DOCKET NO. D-1999-021 CP-3

DELAWARE RIVER BASIN COMMISSION

Ground Water Protected Area

Lower Providence Township Municipal Authority - The Club at Shannondell
Groundwater Withdrawal
Lower Providence Township, Montgomery County, Pennsylvania

PROCEEDINGS

This docket is issued in response to an Application submitted to the Delaware River Basin Commission (DRBC or Commission) on March 27, 2019 for renewal of an allocation of groundwater and review of a groundwater water withdrawal project (Application) in the Ground Water Protected Area of Southeastern Pennsylvania.

The Application was reviewed for continued in the Comprehensive Plan and for approval under Section 3.8 and for a withdrawal permit under Section 10.3 of the Delaware River Basin Compact. The Montgomery County Planning Commission has been notified of pending action on this docket. A public hearing on this project was held by the DRBC on August 14, 2019.

A. DESCRIPTION

1. **Purpose.** The purpose of this docket is to renew the approval of an existing groundwater withdrawal of up to 3.41 million gallons per month (mgm) to irrigate The Club at Shannondell golf course from existing Wells 1 and 2.

2. **Location.** The project wells are completed in the Stockton Formation and are located in the Mine Run and Schuylkill River Watersheds in Lower Providence Township, Montgomery County, Pennsylvania. Mine Run near the project site is designated by the Pennsylvania Department of Environmental Protection (PADEP) as Trout Stocking Fishes (TSF) and Migratory Fishes (MF). The Schuylkill River near the project site is designated by the PADEP as Warm Water Fishes (WWF) and Migratory Fishes (MF).

   Specific location information has been withheld for security reasons.
3. **Area Served.** Wells 1 and 2 supply water for irrigation at the docket holder’s The Club at Shannondell golf course. For the purpose of defining Area Served, the Application is incorporated herein by reference consistent with conditions contained in the DECISION section of this docket.

4. **Design criteria.** The Club at Shannondell is an 18-hole course situated on approximately 90 acres in Lower Providence Township, Montgomery County, Pennsylvania. Groundwater from existing Wells 1 (Egypt Road Well) and 2 (Rittenhouse Road Well) is used to irrigate 24 acres of tees, greens, and fairways. Water from both wells is piped directly without intermediate storage to the irrigation spray heads.

   The average and maximum demand is 0.053 million gallons per day (mgd) and 0.175 mgd, respectively. The docket holder does not expect an increase in the 10-year average or maximum daily demand. The docket holder is not requesting an increase in groundwater withdrawal allocation from that contained in its prior approval. The allocation of 3.41 mgm should be sufficient to meet the future demands of the docket holder’s golf course.

5. **Facilities.** The docket holder’s existing wells have the following characteristics:

<table>
<thead>
<tr>
<th>WELL NO.</th>
<th>DEPTH (FEET)</th>
<th>CASED DEPTH/ CASING DIAMETER</th>
<th>PUMP CAPACITY (GPM)</th>
<th>YEAR DRILLED</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 (Egypt Road Well)</td>
<td>300</td>
<td>8’ / unknown</td>
<td>240</td>
<td>1961</td>
</tr>
<tr>
<td>2 (Rittenhouse Road Well)</td>
<td>290</td>
<td>unknown / unknown</td>
<td>240</td>
<td>1962</td>
</tr>
</tbody>
</table>

   The project wells are metered.

   The project facilities are above the 100-year flood elevation.

   The irrigation system is not presently interconnected with any other system.

6. **Other.** Potable water for the clubhouse and other facilities is supplied by the Audubon Water Company, which received approval most recently under Section 3.8 of the *Compact* by DRBC Docket No. D-2004-004 CP-3 on July 11, 2012. The PADEP issued a Public Water Supply Permit No. 4606505 for the Audubon Water Company on March 20, 2007.

   Wastewater from the clubhouse and other facilities is conveyed to Lower Perkiomen Valley Regional Sewer Authority’s (LPVRSA) Oaks sewage treatment facility which received approval most recently under Section 3.8 of the *Compact* by DRBC Docket No. D-2001-042 CP-5 on December 14, 2016. The PADEP issued its most recent NPDES Permit No. PA0026964 on September 1, 2015 for this treatment facility. The treatment facility has adequate capacity to receive wastewater from the proposed project. The increase in water allocation provided in this docket is for irrigation purposes only and will not increase the load to the LPVRSA wastewater treatment plant.
7. **Relationship to the Comprehensive Plan.** The existing project wells (1 and 2) were previously included in the Comprehensive Plan by DRBC Docket No. D-1999-021 CP on September 30, 1999. The approval of Wells 1 and 2 was continued in Docket No. D-199-021 CP-2 on May 5, 2010. Issuance of this docket will continue the withdrawal project in the Comprehensive Plan.

B. **FINDINGS**

1. **Ground Water Protected Area**

   The project is located within the Southeastern Pennsylvania Ground Water Protected Area delineated by the DRBC pursuant to *Compact* Section 10.2. Tests conducted by the docket holder indicate the operation of this project will not create a local water shortage. The project is designed to conform to the requirements of the *Water Code, Water Quality Regulations* and *Ground Water Protected Area Regulations (GWPAR)* of the DRBC.

   Review and analysis of the application pursuant to Section 6.D. of the GWPAR result in the following:

   1. The withdrawal is consistent with the Commission's Comprehensive Plan and the policies and purposes of these regulations.

   2. Opportunities to satisfy water requirements on a timely basis from existing available supplies and facilities have been explored and are being utilized.

   3. The withdrawal, in conjunction with other withdrawals in the applicable ground water basin, should not exceed withdrawal limits of the groundwater basin, aquifer or aquifer system.

   4. The withdrawal should not significantly impair or reduce the flow of perennial streams in the area.

   5. Existing ground and surface water withdrawals should not be adversely impacted, or will be otherwise assured of adequate supplies in accordance with the requirements of Section 10 of the GWPAR. There have been no reported complaints of well interference since the 1999 approval of this renewal project. No adverse impact is anticipated due to continued operation of this project.

   6. The withdrawal should not cause substantial, permanent adverse impact to the overlying environment.

   7. The docket holder adopted and will implement conservation and management programs as required by Section 7 of the GWPAR.
The docket holder’s Well 1 is located in the Perkiomen-Lodal Creeks subbasin (Subbasin No. 61), where total net annual ground water withdrawal (1,007 million gallons per year (mgy)) is significantly less than the withdrawal limit set in Section 6.I of the GWPAR (1,600 mgy). The docket holder is requesting a monthly allocation of up to 2.38 mgm (14.28 mgy) (2.38 mgm x 6 months), a fraction of which will be returned to groundwater. However, even if no water from this project were returned to groundwater, the total net annual groundwater withdrawal from this subbasin would remain well below the withdrawal limits set in Section 6.I of the GWPAR. Therefore, the withdrawals from Well 1, in conjunction with other withdrawals in the subbasin, are in accordance with the requirements of Section 6.I of the GWPAR.

The docket holder’s Well 2 is located in the Schuylkill-Trout Creek subbasin (Subbasin No. 73), where total net annual groundwater withdrawal (759 mgy) is less than the withdrawal limit set in Section 6.I of the GWPAR (1,442 mgy). The docket holder is requesting a monthly allocation of up to 1.03 mgm (6.18 mgy) (1.03 mgm x 6 months), a fraction of which will be returned to groundwater. Even if no water from this project were returned to groundwater, the total net annual groundwater withdrawal from this subbasin would remain below the withdrawal limits set in Section 6.I of the GWPAR. Therefore, the withdrawals from Well 2 in conjunction with other withdrawals in the subbasin are in accordance with the requirements of Section 6.I of the GWPAR.

The DRBC estimates that the project withdrawals, used for the purpose of irrigation, result in a consumptive use of 90 percent of the total water use. The DRBC definition of consumptive use is defined in Article 5.5.1.D of the Administrative Manual – Part III – Basin Regulations – Water Supply Charges.

The project does not conflict with the Comprehensive Plan, and is designed to prevent substantial adverse impact to the water resources related environment, while sustaining the current and future water uses and development of the water resources of the Basin.

C. DECISION

Effective on the approval date for Docket No. D-1999-021 CP-3 below, the project described in Docket No. D-1999-021 CP-2 is removed from the Comprehensive Plan to the extent that they are not included in Docket No. D-1999-021 CP-3; Docket No. D-1999-021 CP-2 is terminated and replaced by Docket No. D-1999-021 CP-3; and the project and the appurtenant facilities described in in Section A.4. (Design Criteria) and A.5. (Facilities) shall be continued in the Comprehensive Plan. The project and appurtenant facilities as described in in Section A.4. (Design Criteria) and A.5. (Facilities) are approved subject to the following conditions, pursuant to Section 3.8 of the Compact:
Monitoring and Reporting

1. The docket holder shall continue to report to the PADEP all surface and groundwater sources described in this docket in accordance with the Pennsylvania Regulations (Title 25 - Environmental Protection, [25 PA. CODE CH. 110], Water Resources Planning).

2. The project withdrawals shall be metered by means of an automatic continuous recording device, flow meter, or other method, and shall be measured to within 5 percent of actual flow. Meters or other methods of measurement shall be subject to approval and inspection by the PADEP as to the type, method, installation, maintenance, calibration, reading and accuracy. A record of daily withdrawals shall be maintained, and monthly totals shall be reported to the PADEP annually and shall be available at any time to the Commission if requested by the Executive Director.

3. A long-term monitoring program is required to obtain data on groundwater and surface water hydrologic conditions in the project area. The docket holder shall continue to implement a long-term monitoring program that includes the following:

   A. **Groundwater Level Monitoring** - The docket holder shall monitor water levels in the two Club at Shannondell irrigation wells (Wells 1 and 2), and the off-site domestic well located at 2755 Apple Valley Lane to estimate annual ground water fluctuations caused by seasonal changes and/or production well pumping, and detect water level declines that may affect the performance of public and private wells in the area of the docket holder’s irrigation wells.

   B. **Reports** - All monitoring data, including records required in Conditions “2.” and “10.” herein shall be submitted to the Commission annually, due by April 1. The docket holder is encouraged to submit the annual report electronically. The report shall be prepared by a hydrogeologist and shall assess the effects of well withdrawals on hydrologic conditions in the area. This report shall include an evaluation of the monitoring data required by this docket approval and such information as deemed appropriate by the hydrogeologist or required by the Executive Director.

   C. The Executive Director may modify the monitoring program or temporarily suspend or modify this docket at any time if review of the hydrologic data and/or any other information indicates such action is necessary or appropriate.

Other Conditions

4. During any month, the combined withdrawal from all well sources shall not exceed 3.41 million gallons (20.46 mgy) (3.41 x 6 months). No well shall be pumped above the maximum rate and monthly allocation as indicated below:
5. The docket holder is responsible for timely submittal to the DRBC of a docket renewal application on the appropriate application form including the appropriate docket application filing fee (see 18 CFR 401.43) at least 6 months in advance of the docket expiration date set forth below. The docket holder will be subject to late filed renewal surcharges in the event of untimely submittal of its renewal application, whether or not DRBC issues a reminder notice in advance of the deadline or the docket holder receives such notice. In the event that a timely and complete application for renewal has been submitted and the DRBC is unable, through no fault of the docket holder, to reissue the docket before the expiration date below, the terms and conditions of the current docket will remain fully effective and enforceable against the docket holder pending the grant or denial of the application for docket approval.

6. The well and operational records shall be available at all times for inspection by the DRBC.

7. The well shall be operated at all times to comply with the requirements of the Water Code and Water Quality Regulations of the DRBC.

8. The wells shall be equipped with readily accessible capped ports and minimum ½ inch inner diameter (ID) drop pipes so that water levels may be measured under all conditions. Existing wells are to be similarly equipped, where possible, with readily accessible ports and ½ inch ID drop pipes as repairs or modifications are made at each existing well.

9. No new water service connections shall be made to premises connected to sewerage systems which are not in compliance with all applicable effluent limits contained in State permits and the Water Quality Regulations of the Commission.

10. Nothing herein shall be construed to exempt the docket holder from obtaining all necessary permits and/or approvals from other State, Federal or local government agencies having jurisdiction over this project.

11. The docket holder is permitted to provide the water approved in this docket to the areas included in Section A.3. Area Served of this docket. Any expansion beyond those included in Section A.3. Area Served is subject to DRBC review and approval in accordance with Section 3.8 of the Compact.

12. The docket holder shall be subject to applicable DRBC regulatory program fees, in accordance with duly adopted DRBC resolutions and/or regulations (see 18 CFR 401.43).

<table>
<thead>
<tr>
<th>WELL NO.</th>
<th>MAXIMUM RATE (GPM)</th>
<th>MONTHLY ALLOCATION (MGM)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>240</td>
<td>2.38</td>
</tr>
<tr>
<td>2</td>
<td>240</td>
<td>1.03</td>
</tr>
</tbody>
</table>
13. This approval is transferable by request to the DRBC Executive Director provided that the project purpose and area served approved by the Commission in this docket will not be materially altered because of the change in project ownership. The request shall be submitted on the appropriate form and be accompanied by the appropriate fee (see 18 CFR 401.35).

14. The docket holder shall request a name change of the entity to which this approval is issued if the name of the entity to which this approval is issued changes its name. The request for name change shall be submitted on the appropriate form and be accompanied by the appropriate fee (see 18 CFR 401.35).

15. The issuance of this docket approval shall not create any private or proprietary rights in the water of the Basin, and the Commission reserves the rights to amend, alter or rescind any actions taken hereunder in order to insure the proper control, use and management of the water resources of the Basin.

16. If the monitoring required herein or any other relevant data or information demonstrates that the operation of this project is interfering with or otherwise impairing existing uses of ground or surface water, or if the docket holder receives a complaint from an existing ground or surface water user within the zone of influence of the withdrawal alleging such interference or impairment, the permit holder shall immediately notify the Executive Director, and unless excused by the Executive Director, shall investigate the demonstrated or alleged impacts. For purposes of this condition, notification shall mean either (a) electronic transmittal of written notice to the Executive Director via email (using addresses posted on the DRBC website); or (b) written notice to the Executive Director and a telephone call to the Project Review Section at 609-883-9500, ext. 216. (Oral notification must always be accompanied by immediate written notification directed to the Executive Director.) In addition, the docket holder shall provide written notice to all potentially affected water users of the docket holder's responsibilities under this condition. Any well or surface water supply that is impaired as a result of the docket holder's project withdrawal shall be repaired, replaced or mitigated at the docket holder’s expense. The scope of the options to consider for repair, replacement and/or mitigation shall not be limited solely to those that are owned, operated, or controlled by the project sponsor. An investigation report and/or mitigation plan prepared and certified by a licensed professional engineer and/or a licensed professional geologist shall be submitted to the Executive Director as soon as practicable following notice of the demonstrated or alleged impairment consistent with this paragraph. The Executive Director shall make the final determination regarding the scope and sufficiency of the investigation and the extent of any mitigation measures that may be required. Where ground and surface waters are rendered unavailable, unusable, or unsuitable for the pre-existing use, the Executive Director may direct the docket holder to take interim actions to mitigate such impacts, pending completion of the investigative report and any long-term repair, replacement or mitigation.

17. The Executive Director may modify or suspend this approval or any condition thereof, or require mitigating measures pending additional review, if in the Executive Director's judgment such modification or suspension is required to protect the water resources of the Basin.
18. Any person who objects to a docket decision by the Commission may request a hearing in accordance with Article 6 of the Rules of Practice and Procedure. In accordance with Section 15.1(p) of the Delaware River Basin Compact, cases and controversies arising under the Compact are reviewable in the United States district courts.

BY THE COMMISSION

APPROVAL DATE: September 11, 2019

EXPIRATION DATE: September 11, 2029