



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20200909

Approval Date: September 18, 2020

LAKE MEADE MUNICIPAL AUTHORITY

**Groundwater Withdrawal (30-Day Average) of 0.252 mgd from Well 3,
and Total System Withdrawal Limit (30-Day Average) of 0.350 mgd**

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 the project described herein in accordance with the conditions set forth below.

The project sponsor maintains and operates a public water supply system than includes three groundwater sources (Wells 1, 2, and 3), all of which are included in the total system limit. Based on information provided by the project sponsor, no other sources are operated by the project.

The Commission previously approved the groundwater withdrawal of 0.500 million gallons per day (mgd) from Well 3 under Commission Docket No. 19911102. Use of Well 3 was discontinued on October 6, 2010, and the Well 3 approval was rescinded on September 15, 2011, at the request of the project sponsor. The project sponsor has since decided to use Well 3 as a redundant source and submitted a groundwater withdrawal application for Well 3 requesting approval to withdraw 0.252 mgd. This approval authorizes the withdrawal from Well 3 at the requested rate and establishes a total system limit for withdrawals from Wells 1, 2, and 3.

Should demand exceed the total system limit established herein, the project sponsor may request a minor modification in accordance with 18 CFR § 806.18(c)(7) to increase the total system limit, as the total system limit established herein is based on the 15-year projected demand.

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.

| Project Information | |
|--------------------------------------|--------------------------------|
| Project Sponsor: | Lake Meade Municipal Authority |
| Approval Type: | Groundwater Withdrawal |
| Authorized Water Use Purpose: | Public Water Supply |
| Municipality: | Reading Township |
| County: | Adams County |
| State: | 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 | |
|--|------------------------------|
| Withdrawal Type: | Groundwater |
| Approved Source: | Well 3 |
| Subbasin: | Lower Susquehanna |
| Watershed Boundary Dataset (WBD): | 0205030603 (Bermudian Creek) |
| Withdrawal Location (degrees)*: | Lat: -- Long: -- |
| Special Flow Protection Required: | No |
| * Specific location information concerning discrete water-related project features has been withheld for security reasons. | |

Section 4. Aquifer Testing

The constant-rate aquifer testing required by 18 CFR § 806.12 for groundwater withdrawals was completed with prior Commission approval. A 72-hour, constant-rate aquifer test of Well 3 was conducted on May 15 through 18, 2018, pumping at an average rate of 175 gallons per minute (gpm).

Commission staff determined that the withdrawal from Well 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.

Aquifer testing of Well 3 demonstrated the potential for significant adverse impacts to a nearby residential well located at 162 Big Rock Road. Staff recommends that a mitigation plan be implemented to mitigate potential significant adverse impact, as provided in Special

Conditions 21, 22, and 23. The aquifer testing data indicated that pumping of Well 3 may cause the water level in Well 3 to be drawn down below a significant water-bearing zone. To protect the water-bearing zone in Well 3, Commission staff finds that the water level in Well 3 should not be drawn down below 375 feet above mean sea level (AMSL), and recommends that the Well 3 approval be conditioned with a water level restriction prohibiting pumping of Well 3 if the water level in Well 3 is equal to or lower than 375 feet AMSL, as provided in Special Condition 24.

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.

| Approved Withdrawal Quantities and Limitations | |
|--|---------------------|
| 30-Day Average Withdrawal (mgd): | 0.252 |
| Maximum Instantaneous Withdrawal Rate (gpm): | 175 (Not to Exceed) |
| Peak Day Withdrawal (mgd): | 0.252 |
| Total System Withdrawal Limit – Wells 1, 2, and 3 (30-Day Average) (mgd): | 0.350 |

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

On June 27, 2018, pursuant to Subpart E to 18 CFR §§ 806.40-45, the project sponsor submitted a grandfathered water use registration for Wells 1 and 2.

In accordance with 18 CFR § 806.4, the addition of a new source (Well 3) subjects all of the project sponsor's unapproved sources to Commission review and approval. However, because the project sponsor submitted grandfathering registration for Wells 1 and 2, and Well 3 was previously approved, Commission staff recommends that 18 CFR § 806.4(a)(2)(ii) be waived in accordance with Special Condition 25.

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. Within sixty (60) days from the date of this approval, the project sponsor shall submit a comprehensive metering plan to the Commission for review and approval by Commission staff that accounts for all withdrawals listed in Sections 3 and 7 of this approval.

3. Prior to any withdrawal from the source listed in Section 3, the project sponsor shall install and maintain metering in accordance with 18 CFR § 806.30. The project sponsor shall notify the Commission, in writing, and submit photographs of the meter when it has been installed, provide the serial number of the meter, and certify the accuracy of the measuring device to within five (5) percent of actual flow. Withdrawals shall not commence until Commission staff has approved the implementation of the approved metering plan and notified the project sponsor of such approval.

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. Within ninety (90) days from the date of this approval, the project sponsor shall submit a plan to Commission staff for review and approval for the implementation of a groundwater elevation monitoring program in accordance with 18 CFR § 806.30(a)(4). The plan shall include proposed methods for the daily measurement and recording of groundwater elevations in the sources listed in Sections 3 and 7. Following approval, the project sponsor shall execute the plan and complete installation of water level monitoring equipment in accordance with the approved schedule. 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. The project sponsor shall notify the Commission when the monitoring plan has been fully implemented.

6. The project sponsor shall keep daily records of the project's withdrawal and groundwater elevations for the sources listed in Sections 3 and 7, 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.

7. 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.

8. 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.

9. 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.

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

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

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

13. 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.

14. 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.

15. 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.

16. 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.

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

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. 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.

20. 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

21. The submitted residential well mitigation plan is approved. Prior to initiating withdrawals from Well 3, the project sponsor shall execute the approved residential well mitigation plan to mitigate potential impacts to the residential water source (well) on a property located at 162 Big Rock Road. Any changes to the residential well mitigation plan require Commission staff review and, if appropriate, approval.

22. Within thirty (30) days of completing mitigation activities at 162 Big Rock Road, the project sponsor shall submit to the Commission documentation confirming that mitigation activities were completed in accordance with the approved plan. Withdrawals from Well 3 shall not commence until Commission staff responds, in writing, with a determination that mitigation has been completed in accordance with the approved plan.

23. As soon as practicable, the project sponsor shall investigate any complaints of water supply issues at 162 Big Rock Road and shall report its findings and recommendations to the Commission within forty-eight (48) hours of receiving the complaint. Commission staff shall determine if further mitigation of impacts at 162 Big Rock Road is required.

24. To avoid the potential for dewatering a significant water-bearing zone in Well 3, drawdown shall be limited to 375 feet AMSL. Prior to initiating withdrawals from Well 3, the project sponsor shall provide documentation to the Commission that an automatic shutoff switch that ceases withdrawals from Well 3 at the prescribed elevation has been installed.

25. The addition of Well 3 will not be considered a triggering event requiring Commission review and approval of Wells 1 and 2 in accordance with 18 CFR § 806(a)(2)(ii), which is hereby waived. On June 27, 2018, the project sponsor submitted a grandfathered water use registration form under 18 CFR §§ 806.40-45 for Wells 1 and 2. The project sponsor may continue to operate Wells 1 and 2 while the grandfathering registration is pending review. Following Commission issuance of the grandfathering certificate, the project sponsor shall operate Wells 1 and 2 in accordance with the Certificate of Registration issued by the Executive Director.

26. The single meter on the project's grandfathered withdrawals listed in Section 7 is reported as being installed in 2019. Within ninety (90) days from the date of this approval, the project sponsor shall notify the Commission, in writing, and in accordance with 18 CFR § 806.30(a)(2), and provide certification of the accuracy of the measuring device(s) to within five

(5) percent of actual flow for the initial installation of the meter. The project sponsor shall maintain the totalizing meter 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.

27. The project sponsor is required to apply for and obtain approval prior to any increase in withdrawal from grandfathered sources that would exceed the amounts listed in the certificate of registration.

28. In accordance with 18 CFR § 806.4(a)(1)(iv) and § 806.4(a)(2)(v), a change of ownership of the facility or project will forfeit the grandfathered status and subject pre-regulation withdrawals to Commission review and approval.


Section 10. Term

29. The project sponsor has a period of three (3) years from the date of this approval to commence the withdrawal or this approval will automatically expire, unless an extension is requested, in writing, by the project sponsor no later than one hundred twenty (120) days prior to such expiration and approved by the Commission as provided in 18 CFR § 806.31(b).

30. This approval is effective until September 17, 2035. As specified in 18 CFR § 806.31(e), if the project sponsor submits an application on or before March 17, 2035, 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.

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



Jason E. Oyler, Esq.