



# SUSQUEHANNA RIVER BASIN COMMISSION

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**Docket No. 20230904**

**Approval Date: September 14, 2023**

## **DILLSBURG AREA AUTHORITY**

**Groundwater Withdrawal (30-Day Average) of 0.460 mgd from Well 7,  
and Total System Withdrawal Limit (30-Day Average) of 0.950 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 renewal of the project described herein in accordance with the conditions set forth below.

The project sponsor maintains and operates a public water supply system that includes five groundwater sources (Wells 1, 3, 4, 5A, and 7), all of which are incorporated into the total system withdrawal limit. According to information provided by the project sponsor, no other sources are used by the project.

On September 12, 2007, the Commission approved the groundwater withdrawal of 0.460 million gallons per day (mgd) from Well 7 under Commission Docket No. 20070907. On March 9, 2022, the project sponsor submitted a groundwater withdrawal renewal application requesting to withdraw 0.460 mgd (30-day average) from Well 7. This approval authorizes continued withdrawals at the requested rate and maintains the total system withdrawal limit established under Commission Docket No. 20190904, consistent with the 15-year projected demand through 2038.

Should demand exceed the total system withdrawal limit established herein, the project sponsor may submit a minor modification application in accordance with 18 CFR § 806.18(c)(7) to request an increase to the total system withdrawal limit, as the total system withdrawal 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	
<b>Project Sponsor:</b>	Dillsburg Area Authority
<b>Approval Type:</b>	Groundwater Withdrawal
<b>Previous Docket No.:</b>	20070907
<b>Authorized Water Use Purpose:</b>	Public Water Supply
<b>Municipality:</b>	Carroll Township
<b>County:</b>	York 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>	Well 7
<b>Subbasin:</b>	Lower Susquehanna
<b>Watershed Boundary Dataset (WBD):</b>	0205030505 (Yellow Breeches Creek)
<b>Withdrawal Location (degrees)*:</b>	Lat: -- Long: --
<b>Special Flow Protection Required:</b>	No
* Specific location information concerning discrete water-related project features has been withheld for security reasons.	

## Section 4. Aquifer Testing

Staff determined that the requirements of 18 CFR § 806.12 were met with prior Commission approval of aquifer testing plans for Well 7 and submittal of the hydrogeological report. A 72-hour, constant-rate aquifer test of Well 7 was conducted on February 21 through 24, 2005, pumping at an average rate of 250 gallons per minute (gpm), and a 48-hour, constant-rate aquifer test of Well 7 was conducted on July 24 through 26, 2007, at an average rate of 320 gpm. Aquifer testing in 2005 and 2007 demonstrated limited drawdown within an adjacent wetland within the floodplain of the Yellow Breeches Creek, which was, and continues to be, classified as a wild trout stream. Well 7 was approved at the tested rate of 0.460 mgd by the Commission and 320 gpm by PADEP, as significant adverse impacts to the wetlands were not expected.

For this renewal, the project sponsor requested that the required interpretive report under 18 CFR § 806.14(d)(2) be considered satisfied by the evaluation completed by Commission staff

under the Public Water Supply Assistance Program (PWSAP). Staff evaluated hydrogeologic setting information, a 2006 baseline wetlands delineation that was provided with the original application, results of historical aquifer tests of Well 7 in 2005 and 2007, historical withdrawal and groundwater elevation data for Well 7 provided by the project sponsor, and a Voluntary Action Plan (Plan) that provided a summary of a groundwater availability analysis, available data, a hydrogeologic evaluation, and renewal options for Well 7. Commission staff evaluated the available hydrogeologic and operational data and found that the existing data provides the necessary support to evaluate potential impacts to other users, impacts to the environment, and the sustainability of the withdrawal at withdrawal rate of up to 0.460 mgd from Well 7 without requiring new testing or additional hydrogeologic evaluation. Accordingly, the Plan provided the project sponsor with an option to accept staff's evaluation of hydrogeological data for Well 7, apply for the quantity consistent with or less than the historical data and rate identified in the Plan (30-day average of 0.460 mgd), and utilize Commission staff's hydrogeologic evaluation to support renewal. The Plan indicated that additional coordination with PADEP would be required regarding the wetlands during historical testing of Well 7. The project sponsor utilized staff's evaluation in support of its renewal application.

Commission staff has coordinated with PADEP regarding the historical testing and monitoring of the wetlands, which PADEP expects to be regulated as Exceptional Value (EV), and the current use of Well 7, which has operated at a maximum 30-day average of 0.335 mgd. PADEP has indicated that it cannot evaluate potential impacts to the wetlands because detailed baseline information has not been collected. Therefore, for verification purposes, Commission staff recommends that the project sponsor be required to complete a current detailed wetland delineation that will serve as the baseline and periodically complete wetland delineations to determine if the form and function of the wetlands change in response to pumping Well 7, as specified in Special Condition 20.

Commission staff determined that the withdrawal from Well 7 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.

## 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	
<b>30-Day Average Withdrawal (mgd):</b>	0.460
<b>Maximum Instantaneous Withdrawal Rate (gpm):</b>	320 (Not to Exceed)
<b>Peak Day Withdrawal (mgd):</b>	0.460
<b>Total System Withdrawal Limit – Wells 1, 3, 4, 5A, and 7 (30-Day Average) (mgd):</b>	0.950

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

## Section 6. Existing Approved Withdrawals

Quantities applicable to the existing approved withdrawals are listed in the table below.

Existing Approved Groundwater Withdrawals			
Source	30-Day Average Withdrawal (mgd)	Commission Docket No.	Docket Expiration Date
Well 1*	0.022	20081206	December 4, 2023
Well 3	0.200	20081207-1	December 4, 2023
Well 4	0.220	20190904	September 30, 2034
Well 5A	0.576	19980703	July 9, 2023
* The project sponsor indicated that Well 1 will not be renewed.			

## Section 7. Grandfathering Determination – Withdrawals

All withdrawals used 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 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 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 Sections 5 and 6. 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 and groundwater elevations for the sources listed in Sections 5 and 6, 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 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 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 that would exceed the amounts listed herein.

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 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. To verify that significant adverse impacts to nearby wetlands will not occur, the project sponsor shall complete a baseline wetland delineation and periodic delineations as follows:

- a. Baseline Wetland Delineation and Report – The project sponsor shall complete a baseline wetland delineation within the 2024 growing season for the wetland(s) north of Well 7 extending to the Yellow Breeches Creek and within a radius of 1,000 feet of Well 7 to identify baseline conditions. The wetland delineation report shall depict and document the extent of the wetland(s), identify vegetation present, describe the wetland hydrology, soil profiles, and provide assessment of the current form and function of the wetland(s).
  - 1) The baseline wetland delineation shall be completed in the 2024 growing season, no earlier than May 1, 2024, and no later than July 31, 2024.
  - 2) The report shall be submitted to the Commission and PADEP, South-central Regional Office, Waterways and Wetlands Program, by December 31, 2024.
- b. Periodic Wetland Delineations – For the duration of the approval, the project sponsor shall complete periodic wetland delineations once every four (4) years between May 1 and July 31 for the wetlands identified in the 2024 baseline wetland delineation report. The periodic delineations shall begin in 2028 and include the following, at a minimum:



- 1) Extent of wetland(s);
  - 2) Vegetation present;
  - 3) Description of hydrology;
  - 4) Soil profile(s); and
  - 5) Assessment of form and value.
- c. Periodic Wetland Delineation Reports – Following completion of the periodic wetland delineations, and by December 31 of each delineation year, with the first periodic report due no later than December 31, 2028, the project sponsor shall submit interpretive reports to PADEP, South-central Regional Office, Waterways and Wetlands Program, and the Commission that includes the following:
- 1) Comparison of periodic delineation(s) to the 2024 baseline delineation, and interpretations of potential changes to wetland(s) extent.
  - 2) Comparison of wetland conditions, vegetation, soils, hydrology, and form and value between periodic delineation and baseline delineation, and interpretations of potential changes.
- d. If PADEP modifies its approval of Well 7, the Commission may modify this approval as appropriate, consistent with Standard Condition 14.

21. The date of the last meter certification for Well 7 was January 14, 2020; therefore, the next meter certification is due no later than January 14, 2025. 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.

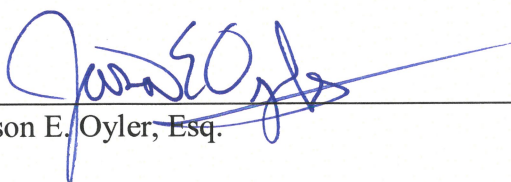
## Section 10. Term

22. This approval shall be effective October 1, 2023, and shall remain effective until September 30, 2038. As specified in 18 CFR § 806.31(e), if the project sponsor submits an application on or before March 31, 2038, 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. 20070907 shall remain effective through September 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 September 14, 2023.

Dated: September 15, 2023

  
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Jason E. Oyler, Esq.