



# SUSQUEHANNA RIVER BASIN COMMISSION

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**Docket No. 20200902**

**Approval Date: December 3, 1998**

**Modification Date: August 10, 2000**

**Modification Date: December 4, 2015**

**Modification Date: April 30, 2020**

**Modification Date: September 18, 2020**

## **BYLER GOLF MANAGEMENT, INC. dba IRON VALLEY GOLF CLUB**

**Groundwater Withdrawals (30-Day Averages) of  
0.300 mgd from Well Lb-814 and 0.140 mgd from Well B,  
Total System Withdrawal Limit (30-Day Average) of 0.300 mgd, and  
Consumptive Use (Peak Day) of up to 0.300 mgd from Well Lb-814 and Well B**

### **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 modification of the project described herein in accordance with the conditions set forth below.

This approval is a modification of Commission Docket No. 19981206 that was originally approved December 3, 1998; was modified on August 10, 2000, as Commission Docket No. 19981206-1; was modified December 4, 2015, as Commission Docket No. 19981206-2; and was modified April 30, 2020, as Commission Docket No. 19981206-3.

The project sponsor requested changes to the existing facility's consumptive use mitigation method to implement other alternatives approved by the Commission through use of a source that will not likely exacerbate low flow conditions during Commission-designated low flow periods. No changes to existing sources or quantities were requested as a part of this modification.

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	
<b>Project Sponsor:</b>	Byler Golf Management, Inc. dba Iron Valley Golf Club
<b>Approval Types:</b>	Groundwater Withdrawal and Consumptive Use
<b>Original Docket Nos.:</b>	19981206, 19981206-1, 19981206-2, and 19981206-3
<b>Authorized Water Use Purpose:</b>	Golf Course Irrigation, Snowmaking, and Related Incidental Uses
<b>Municipality:</b>	Cornwall Borough
<b>County:</b>	Lebanon County
<b>State:</b>	Pennsylvania

## Section 3. Source Information

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

Source Information			
<b>Withdrawal Type:</b>	Groundwater		
<b>Approved Sources:</b>	Well Lb-814 and Well B		
<b>Subbasin:</b>	Lower Susquehanna		
<b>Watershed Boundary Dataset (WBD):</b>	0205030508 (Quittapahilla Creek)		
<b>Withdrawal Location (degrees):</b>	Well Lb-814	Lat: 40.265460 N	Long: 76.393381 W
	Well B	Lat: 40.266258 N	Long: 76.394159 W

## Section 4. Aquifer Testing

Commission staff previously determined aquifer testing of Well Lb-814 was unnecessary in the original docket and limited aquifer testing of Well B was adequate for the first modification. Based on previous analysis and considering the project sponsor is not proposing any increases in previously approved withdrawals, Commission staff has determined that no additional aquifer testing is required for this modification.

## Section 5. Approved Withdrawal Quantities and Limitations

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

<b>Approved Withdrawal Quantities and Limitations</b>		
	<b>Well Lb-814</b>	<b>Well B</b>
<b>30-Day Average Withdrawal (mgd):</b>	0.300	0.140
<b>Total System Withdrawal Limit – Well Lb-814 and Well B (30-Day Average) (mgd):</b>	0.300	
mgd – million gallons per day		

The withdrawals are also subject to all other conditions set forth in this docket approval.

### **Section 6. 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.

<b>Approved Consumptive Use Quantities and Limitations</b>	
<b>Sources for Project Consumptive Use:</b>	<ol style="list-style-type: none"> <li>1. Well Lb-814</li> <li>2. Well B</li> </ol>
<b>Peak Day Consumptive Use Amount (mgd):</b>	0.300 (Not to Exceed)
<b>Authorized Project Consumptive Uses:</b>	<ol style="list-style-type: none"> <li>1. Golf Course Irrigation</li> <li>2. Snowmaking</li> <li>3. Related Incidental Uses</li> </ol>
<b>Consumptive Use Mitigation Type:</b>	Implement other alternatives through use of sources that will not likely exacerbate low flow conditions during Commission-designated low flow periods (see Condition 20)

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

### **Section 7. Existing Approved Withdrawals and Consumptive Uses**

The project does not have existing approved withdrawals or consumptive uses.

### **Section 8. Grandfathering Determination – Withdrawals and Consumptive Use**

All withdrawals used by the project and consumptive uses have Commission approval.

### **Section 9. 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 withdrawals and consumptive use, 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 adhere to the groundwater elevation monitoring plan reviewed and approved by Commission staff for the sources listed in Section 3. The project sponsor shall maintain and monitor the accuracy of the measuring devices in accordance with the manufacturer's specifications.

5. The project sponsor shall keep daily records of the project's withdrawals, consumptive use, and groundwater elevations for the sources listed in Section 3, 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 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.

6. 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.

7. In accordance with 18 CFR § 806.30(b)(2), the project sponsor shall report violations of any withdrawal 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.

8. 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.

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

10. This approval is conditioned on the project sponsor maintaining legal access to the withdrawal locations 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 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 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. The project sponsor is required to apply for and obtain approval prior to any increase in withdrawal or consumptive use that would exceed the amounts listed herein or to add a source used for consumptive use that is not listed in Sections 3 or 6.

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

19. If the Commission determines that the operation of the project's groundwater withdrawals adversely affect 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 10. Special Conditions

20. The project's consumptive use is subject to mitigation requirements, as per 18 CFR § 806.22(b). To satisfy the Commission's current mitigation requirements for consumptive use, the project sponsor shall utilize the sources approved above which have been established to not result in impacts to nearby surface waters in a magnitude or in a timeframe that would exacerbate low flow conditions during a Commission-designated low flow period.

21. The date of the last meter certification was April 30, 2019; therefore, the next meter certification is due no later than April 30, 2024. 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.

22. Prior to supplying water for any use not authorized pursuant to Sections 2 or 6 of this approval, the project sponsor shall first submit a request for minor modification 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 11. Term

23. This modified approval shall be effective October 1, 2020, and shall remain effective until December 3, 2023. As specified in 18 CFR § 806.31(e), if the project sponsor submits an application on or before June 3, 2023, 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. 19981206, 19981206-1, 19981206-2, and 19981206-3 shall remain effective through September 30, 2020, whereupon they shall be superseded.

**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 September 18, 2020.

Dated: September 21, 2020



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Jason E. Oyler, Esq.