

Grandfathered Water Uses Registration Program

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Overview

- Introduction to Susquehanna River Basin Commission
- Program Background
- Registration Requirements
- Review and Determination
- Schedule
- Conclusion
- Q&A Session

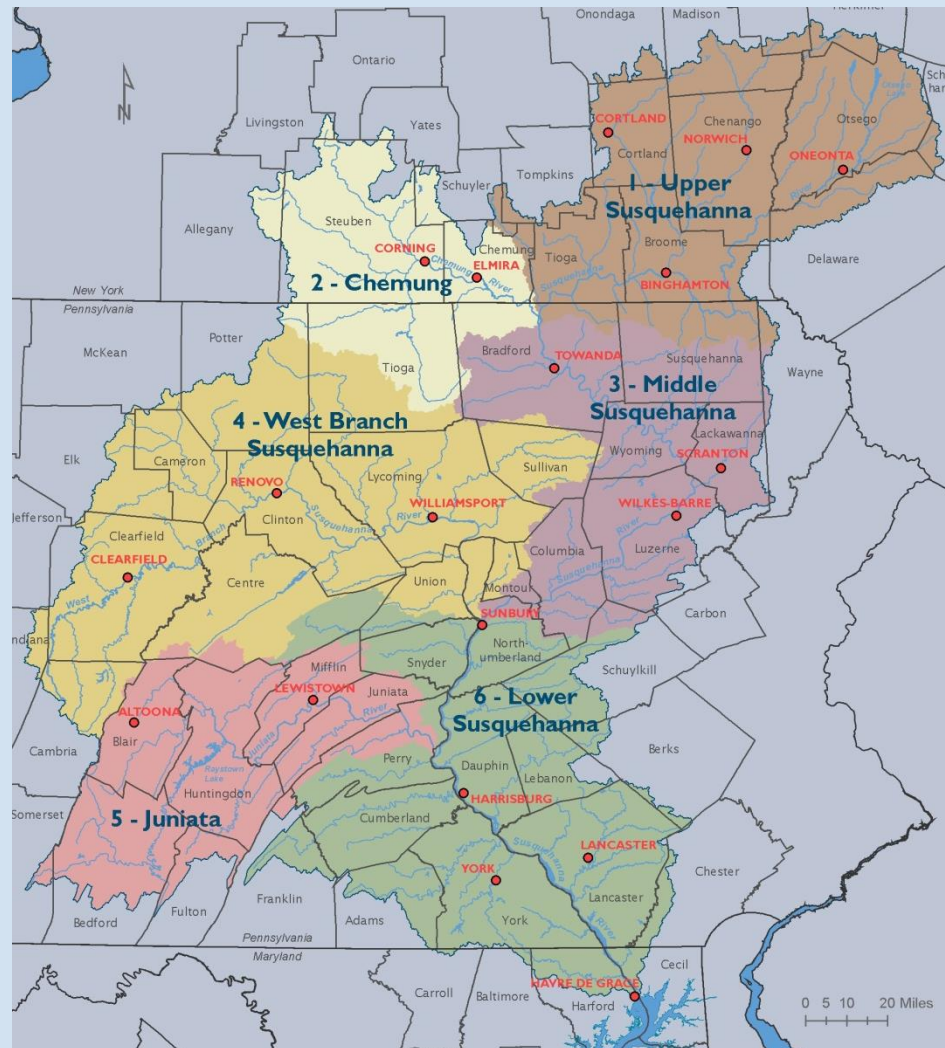
Susquehanna River Basin

The Basin:

- 27,510-square-mile watershed
- Comprises 43 percent of the Chesapeake Bay watershed
- 4.2 million population
- 32,000+ miles of waterways

The Susquehanna River:

- 444 miles, largest tributary to the Chesapeake Bay
- Supplies 18 million gallons a minute to the Chesapeake Bay



Organizational Structure

- Federal-Interstate Compact Commission
- New York, Pennsylvania, Maryland and the United States



Brig. Gen. William H. Graham
Commander, NAD
US Army Corp of Engineers



Basil Seggos, Commissioner
NYS Dept. of Environmental
Conservation



Patrick McDonnell, Secretary
PA Dept. of Environmental
Protection

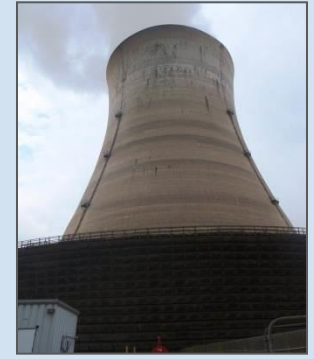


Ben Grumbles, Secretary
MD Dept. of the
Environment

Overview

- Enhance public welfare through comprehensive planning, water supply allocation, and management of the water resources of the Basin.
- Broad water resource management authority -
 - Manage water resource impacts of facilities/projects
 - Avoid conflicts with other users
 - Standards for equal and uniform treatment
- Non-regulatory planning, water quality monitoring and drinking water protection activities.

WATER USES IN THE BASIN



Grandfathering Water Uses Registration Program

- The Commission is launching a new program requiring registration of older, unpermitted water withdrawals and consumptive uses.
- These withdrawals and consumptive uses have been considered exempt from project review and approval (or *grandfathered*) under Commission regulations.
- The registration program will maintain those exemptions into the future, provided a project sponsor registers its grandfathered consumptive use and/or withdrawal within the two year window provided under Section 806.41.

What is Grandfathering?

- A grandfathered use or source is a:
 - Consumptive Use prior to Jan. 23, 1971.
 - Groundwater Withdrawal prior to July 13, 1978.
 - Surface Water Withdrawal prior to Nov. 11, 1995.
 - Combination of Sources prior to Jan. 1, 2007.
- A facility will have to be operating above applicable threshold volumes (20,000 gallons per day for consumptive uses and 100,000 gallons per day for withdrawals) in order to be grandfathered.

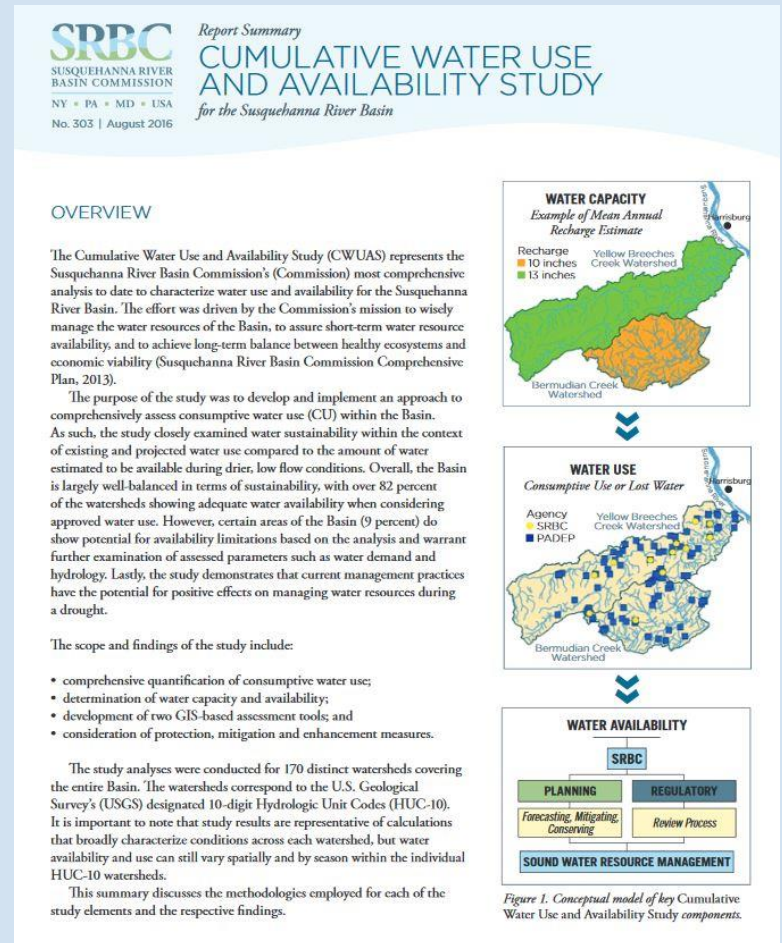
Registration Program Goals

- Better understand water uses in the Basin.
- Add certainty/ clarity and protections surrounding exempt/grandfathered facilities.
- Improve water management for all water users.

Registration Program Background

In 2016, the Commission completed a study that compiled all available state data to characterize basinwide water use and availability. Results indicate:

- Data gaps exist in certain areas that may have high cumulative water use;
 - The data gap represents an estimated water use of nearly one billion gallons per day.
- **Volume of approved water use roughly equals volume of the estimated “data gap”, or grandfathered water use**



Registration of Grandfathered Water Uses

- This significant data gap challenges the Commission's ability to effectively manage the water resources of the Basin.
- The registration program provides for:
 - Knowing who these facilities are.
 - Knowing how much water they are withdrawing or consumptively using.
 - Establishing the exempt quantity of withdrawal and usage and ongoing reporting.

Required Information for Registration

- Facility contacts and location.
- Water withdrawals (sources).
- Description of consumptive uses.
- Metering and/or accounting methods for withdrawals and consumptive uses.
- Quantity data for the most recent five years.

Contact Information

- Must be completed before the rest of the online form opens.
- Facility address and coordinates.
- Contact information for facility personnel.
- Corporate information, if applicable.

Facility Information

Facility Name:

Address:

Coordinates:

Contact Information

- **Facility Information** - This refers to the name and location of the facility being registered.
- **Primary Facility Contact** - This is the authorized representative who is responsible for and manages the facility. This person will be the Commission's primary point of contact throughout the registration process.
- **Corporate Information** - If applicable, the company or organization that owns, oversees, and controls the facility.
- **Primary Corporate Contact** - If applicable, this person would receive any legal notices from the SRBC.

Primary Facility Contact

Name:

Title:

Address:

City:

State:

Zip:

Telephone:

Mobile:

Email:

Facility Information

- Facility description.
- Dates of operation, including changes of ownership since 2007.
- Withdrawal and/or discharge permits from state agencies.
- Reporting to other state agencies.

2.1 Facility Description
Upload a detailed description of the Facility or enter description in text box below. The description should be approximately 1 to 2 pages in length (click [here](#) for example) and include, but is not limited to, the following:

- a. Type of facility
- b. Purpose of the withdrawal and/or consumptive water use
- c. Description of facility activities

Upload pdf file:
 No file chosen

Or Enter...
Facility Description:

2.3 Dates of Operation of the Facility
The "Date operations began at the facility" refers to when (month/year) historic operations were initiated the facility. If the original owner currently owns/operates the facility, then the "Date Current Owner began operation" will be the same month/year. If the facility has undergone a change in ownership at some point in the past, then the first entry is when historic operations began at the facility under the previous ownership(s), and the second entry should refer to when the current owner began its operation.

Date operations began at the facility:

Date current owner began operation:

Please provide a brief description and/or timeline detailing any changes of ownership:

2.4.1. Water Withdrawal Permits (ie PADEP Water Allocation Permit, NYSDEC Water Withdrawal Permit, MDE Water Appropriation and User Permit, SRBC Docket, etc.)

Permit Number	Issuing Agency	Issue Date	Expiration Date	Amount Approved (gallons)	Units
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	Select ▼

Water Withdrawal Information

- Source and location.
- Date developed and when withdrawal initiated.
- Description of how withdrawals are quantified.
- Highest 30-day average
 - last five years data
 - other historic data
- Supporting data.

3.1 Water Sources

Please list all water sources used at the facility. Please note that you must click the "Add" button after all information has been entered for a source.

Source Name/ID	Type	SRBC Docket Number (if applicable)	Latitude	Longitude	Date Source Developed	Date Withdrawal Initiated
<input type="text"/>	Select ▼	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

3.3 Water Withdrawal Quantities

Update the table below with the following information for each water source:

- What is your highest 30-day average withdrawal over the last 5 years?
- If greater, What is your highest historical 30-day average withdrawal for each source?
- Do you have metered values, estimates, or a combination of both?

Source	Highest 5 Yr 30-day Avg (mgd)	Highest Historical 30-day Avg (mgd)	Metered, Estimated, or Both
Well 1	<input type="text" value="0.000"/>	<input type="text" value="0.000"/>	Metered ▼
hag	<input type="text"/>	<input type="text"/>	Metered ▼

3.4 Supporting Data

Please upload any withdrawal data that helps support your highest historical 30-day average amount (last 5 years and/or historical) in order to support your requested grandfathered water withdrawal quantity. For groundwater withdrawals, please submit groundwater elevation data as well if available. If possible, please submit in an Excel format. If withdrawal and consumptive use data are not available, then the project can provide any information available upon which a determination of quantity could be made. This may include information on hours of operation, pump run times, production numbers, etc.

Supporting data may include any data submitted to a state agency through a registration program, although daily data over a 30-day period as indicated above may provide the most favorable grandfathered determination amount.

Upload pdf file:

No file chosen

Consumptive Use of Water

- Consumptive use of water is any process where water is used and not returned to the Basin undiminished in quantity.
- Examples include irrigation, incorporation into product or bottling, chilling and heating losses, evaporation, diversion to other Basin, or injection into subsurface formation.

Consumptive Use Information

- Description of each use and date initiated.
- Description of how consumptive uses are quantified
 - inflow – outflow
 - each individual use
- Highest 30-day average
 - last five years data
 - other historic data
- Supporting data.

4.1 Consumptive Water Uses

If applicable, please provide a description of each process that consumptively uses water at the facility and the date each process was initiated. The description should also include identification of any water returned to the Basin, history of the use and any process changes, and any expansions and other actions that impacted the amount of water consumptively used. Please note that you must click the "Add" button after all information has been entered for a consumptive water use.

Description Date Initiated

4.2 Metering Information

Describe how consumptive water use is metered or quantified. CU can be "directly metered" (i.e., an irrigation system or perimeter misting fence), "calculated" (i.e., inflow – outflow or a sum of CU from several processes or pond evaporation or counting water trucks), quantified by engineering calculations (i.e., power generation or thermal plumes), estimated using the product (i.e., tons of wet stone).

Upload pdf file:
 No file chosen

Or Enter...
 Metering Information (type of meter, size, location, whether each source is separately metered, etc.):

4.3 Consumptive Water Use

Update the table below with the following information:

- What is your highest 30-day average consumptive water use over the last 5 years?
- What is your highest historical 30-day average consumptive water use for the facility?
- Do you have metered values, estimates, or a combination of both?

Total Consumptive Water Use	Highest 5 Yr 30-day Avg (mgd)	Highest Historical 30-day Avg (mgd)	Metered, Estimated, or Both
Total CU	<input type="text" value="0.000"/>	<input type="text" value="0.000"/>	Metered ▾

Supporting Data

- Metered data for the most recent five years
 - Withdrawal data for each source
 - Consumptive use data for the entire facility (inflow – outflow, or individual processes/uses)
- Any other reliable information upon which a determination can be made (equipment specifications, estimations, etc.).
- Supporting information
 - Historical data
 - Data reported to other state agencies
 - Previous grandfathering determinations by the Commission

Commission Review and Determination

- Facility will receive a confirmation e-mail once registration is submitted. Commission staff will complete administrative and technical reviews, and will contact the facility with any questions.
- For each registration submitted under Section 806.44, the Executive Director will determine the grandfathered quantity for each withdrawal and total consumptive use based on:
 - Reliability and accuracy of data provided
 - Genuine and reasonable usage
 - Other relevant factors
- The determination is appealable to the Commission under Section 808.2.
- The Commission may require a metering and monitoring plan.

Registration Fees

- The Commission seeks to incentivize early registration during the two-year registration window.
 - First six months, the registration fee is \$0.
 - Second six months, the registration fee is \$500.
 - During 2019, the registration fee is \$1,000.

Registration Schedule

- After several public hearings (MD, PA, NY) and an extended 120-day public comment period, regulation was published in the *Federal Register* on June 2017.
- Webinar providing an overview of the registration program will be held a second time on Dec. 13, 2017.
- Registration begins on Jan. 1, 2018.
- Any new reporting will not be required prior to January 2019.

Summary

- Better understand water uses in the Basin to improve water management for all water users.
- Add certainty/clarity and protections surrounding exempt/grandfathered operations.
- Commission staff are available to assist.

Questions?

