



SUSQUEHANNA RIVER
BASIN COMMISSION

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NY ■ PA ■ MD ■ USA

March 14, 2022

Mr. Joe Acla
General Manager/Owner
Towanda Golf Club, LLC
645 Golden Mile Road
Towanda, PA 18848

Re: Notice of Transfer of Approval;
from Towanda Country Club to Towanda Golf Club, LLC;
Wysox Township, Bradford County, Pennsylvania;
Commission Docket Nos. 20021001 and 20021001-1

Dear Mr. Acla:

The Susquehanna River Basin Commission (Commission) received a Request for Transfer of Approval (Commission Form #86) on May 24, 2021, for Commission Docket Nos. 20021001 and 20021001-1. This request indicated the change in ownership was effective April 8, 2021, from Towanda Country Club to Towanda Golf Club, LLC (project sponsor). Upon review of the project and the submitted request for transfer, it was determined that the request is in compliance with the regulations and consistent with 18 CFR § 806.6(a). Therefore, the approvals listed above are hereby transferred effective March 14, 2022.

A copy of the above-referenced approvals are available on the Commission's Water Application and Approval Viewer (WAAV) at www.srbc.net/waav.

Please note that the project sponsor may operate under the terms and conditions of the transferred approvals not inconsistent with the conditions of this transfer, provided that:

1. Change in ownership forfeits the grandfathered status of unapproved activities. This transfer approval letter will act as the temporary approval for continued operation of withdrawals from the unapproved sources.
2. Operation of the withdrawals from the sources listed below are subject to the following quantity limits:
 - a. Well 1: Withdrawal of 0.034 million gallons per day (mgd), as a maximum consecutive 30-day average, for golf course irrigation.

- b. Ponds 1, 2, and 3 Cumulatively: Withdrawal of 0.127 mgd, as a maximum consecutive 30-day average, for golf course irrigation.
3. The project sponsor submits an updated comprehensive metering plan meeting the requirements of 18 CFR § 806.30 to the Commission for review and approval by Commission staff that accounts for all withdrawals and consumptive use associated with this facility by June 13, 2022.
4. Based on a preliminary review of the facility's historical water use, withdrawals have been below the regulatory threshold for all sources cumulatively and individually for the last 19 years. The requirement for applications described in Condition 5 may be avoided by continued operation of withdrawals below the regulatory withdrawal threshold. **Within 90 days, the project sponsor shall schedule a pre-application meeting with Commission staff to discuss future operations and corresponding regulatory requirements.**
5. If the project sponsor intends to operate withdrawals at or above 0.100 mgd, on a consecutive 30-day average, individually or in combination beyond March 14, 2027, then:
 - a. The project sponsor shall submit an updated comprehensive groundwater elevation monitoring plan for Well 1 by September 14, 2022, for review and approval by Commission staff for the implementation of a groundwater elevation monitoring program in accordance with 18 CFR § 806.30(a)(4).
 - b. The project sponsor shall submit online to the Commission by close of business on March 14, 2025, an aquifer test plan or Alternative Hydrogeologic Evaluation (AHE) for the groundwater withdrawal from Well 1. The online groundwater withdrawal application for Well 1 will be made accessible to the project sponsor after approval of the aquifer testing plan or AHE.
 - c. The project sponsor shall submit online a groundwater withdrawal application for Well 1 by close of business on March 14, 2027.
 - d. The project sponsor shall submit online a surface water withdrawal application by close of business on March 14, 2027, for withdrawal from Ponds 1, 2, and 3.
6. Due to the change in ownership, the pre-1971 consumptive use quantity of 0.034 mgd has become subject to the Commission's mitigation requirements and therefore, effective April 1, 2022, the project sponsor shall satisfy the Commission's mitigation requirements for the full quantity of consumptively used water.
7. Mitigation of the full quantity of consumptively used water as set forth in 18 CFR § 806.22 will continue to be satisfied by quarterly payments to the Commission.
8. In accordance with the Commission's Regulatory Program Fee Schedule, the facility is subject to the Annual Compliance and Monitoring fee (ACMF). The ACMF is contained in the Regulatory Program Fee Schedule, which may be modified over the term of the approvals. The ACMF will be invoiced separately.

9. Commission Certificate of Registration for Grandfathered Water Use No. GF-201911056 is hereby rescinded.
10. The withdrawal quantity for Well 1 established herein supersedes the withdrawal quantity threshold referenced in Decision Item “c” of Commission Docket No. 20021001 requiring review and approval of the source.

STANDARD CONDITIONS

11. The project sponsor shall comply with all Commission regulations, 18 CFR Parts 801, 806, and 808.
12. The project sponsor shall maintain the totalizing meter and other flow and volume measuring devices, accurate to within 5 percent, so as to provide an accurate record of withdrawals and consumptive uses, and certify to the Commission once every 5 years, or as otherwise requested, the accuracy of all measuring devices and methods to within 5 percent of actual flow.
13. The project sponsor shall keep daily records of the project’s withdrawals and 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 30 days after the close of the preceding quarter. Any alternative measuring, monitoring, or accounting procedure requested by the project sponsor 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.
14. 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 5 days of such violation or report loss of measuring or recording capabilities required under 18 CFR § 806.30(a)(1) within 5 days after any such loss.
15. 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 90 days of the change in ownership or project sponsor name change.
16. This project is approved for inclusion in the Commission’s Comprehensive Plan for the Water Resources of the Susquehanna River Basin.

Outstanding post-approval items should be submitted electronically via the Monitoring Data Website (MDW). If you have any questions regarding the submittal of post-approval

conditions, please feel free to contact Steve McFeaters at (717) 238-0423, extension 1225, or via e-mail at samcfeaters@srbc.net.

Please be advised that, under 18 CFR § 808.11, you have a duty to comply with all provisions of the Susquehanna River Basin Compact (Compact), as well as the Commission's rules, regulations, orders, approvals, conditions of approval, and any other requirements of the Commission. It is your obligation to fulfill all conditions of this approval within the specified time limits and provide written notification to the Commission, as appropriate, and comply with all conditions set forth therein. Failure to meet any term or condition within the specified time may subject you to enforcement action and imposition of civil penalties pursuant to 18 CFR Part 808, Subpart B, and Section 15.17 of the Compact. Penalties range from \$50 to \$1,000 per day, per condition (which includes exceeding approved quantities), with every day being a separate offense.

Pursuant to 18 CFR § 808.2 relating to administrative appeals, any appeal to this action must be made to the Commission within 30 days of receipt of this notice. All appeals must be made in writing on the Commission's Notice of Appeal form and conform to the requirements of 18 CFR § 808.2. Pursuant to 18 CFR § 808.2(i), an appeal made under this section stays the commencement of the 90-day appeal period to Federal Court contained in Section 3.10(6) of the Compact.

Should you have any questions, please contact Todd Eaby, Manager of Project Review, at (717) 238-0423, extension 1234, or via e-mail at teaby@srbc.net.

Sincerely,



Andrew D. Dehoff
Executive Director



SUSQUEHANNA RIVER BASIN COMMISSION

1721 North Front Street • Harrisburg, Pennsylvania 17102-2391

Phone (717) 238-0423 • Fax (717) 238-2436

Web <http://www.srbc.net>

Docket No. 20021001

Approval Date: October 10, 2002

TOWANDA COUNTRY CLUB

Consumptive Water Use of Up to 0.195 mgd, for Golf Course Irrigation,
Wysox Township, Bradford 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 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 25, 2000.

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 the Middle Susquehanna Subbasin, HUC 02050106, Little Wysox Creek Watershed, Wysox Township, Bradford County, Pennsylvania.

Project Features. The project sponsor has requested approval for the consumptive use of water of up to 0.195 million gallons per day (mgd). Based on irrigation data for the year 2001 submitted by the project sponsor, the project has a maximum average 30-day consumptive use of water of 0.133 mgd and a peak-day consumptive water use of 0.177 mgd. The primary source of water is three spring-fed ponds. Water also can be withdrawn from Little Wysox Creek (locally known as Lanning Creek) and from an on-site well. The surface-water and ground-water withdrawals predate Commission Regulations §803.44 and §803.43, respectively, and have not increased more than 0.100 mgd since the effective dates of the regulations.

The project was constructed as a nine-hole golf course in 1925, and has been in continuous operation since that time. The irrigation of the greens and tees began in 1925. The original irrigation system consisted of a gravity-fed system supplied by a reservoir located on the hillside north of the golf course. The golf course was expanded to 18 holes in 1963. The current automatic, double-row irrigation system was installed in 1997. Fairway irrigation began in 1997.

The project sponsor has constructed three off-stream ponds to provide for water storage on-site. The three ponds are linked in series and supply the irrigation system. The pond that is

lowest in elevation in the series (Pond 1) serves as the primary storage pond. Pond 1 was constructed in 1969. Pond 2 was constructed between 1977 and 1994. Pond 3 was constructed in 1994. The ponds have been excavated into stratified drift and intercept shallow ground water, as well as capture surface runoff from adjacent upland areas. Based on the information supplied by the project sponsor, the Commission staff has determined that the ponds have a total surface area of 1.8 acres and an estimated storage capacity of approximately 6.6 million gallons of water. The project sponsor has sufficient storage on-site for approximately 50 days of irrigation, based on the maximum average 30-day use of 0.133 mgd.

Irrigation water is pumped from the primary storage pond directly into the irrigation system, as needed, to irrigate greens, tees, and fairways. Water is withdrawn from the pond using two 40-horsepower turbine pumps, located in a pumphouse approximately 300 feet east of the primary storage pond. The project sponsor has withdrawn water from the pond since the pond was constructed in 1969. A meter is installed in-line on the outlet to the irrigation system.

Water also can be withdrawn from the Little Wysox Creek using a 15-horsepower pump installed on the stream bank at the thirteenth hole and discharged into Pond 3. This withdrawal began approximately in 1990.

A well, drilled prior to 1971, is located east of the clubhouse, adjacent to the swimming pool. A pumping test performed in 1987 reported a yield of 75 gallons per minute (gpm).

Findings

The project is subject to Commission approval and reporting requirements, as per Commission Regulation §803.42.

All water evaporated from Ponds 2 and 3, as well as water used for golf course irrigation, is considered to be used consumptively. Water evaporated from the ponds will be calculated by the project sponsor employing a methodology acceptable to the Commission. The irrigation system is equipped with a single meter that measures the quantity of water withdrawn from the primary storage pond and used for irrigation.

The project sponsor has requested a consumptive water use approval of up to 0.195 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 10 percent above the current peak-day use of 0.177 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 use of water exceed or be expected to exceed 0.195 mgd, the project sponsor must apply for a modification to this docket at that time.

Commission staff has agreed to the project sponsor's calculated pre-1971 consumptive use of water of 0.034 mgd for the project and, for purposes of this docket, this quantity of water is considered "grandfathered" and is exempt from water compensation requirements. The evaporative losses from Ponds 2 and 3, constructed after 1971, are subject to Commission

Regulation §803.42, relating to consumptive use of water. Pond 2 is 0.8 acres in size, and Pond 3 is 0.6 acres in size.

The project sponsor operates a surface-water intake on Little Wysox Creek. Little Wysox Creek is classified as a warm-water fishery (WWF) (25 Pa. Code Chapter 93). Commission staff has calculated the 7-day 10-year low flow (Q7-10 flow) for Little Wysox Creek to be 0.063 cubic feet per second (cfs) (28.3 gpm) at the point of withdrawal. The project sponsor's withdrawal is greater than 10 percent of Q7-10 flow (0.004 mgd) at the point of withdrawal, and a passby flow is required. In order to protect downstream users, habitat, and aquatic resources, Commission staff recommends that the project sponsor allow a minimum passby flow of 20 percent annual average daily flow (ADF) and cease all withdrawals when streamflow is less than 20 percent ADF. Commission staff recommends that the U.S. Geological Survey's stream gage 01516500, located on Corey Creek near Mainesburg, Pa., be used as the reference gage, and has calculated the 20 percent ADF at this gage to be 2.52 cfs (1,131 gpm).

The project sponsor currently does not meter the actual quantity of surface water withdrawn from Little Wysox Creek, and has no records associated with the surface-water intake that could be used to estimate the withdrawal from the creek. Commission staff recommends that the project sponsor install appropriate metering, and provide to the Commission documentation of the surface-water withdrawal.

The project's ground-water withdrawal has been in operation since 1947, and is not metered. The on-site well can be used to fill the storage Pond 3, if needed. The project sponsor has reported that the well is utilized at less than 100,000 gallons in excess of the grandfathered amount of 34,000 gallons during a 24-hour period and, therefore, this withdrawal is less than the threshold contained in Commission Regulation §803.43. However, since the project sponsor does not currently meter the actual quantity of ground water withdrawn, and has no records associated with the well that could be used to estimate the withdrawal from the well, Commission staff recommends that the project sponsor install appropriate metering, and provide to the Commission documentation of the well's usage.

The project's consumptive use of water above the grandfathered quantity is subject to water compensation requirements, as per Commission Regulation §803.42. To satisfy these requirements, the project sponsor proposes to make quarterly payments to the Commission in-lieu-of providing actual compensation water. The payment will be based on the quantity of water used for irrigation minus the pre-1971 consumptive use of 0.034 mgd. If the daily grandfathered quantity exceeds the project's calculated daily consumptive water use, that day's consumptive water use is considered to be zero.

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

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 required by 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 0.195 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 keep daily records of the project's consumptive water use, and shall report the data to the Commission quarterly, and as otherwise required. The daily quantity of water consumptively used shall be the quantity of evaporative loss from storage Ponds 2 and 3, plus the quantity pumped to the irrigation system. The project sponsor shall maintain metering on the irrigation system, accurate to within five (5) percent. Commission staff shall review and approve the method of calculation of evaporative loss from the ponds.

c. Within sixty (60) days from the date of this approval, the project sponsor shall install and maintain metering on the on-site well, accurate to within five (5) percent, to measure its ground-water withdrawal. The project sponsor shall keep daily records of the project's ground-water withdrawal, and shall report the data to the Commission quarterly, and as otherwise required. The project sponsor may propose alternative monitoring to the Commission for staff review and approval. If the ground-water withdrawal exceeds or is expected to exceed the threshold contained in Commission Regulation §803.43, the project sponsor shall submit the appropriate application for review and approval by the Commission. The Commission reserves the right to inspect all measurement equipment and audit all measurement records.

d. Within sixty (60) days from the date of this approval, the project sponsor shall install and maintain metering on the surface-water withdrawal, accurate to within five (5) percent, and keep daily records of the project's surface-water withdrawal. The project sponsor shall report the data to the Commission quarterly, and as otherwise required. The project sponsor may propose alternative monitoring to the Commission for staff review and approval. If the surface-water withdrawal exceeds or is expected to exceed the threshold contained in Commission Regulation §803.44, the project sponsor shall submit the appropriate application for review and approval by the Commission. The Commission reserves the right to inspect all measurement

equipment and audit all measurement records.

e. The project sponsor shall keep daily records of readings from the U.S. Geological Survey's stream gage 01516500 on Corey Creek near Mainesburg, Pa., during the irrigation season, and shall report the data to the Commission quarterly, and as otherwise required.

f. The project sponsor shall cease all withdrawals from Little Wysox Creek when the streamflow, as measured at the U.S. Geological Survey's stream gage 01516500 on Corey Creek near Mainesburg, Pa., is less than twenty (20) percent annual average daily flow, which is equal to 2.52 cfs (1,131 gpm).

g. To satisfy the Commission's current compensation requirements for consumptive water use set forth in Commission Regulation §803.42, the project sponsor shall make quarterly payments to the Commission based on the rate of \$0.14 per 1,000 gallons of water consumptively used by the project in excess of the grandfathered quantity. The daily quantity of water consumptively used shall be the quantity of evaporative loss from storage Ponds 2 and 3, plus the quantity pumped to the irrigation system. Payment amounts shall be calculated by applying this rate to the daily amount of water used consumptively by the project, less the grandfathered quantity of 0.034 mgd. If the daily grandfathered quantity exceeds the project's daily consumptive water use, that day's consumptive water use is considered to be zero. 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.

h. The project sponsor shall comply with the water conservation requirements contained in Commission Regulation §804.20(c).

i. The project sponsor is eligible to participate in the Commission's Compliance Incentive Program (CIP). 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, in excess of the grandfathered quantity of 0.034 mgd, during the period from January 1, 2001, until the effective date of this approval. This payment shall be calculated and included in the first quarterly payment made by the project sponsor in accordance with the requirements of condition (g) above.

j. The Commission reserves the right to inspect or investigate the project facility, and the project sponsor shall allow authorized employees or agents of the Commission, without advance notice or a search warrant, 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. Such employees or agents shall be authorized to conduct tests or sampling, to take photographs, to perform measurements, surveys, and other tests, to inspect the methods of construction, operation, or maintenance, to inspect all measurement equipment, to audit, examine, and copy books, papers, and records pertinent to any matter under investigation, and to take any other action necessary to assure that the project is

constructed, operated, or maintained in accordance with the terms and conditions of this approval or any other rule, regulation, or order of the Commission.

k. 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.

l. 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, and may impose appropriate fines and penalties. 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, or from imposing fines and penalties, regardless of the period of noncompliance.

m. The Commission reserves the right to reopen any project docket 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.

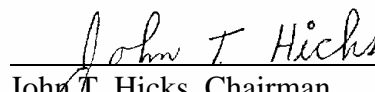
n. Commission approval confers no property rights upon the project sponsor. The securing of all rights necessary and incident to the project sponsor's development and operation of the project shall be the sole and exclusive responsibility of the project sponsor, and this approval shall be subject thereto.

o. This approval is effective until October 10, 2027. The project sponsor shall submit a renewal application by April 10, 2027, and obtain Commission approval prior to continuing operation beyond October 10, 2027.

p. 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.

By the Commission:

Dated: October 10, 2002



 John T. Hicks, Chairman
 New York Commissioner