



# SUSQUEHANNA RIVER BASIN COMMISSION

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**Docket No. 20220317**

**Approval Date: June 12, 2002**

**Modification Date: August 14, 2003**

**Modification Date: April 30, 2020**

**Modification Date: March 18, 2022**

## **SUNSET GOLF CLUB LLC**

Consumptive Water Use of up to 0.310 mgd, for Golf Course Irrigation,  
Oneida Township, Huntingdon 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 Susquehanna River Basin Commission (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 August 23, 2000.

After review of the record, including the technical findings, Commission staff has determined that no significant adverse impacts are anticipated by the modified operation of this project as described and conditioned herein, the project remains physically feasible, and does not conflict with or adversely affect the Commission's Comprehensive Plan. Accordingly, pursuant to 18 CFR § 806.18(e)(2) and in consultation with technical staff, the Executive Director 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. 20020612 that was approved June 12, 2002, and modified on August 14, 2003, and April 30, 2020, as Commission Docket Nos. 20020612-1 and 20020612-2, respectively. The project sponsor has requested changes to the consumptive use mitigation method to use discontinuance in lieu of payment of mitigation fees. Limited paragraphs in the Project Features and Findings sections were deleted and revised for consistency, and Decision Items (b), (c), (d), (m), and (n) were updated to reflect the first, second, and third modifications. All remaining paragraphs and other conditions reflect the original approval.

### **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 Juniata Subbasin, Standing Stone Creek watershed, HUC 02050302, Oneida Township, Huntington County, Pennsylvania.

**Project Features.** The project sponsor has requested approval for the consumptive use of water of up to 0.310 million gallons of water per day (mgd). Commission staff calculates that the project has a maximum average 30-day consumptive use of water of 0.134 mgd and a peak day consumptive water use of 0.212 mgd, but the irrigation system is designed to use up to 0.310 mgd, when available, and the project sponsor states that it has historically used up to 0.310 mgd in a peak day. The primary water source is an existing surface-water withdrawal from Standing Stone Creek.

The project was constructed in 1972 and has been in continuous operation since that time. The golf course has nine ornamental ponds that are not used for irrigation; eight of which receive water from the irrigation system.

Water is pumped from Standing Stone Creek through a 35-horsepower pump [500 gallons per minute (gpm)] to irrigate greens, tees, and fairways. The irrigation of the greens, tees, and fairways began in 1973.

## Findings

The project's irrigation water use is subject to the Commission's consumptive water use approval and reporting requirements as per Commission Regulation §803.42.

All water withdrawn from Standing Stone Creek and used for golf course irrigation is considered to be used consumptively. The irrigation system has a meter that measures the quantity of water pumped to the system. Eight ornamental ponds are also "topped-off" with water that is metered through the irrigation system.

The project sponsor has requested a consumptive water use approval of up to 0.310 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 46 percent above the peak day use in 2001 of 0.212 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 0.310 mgd, the project sponsor must apply for a modification to this docket at that time.

The project sponsor operates a surface-water intake on Standing Stone Creek with no passby flow currently maintained at the site. Standing Stone Creek is classified as a cold-water fishery (CWF) and High Quality Waters (HQ). Commission staff has calculated that the 7-day 10-year low flow (Q7-10) at the site to be 10.25 cubic feet per second (cfs) or 4,600 gpm. Average daily flow (ADF) at the site is calculated by staff to be 144.9 cfs or 65,036 gpm. The surface-water intake has a pump with the withdrawal capacity of 500 gpm. The withdrawal is greater than 10 percent of the Q7-10 flow (1.03 cfs or 462 gpm) at the point of taking, thereby requiring a passby flow to protect aquatic resources and downstream users.

Based on the project's classification as CWF, its geographic location in the watershed and the anticipated associated fishery of brown trout and combined species of fish, Commission staff used the Instream Flow Incremental Methodology (SRBC Publication No. 191, May 1998) to determine the appropriate passby flow requirement. In making this determination, Commission staff also considered the impact of the withdrawal on downstream water users.

The Borough of Huntingdon has a permitted surface-water withdrawal of 4.0 mgd from its intake on Standing Stone Creek, which is located approximately three miles downstream from the project sponsor's intake. In order to protect downstream users and aquatic resources, Commission staff recommends that the project sponsor discontinue its withdrawal when streamflow drops below 4,802 gpm or 10.7 cfs (Q7-10 + 4.0 mgd for Huntingdon).

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

The project sponsor has paid the appropriate application fee in accordance with 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. In accordance with the CIP, payment to the Commission as a method of compensation for the project's consumptive water use shall be effective and applicable to all consumptive water used by the project beginning January 1, 2001.

### **Decision**

The project's consumptive water use of up to 0.310 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 reduce all withdrawals to no more than 20,000 gallons per day (gpd) (peak day) when the streamflow as measured at the Huntingdon Borough Water Works stream gage on Standing Stone Creek near Huntingdon, Pennsylvania, is less than 4,802 gpm or 10.7 cfs, and shall not reinstate withdrawals again until streamflow is above 10.7 cfs. The

project sponsor may propose alternative streamflow monitoring to the Commission for staff review and approval.

c. The project sponsor shall keep daily records of the project's consumptive water use and surface water withdrawal and shall provide the results to the Commission quarterly, and as otherwise required. Quarterly monitoring reports are due within thirty (30) days after the close of the preceding quarter. 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 and surface-water withdrawal, accurate to within five (5) percent. The project sponsor also shall keep daily records of readings from the Huntingdon Borough Water Works stream gage on Standing Stone Creek near Huntingdon, Pennsylvania, or an alternative gage acceptable to Commission staff, during the irrigation season, and shall provide the results to the Commission quarterly, and as otherwise required.

d. The project's consumptive use is subject to mitigation requirements, as per 18 CFR § 806.22(b). Mitigation requirements for consumptive use at the project are outline below:

1. To satisfy the Commission's mitigation requirements for consumptive use by discontinuance during a Commission-designated low flow period, in accordance with 18 CFR § 806.22(b)(1)(iii), the project sponsor shall adhere to the consumptive use mitigation plan reviewed and approved by Commission staff. Any modifications proposed for the consumptive use mitigation plan shall be submitted for review and, if appropriate, approval by Commission staff. Modifications shall not be made until the project sponsor receives written approval of the amended plan.
2. In any case of the project sponsor's failure to adhere to the mitigation plan for the consumptive use mitigation requirements described in Decision Item (d.1), in addition to any compliance action under 18 CFR Part 808, the project shall provide mitigation in the form of payment of the mitigation fee for the calendar year in which such failure occurs, and the Commission will reevaluate the continued acceptability of the method of mitigation. The payment of consumptive use mitigation fees shall be calculated by applying the rate from the effective Regulatory Program Fee Schedule, as modified from time to time by the Commission, for every day in the calendar year in which water was consumed if the foregoing were to occur. The rate of payment using this method of compliance is subject to change at the Commission's discretion.

e. The project sponsor shall comply with Commission water conservation requirements, as per Commission Regulation §804.20(b).

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. In accordance with the CIP, payment to the Commission as a method of compensation for the project's consumptive water use shall be effective and applicable to all

water consumptively used by the project beginning January 1, 2001. The project sponsor shall provide records of its consumptive water use and make a payment to the Commission based on the rate of \$0.14 per 1,000 gallons of water consumptively used during the period from January 1, 2001 until the effective date of this approval. This payment shall be included in the first quarterly payment made by the project sponsor in accordance with the requirements of condition (d) above.

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. 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. 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.

i. The Commission reserves the right to reopen any project docket and make additional orders that may be necessary to mitigate or avoid adverse impacts or otherwise to protect the public health, safety, welfare or the environment.

j. 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.

k. This approval is effective until June 12, 2027. The project sponsor shall submit a renewal application by December 12, 2026 and obtain Commission approval prior to continuing operation beyond June 12, 2027.

l. 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.

m. This project continues to be 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.

n. Commission Docket Nos. 20020612, 20020612-1, and 20020612-2 are hereby superseded.

This modified approval is issued by the Executive Director pursuant to the authority set forth in 18 CFR § 806.18(e)(2) and is effective immediately.

Dated: March 18, 2022



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Andrew D. Dehoff, Executive Director