of water when full. The project sponsor has sufficient on-site storage to meet the project's irrigation demands for 481 days, based on the maximum average 30-day use of 0.081 mgd.

The sources of water for the storage pond are springs and surface runoff from the adjacent drainage upland area of 0.163 square miles, or 105 acres. Overflow from the pond discharges to an unnamed tributary to the Susquehanna River.

Water is pumped from the pond to the golf course's irrigation system, which is equipped with a flow meter. The maximum pumping rate of the irrigation system is 700 gallons per minute (gpm).

Findings

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

All water evaporated from the storage pond, as well as all water 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 quantity of water pumped to the irrigation system.

The project sponsor has requested a consumptive water use approval of up to 0.095 mgd. Based on an analysis of irrigation records supplied by the project sponsor, Commission staff is recommending approval of 0.100 mgd, which represents an increase of approximately 2 percent above the current peak-day use of 0.098 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 0.100 mgd, the project sponsor must apply for a modification to this docket at that time.

The project's consumptive use of water is subject to water compensation requirements, as per Commission Regulation §803.42. To satisfy these requirements, the project sponsor proposes to use water stored in the on-site pond to maintain a continuous conservation release equal to the 7-day, 10-year low flow (Q7-10 flow). The on-site pond stores an estimated 39 million gallons of water when at full capacity. Commission staff has determined that the quantity of storage is sufficient to supply the golf course during drought conditions and maintain the conservation release.

Overflow from the storage pond discharges to an unnamed tributary to the Susquehanna River. Commission staff has calculated the Q7-10 flow at the point of withdrawal from the storage pond to be 0.009 cubic feet per second (cfs) (4.1 gpm). Commission staff recommends that a conservation release be maintained from the storage pond equal to 4.1 gpm. The storage pond volume should provide approximately 448 days of storage based on a conservation release of 4.1 gpm and a maximum average 30-day consumptive use of 0.081 mgd. Commission staff recommends that the project sponsor install and maintain a passive device or system to ensure that the conservation release of 4.1 gpm is maintained at all times.

The project sponsor will need to maintain sufficient water storage in order to meet the project's demand for irrigation water, as well as provide for the conservation release.

Commission staff recommends that the project sponsor submit documentation to the Commission 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 paid the appropriate application fee 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 called for in 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 water use of up to 0.100 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 of evaporative loss from the storage pond plus the quantity pumped to the irrigation system. The project sponsor shall maintain metering on the irrigation system, accurate to within five (5) percent. Commission staff shall review and approve the method of calculation of evaporative loss from the pond.
- c. 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 its on-site pond to maintain a continuous conservation release equal to the 7-day, 10-year low flow (Q7-10 flow) of 0.009 cfs, or 4.1 gpm. The project sponsor shall modify or replace, as required, the intake structure or otherwise incorporate a passive flow device to provide for the conservation release. The project sponsor shall provide the Commission with documentation every five (5) years certifying that sufficient water storage exists in its on-site storage pond.
- d. The project sponsor shall submit its design and a proposed construction schedule for the passive flow device or system within ninety (90) days from the date of this approval for

review and approval by Commission staff prior to any construction. Following approval, the project sponsor shall complete construction in accordance with the approved schedule and shall certify to the Commission that construction has been completed in accordance with the approved design. The conservation release system shall be kept fully-functional and free of debris.

e. The project sponsor shall comply with the water conservation requirements specified 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. 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.

h. 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.

i. 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.

j. 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.

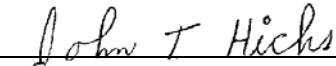
k. Commission approval confers no property rights upon the project sponsor. The securing of all rights necessary and incident to the project sponsor's development and operation of the project shall be the sole and exclusive responsibility of the project sponsor, and this approval shall be subject thereto.

l. This approval is effective until April 10, 2028. The project sponsor shall submit a renewal application by October 10, 2027, and obtain Commission approval prior to continuing operation beyond April 10, 2028.

m. 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: April 10, 2003



John T. Hicks, Chairman
New York Commissioner