



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20230611

Approval Date: June 15, 2023

MILTON HERSHEY SCHOOL FACILITY: SPRING CREEK GOLF COURSE

**Consumptive Use (Peak Day) of up to 0.081 mgd
from Spring Creek**

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

This approval is a renewal of the project which was previously approved by Commission Docket No. 20080615 on June 12, 2008. The project sponsor has not requested any changes to the project.

The Commission previously approved the surface water withdrawal of 0.081 million gallons per day (mgd) from Spring Creek and consumptive use of 0.081 mgd with no special flow protection requirements. The withdrawal from Spring Creek is below the Commission's regulatory threshold of 0.100 mgd (30-day average), and continued operation below the withdrawal threshold of 0.100 mgd (30-day average) does not require separate Commission review and approval.

The facility utilizes public water supply for potable/sanitary water uses. Water from the public water supply will not be consumptively used in facility operations and is not subject to Commission review and approval.

Commission staff has coordinated with the Pennsylvania Department of Environmental Protection (PADEP), the Pennsylvania 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	
Project Sponsor:	Milton Hershey School
Facility:	Spring Creek Golf Course
Approval Type:	Consumptive Use
Previous Docket No.:	20080615
Authorized Water Use Purpose:	Golf Course Irrigation and Related Incidental Uses
Municipality:	Derry Township
County:	Dauphin County
State:	Pennsylvania

Section 3. 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.

Approved Consumptive Use Quantities and Limitations	
Source for Project Consumptive Use:	Spring Creek
Peak Day Consumptive Use Amount (mgd):	0.081 (Not to Exceed)
Authorized Project Consumptive Uses:	1. Golf Course Irrigation 2. Related Incidental Uses
Consumptive Use Mitigation Type:	Payment of consumptive use mitigation fee

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

Section 4. Under Threshold Withdrawals

The surface water withdrawal supplying the facility will be operated below the Commission's regulatory threshold; however, the withdrawal quantity is limited to the consumptive use. The project may continue withdrawal from the surface water source at or below 0.081 mgd (peak day), consistent with Special Condition 19, in support of uses identified in Section 3, without separate Commission review and approval.

Evaluation of the withdrawal has been considered in conjunction with review of this consumptive use renewal. The Commission also strongly encourages the collection of daily withdrawal quantities and maintenance of the withdrawal records for the duration of the project. These data will prove invaluable in the course of future regulatory reviews, should they arise.

Section 5. 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. Prior to any consumptive use from the source listed in Section 3, the project sponsor shall install and maintain metering in accordance with 18 CFR § 806.30 and the approved metering plan. 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. Consumptive use 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 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.

5. The project sponsor shall keep daily records of the project's consumptive use, 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 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'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 make quarterly payments to the Commission at the rate specified in the effective Regulatory Program Fee Schedule, as modified from time to time by the Commission. Payments shall be made quarterly and shall be calculated by applying this rate to the total amount of water consumptively used by the project during the preceding calendar quarter. Quarterly payments are due and payable within thirty (30) days after the close of the preceding quarter. The rate of payment, after appropriate notice to consumptive users of water using this method of compliance, is subject to change at the Commission's discretion.

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 and consumptive use 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 surface water 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 consumptive use that would exceed the amounts listed herein or to add a source used for consumptive use that is not listed in Section 3.

Section 6. Special Conditions

19. The withdrawal from Spring Creek shall be limited to no more than 0.081 mgd (peak day) and at a maximum instantaneous withdrawal rate of 129 gallons per minute (gpm).

20. The project sponsor shall adhere to recommendations provided by PFBC for avoiding adverse impact to documented occurrences of a naturally reproducing wild trout population at or in proximity to the project location. The project sponsor shall avoid instream construction, maintenance, and modification of the intake from October 1 through December 31, unless otherwise approved by PFBC, in writing, and submitted to the Commission.

21. Prior to supplying water for any use not authorized pursuant to Sections 2 or 3 of this approval, the project sponsor shall first submit a minor modification application 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.

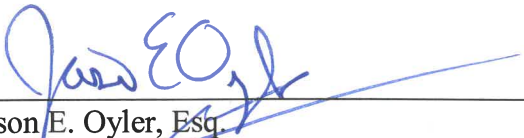
Section 7. Term

22. This approval shall be effective July 1, 2023, and shall remain effective until June 30, 2038. As specified in 18 CFR § 806.31(e), if the project sponsor submits an application on or before December 31, 2037, 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.

23. Commission Docket No. 20080615 shall remain effective through June 30, 2023, whereupon it shall expire.

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 June 15, 2023.

Dated: June 16, 2023



Jason E. Oyler, Esq.