

DOCKET NO. D-1998-028-3

DELAWARE RIVER BASIN COMMISSION

**Honeybrook Golf Club
Ground and Surface Water Withdrawal
Honey Brook Township, Chester County, Pennsylvania**

PROCEEDINGS

This docket is issued in response to an Application submitted by Honeybrook Golf Club LLP (Honeybrook or docket holder) to the Delaware River Basin Commission (DRBC or Commission) on June 7, 2017 for renewal of an allocation of groundwater and surface water and review of a groundwater and surface water withdrawal project last approved by the Commission on July 16, 2008 (Application).

The Application was reviewed for approval under Section 3.8 of the *Delaware River Basin Compact*. The Chester County Planning Commission has been notified of pending action on this docket. A public hearing on this project was held by the DRBC on May 16, 2018.

A. DESCRIPTION

- 1. Purpose.** The purpose of this docket is renew the approval of an existing groundwater and surface water withdrawal of up to 10.37 million gallons per month (mgm) from existing Well PW1 and existing intakes in Pond 3 (main irrigation pond), and Pond 5 for irrigation purposes at the Honeybrook Golf Club. Honeybrook is not requesting an increase in the allocation from that contained in its prior approval.
- 2. Location.** The project well is completed in the Honey Brook Gneiss in the West Branch Brandywine Creek Watershed in Honey Brook Township, Chester County, Pennsylvania. The West Branch Brandywine Creek near the project site is designated by the Pennsylvania Department of Environmental Protection (PADEP) as a high quality waters supporting trout stocking and migratory Fishes (HQ-TSF-MF).

Specific location information has been withheld for security reasons.

- 3. Area Served.** Groundwater and surface water withdrawals are used only for irrigation purposes at the Honeybrook Golf Club. 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. Physical features.

a. Design criteria. Honeybrook Golf Club is an 18-hole golf course located on approximately 165 acres of land and consists of approximately 49 acres of irrigated turf. The docket holder reports an existing average daily water demand of 0.150 million gallons per day (mgd) and a maximum daily demand of 0.440 mgd. The docket holder estimates no increase in demand over the next 10 years.

The irrigation system is supplied by water pumped from the 3.0 million gallon capacity irrigation pond (Pond 3), which is augmented by groundwater from Well PW1. Pond 3 was constructed to collect stormwater runoff and overflows from two constructed smaller ponds that are situated upgradient of the main irrigation pond. Pond 3 is also supplemented with surface water pumped from Pond 5 which was constructed on the southern portion of the golf club adjacent to an unnamed tributary of West Branch Brandywine Creek. A gravity intake connects Pond 5 to the unnamed tributary of West Brandywine Creek.

The docket holder uses a computer-controlled valve and head irrigation system that allows selective operation of sprinkler banks. A central control system, in conjunction with a weather station, allows for adjustments to the irrigation system as needed. The turf is maintained with a minimal amount of water to foster disease resistance and drought tolerance. A double-row spacing of irrigation sprinklers permits more control of irrigation and the uses of smaller sprinklers prevent over-saturation and enable water conservation.

b. Facilities. The existing project well has the following characteristics:

WELL NO.	DEPTH (FEET)	CASED DEPTH/ CASING DIAMETER	PUMP CAPACITY (GPM)	YEAR DRILLED
PW1	400	107' / 8"	240	1998

The existing surface water intakes have the following characteristics:

INTAKE NO.	WITHDRAWAL WATER BODY	PUMP CAPACITY	7Q10 FLOW AT INTAKE (CFS)	YEAR CONSTRUCTED
Pond 3	Main Irrigation Pond	900	N/A	1999
Pond 5	UNT West Branch Brandywine Creek	94	0.4	2003

Well PW1 and the intakes in Pond 3 and Pond 5 are each metered.

The project well is outside the flood hazard area.

The water system is not presently interconnected with any other distribution system.

Domestic water and sewage is supplied by a private well and on-site septic system, respectively.

B. FINDINGS

This docket establishes an allocation of water transferred from Pond 5 to Pond 3 (main irrigation pond). The docket holder must report the monthly withdrawals from this intake (Pond 5) as well as the monthly withdrawals from Pond 3 (Irrigation Pond) and well PW1 to the Pennsylvania Department of Environmental Protection (PADEP) annually (Condition C.II.a.). The Docket holder must continue to submit the monthly withdrawal from Pond 3 (Irrigation Pond) and well PW1 to the Commission annually as this information is used to calculate the appropriate surface water fee.

This docket renews the approval of an existing surface water and groundwater withdrawal project. The docket holder has requested to retain the previously approved groundwater allocation, which was based on irrigation demands. These rates are provided in Decision Condition II.d. in the Decision Section of this docket. As the existing water withdrawals have already been realized by the local hydrologic system, the turf is established and there is no increase in the 10-year projected demands, there should be no significant impacts from continued withdrawals used for irrigation.

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 on the water resources related environment, while sustaining the current and future water uses and development of the water resources of the Basin.

The project is designed to conform to the requirements of the *Water Code* and *Water Quality Regulations* of the DRBC.

C. DECISION

I. Effective on the approval date below, the project described in Docket No. D-1998-028-2 is terminated and is replaced by Docket No. D-1998-028-3.

II. The project and appurtenant facilities as described in the Section A “Physical features” are approved pursuant to Section 3.8 of the *Compact*, subject to the following conditions:

a. Docket approval is subject to all conditions, requirements, and limitations imposed by the PADEP. The docket holder shall register with and 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.

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

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

d. During any month, the withdrawal from the docket holder’s well and pond intakes shall not exceed the maximum instantaneous rate and monthly allocation as indicated below:

WELL / INTAKE NO.	MAXIMUM INSTANTANEOUS RATE	MONTHLY ALLOCATION
Well PW1	240 gpm	10.37
Pond 3 Intake, Irrigation Pond	900 gpm	10.37
Pond 5 Intake	94 gpm	3.1

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

f. The docket holder shall pay for surface water use in accordance with Administrative Manual – Part III Basin Regulations – Water Supply Charges.

g. The project withdrawals shall be metered with an automatic continuous recording device that measures to within 5 percent of actual flow. An exception to the 5 percent performance standard, but no greater than 10 percent, may be granted if maintenance of the 5 percent performance is not technically feasible or economically practicable. 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.

h. The docket holder shall implement to the satisfaction of the PADEP, a drought or other water supply emergency plan.

i. 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.

j. 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*.

k. 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.

l. 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).

m. 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).

n. 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).

o. 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.

p. 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.

q. 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.

r. For the duration of any drought emergency declared by either Pennsylvania or the Commission, water service or use by the docket holder pursuant to this approval shall be subject to the prohibition of those nonessential uses specified by the Governor of Pennsylvania, the Pennsylvania Emergency Management Council, PADEP, or the Commonwealth Drought Coordinator to the extent that they may be applicable, and to any other emergency resolutions or orders adopted hereafter by the Commission.

s. 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:

EXPIRATION DATE: July 16, 2028