



# SUSQUEHANNA RIVER BASIN COMMISSION

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**Docket No. 20160610**

**Approval Date: June 16, 2016**

## **SUGAR HOLLOW TROUT PARK AND HATCHERY**

**Groundwater Withdrawal (30-Day Average) of 0.864 mgd  
from the Hatchery Wellfield (Wells 1, 2, and 3)**

### **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 adverse impacts are anticipated by the operation of this project, and that the project is physically feasible and does not conflict with or adversely affect the Commission's Comprehensive Plan. Accordingly, the Commission hereby approves the renewal of the project described herein in accordance with the conditions set forth below.

On September 16, 2010, Commission Docket No. 20100913 was approved authorizing the 30-day average withdrawal of 0.864 million gallons per day (mgd) from the Hatchery Wellfield (Wells 1, 2, and 3) for hatchery operations and the bulk sale of 0.400 mgd of hatchery effluent water. On December 15, 2011, the project was modified as Commission Docket No. 20100913-1 approving bulk sale for the entire withdrawal quantity. On March 11, 2014, Sugar Hollow Trout Park and Hatchery submitted an application to the Commission requesting renewal of the withdrawal from the Hatchery Wellfield. The project sponsor requested that the project be renewed without special flow protection requirements. Commission staff recommended approval of the withdrawal at the requested rate and that special flow protection requirements be modified to reflect current policy. This approval incorporates those recommendations.

Commission staff has coordinated with the Pennsylvania Department of Environmental Protection (PADEP) 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.

<b>Project Information</b>	
<b>Project Sponsor:</b>	Sugar Hollow Trout Park and Hatchery
<b>Approval Type:</b>	Groundwater Withdrawal
<b>Original Docket No.:</b>	20100913

Project Information (continued)	
<b>Authorized Water Use Purpose:</b>	Hatchery Operations (trout rearing); Bulk Supply for Hydrocarbon Development and Related Incidental Uses; Hydrostatic Testing and Dust Control associated with Natural Gas Pipeline Construction; and Dust Control associated with Road Construction
<b>Municipality:</b>	Eaton Township
<b>County:</b>	Wyoming County
<b>State:</b>	Pennsylvania

### Section 3. Source Information

Information concerning the source of water from which the withdrawal will be made is set forth in the table below.

Source Information	
<b>Withdrawal Type:</b>	Groundwater
<b>Approved Source:</b>	Hatchery Wellfield (Wells 1, 2, and 3)
<b>Subbasin:</b>	Middle Susquehanna
<b>Watershed Boundary Dataset (WBD):</b>	0205010613 (Bowman Creek)
<b>Withdrawal Location (degrees):</b>	Lat: 41.474083 N      Long: 75.999333 W
<b>Site Flow Statistics (cfs)†:</b>	Q7-10 = 4.0; Average Daily Flow = 131
<b>Wild Trout Classification†:</b>	High Quality-Cold Water Fishery (HQ-CWF) with Naturally Reproducing Wild Trout
<b>Impairment†:</b>	Attaining Designated Use
<b>Drainage Area (square miles)†:</b>	89.5
<b>Aquatic Resource Class*†:</b>	3
<b>Special Flow Protection Required:</b>	Yes
cfs – cubic feet per second	
* Refer to Commission Policy No. 2012-01 (Low Flow Protection Policy Related to Withdrawal Approvals).	
† Based on the anticipated point of impact to surface water.	

### Section 4. Aquifer Testing

The project sponsor requested that the constant-rate aquifer testing required by Commission Regulation 18 CFR § 806.12 for groundwater withdrawals be waived. In support of the aquifer testing waiver request, the project sponsor provided the required groundwater availability analysis, results of aquifer tests completed in 2009 and 2013, as well as historic operations data. The requested withdrawal rate is supported by the aquifer testing data and operational data.

Commission staff finds that the withdrawal from the Hatchery Wellfield (Wells 1, 2, and 3) at the requested withdrawal rate should not cause permanent loss of aquifer storage, render competing supplies unreliable, or cause adverse impacts to the water resources of the basin, subject to the conditions set forth below. Therefore, the aquifer testing requirements for the Hatchery Wellfield are hereby waived.

**Section 5. Approved Withdrawal Quantities and Limitations**

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

<b>Approved Withdrawal Quantities and Limitations</b>		
<b>30-Day Average Withdrawal (mgd):</b>	0.864	
<b>Maximum Instantaneous Withdrawal Rate (gpm):</b>	600 (Not to Exceed)	
<b>Peak Day Withdrawal (mgd):</b>	0.864	
<b>Flow Protection Type:</b>	Seasonal passby expressed as monthly values	
<b>Method for Monitoring Flow Protection:</b>	Off-site monitoring of USGS Real-Time Gage 01534000; Tunkhannock Creek near Tunkhannock, Pennsylvania	
<b>Passby Schedule:</b>		
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)*</i>
January	35	156
February	41	183
March	--	--
April	--	--
May	--	--
June	25	115
July	25	115
August	25	115
September	25	115
October	25	115
November	25	115
December	42	186
USGS– U.S. Geological Survey 1 cfs = 448.8 gallons per minute (gpm)	-- – No special flow protection required * Flow Protection Threshold	

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

**Section 6. Existing Approved Withdrawals**

The project does not have existing approved withdrawals.

## **Section 7. Grandfathering Determination – Withdrawals**

The project did not utilize surface water withdrawals prior to November 11, 1995.

The project utilized groundwater withdrawals prior to July 13, 1978. Changes in proposed use with the addition of bulk supply required Commission review and approval of withdrawals. All withdrawals by the project have Commission approval.

## **Section 8. 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 Commission Regulation 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 metering on the withdrawal in accordance with Commission Regulation 18 CFR § 806.30.

4. 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 withdrawals, 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.

5. The project sponsor shall adhere to the groundwater elevation monitoring plan reviewed and approved by Commission staff for the source listed in Section 3. The project sponsor shall notify the Commission, in writing, and submit photographs of the water level monitoring equipment when it has been installed and certify the accuracy of the measuring devices.

6. The project sponsor shall keep daily records of the project's withdrawal and groundwater elevation 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, and any modifications proposed for the groundwater elevation monitoring plan, shall be submitted for review and approval by Commission staff in accordance with Commission Regulation 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.

7. Within sixty (60) days from notice of this approval, the project sponsor shall post an updated sign that meets Commission specifications and displays required project description information. Signage specifications can be found at the Commission's website ([www.srbc.net](http://www.srbc.net)), along with example sign templates for reference. The sign shall be maintained for the duration of the approval. Such sign shall be posted at the point of entry or access to the project facility from a public right-of-way. If there is any restriction to access at such point that would prevent an interested person from legibly viewing such sign, then the project sponsor shall post the sign at the nearest location to such point, along the route of ingress and egress to same, where an interested person would have unrestricted access to legibly view such sign. The project sponsor shall submit photographs as proof of installation of the updated sign.

8. 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 Commission Regulation 18 CFR § 808.12.

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

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

11. The project sponsor shall register with the appropriate agency all groundwater sources described herein, as may be required by regulations of the member jurisdiction.

12. 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 Commission Regulation 18 CFR Part 808.

13. 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.

14. 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 Commission Regulation 18 CFR § 806.32.

15. 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.

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

17. In accordance with Commission Regulation 18 CFR § 806.31(d), if the project is discontinued for such a time and under such circumstances that an abandonment of the project may be reasonably inferred, the Commission may rescind the approval of the project.

18. The project sponsor is required to apply for and obtain approval prior to any increase in withdrawal that would exceed the amounts listed herein.

19. If the Commission determines that the operation of the project's groundwater withdrawal adversely affects any existing groundwater or surface water withdrawal, the project sponsor shall be required to provide, at its expense, an alternate water supply or other mitigating measure.

## **Section 9. Special Conditions**

20. Effective July 1, 2016, the project sponsor shall cease all withdrawals from the approved source and the hatchery effluent when streamflow, as measured at the U.S. Geological Survey stream gage specified in Section 5, is less than the applicable flow protection threshold specified in Section 5, 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 5, 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. All bulk supply shall originate from the existing impoundment and shall not be subject to the restrictions of Special Condition 20.

23. The date of the last meter certification was May 23, 2016; therefore, the next meter certification is due no later than May 23, 2021. 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.

24. Except as authorized pursuant to Special Condition 26, the project sponsor shall only supply water for use in hydrocarbon development to persons who have properly registered this approval pursuant to Commission Regulation 18 CFR § 806.22(f)(12).

25. The project sponsor shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for use in hydrocarbon development, including daily quantities supplied. The project sponsor also shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for uses other than hydrocarbon development authorized pursuant to Special Condition 26, including daily quantities supplied.

26. Prior to supplying water for any use not authorized pursuant to Section 2 of this approval, the project sponsor shall first submit a request for authorization 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 10. Term**

27. This approval shall be effective July 1, 2016, and shall remain effective until June 30, 2020. As specified in Commission Regulation 18 CFR § 806.31(e), if the project sponsor submits an application on or before December 31, 2019, 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.

28. Commission Docket Nos. 20100913 and 20100913-1 shall remain effective through June 30, 2016, whereupon they shall expire.

**CERTIFICATION:** I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on June 16, 2016.

Dated: June 17, 2016

  
Stephanie L. Richardson