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DOCKET NO. D-1966-217-3

DELAWARE RIVER BASIN COMMISSION

**Southeastern Pennsylvania
Ground Water Protected Area**

**Gulph Mills Golf Club
Ground and Surface Water Withdrawal
Upper Merion 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 May 14, 2025 for renewal of an allocation of groundwater and surface water and review of a groundwater and surface water withdrawal project (Application).

The Application was reviewed for approval under Section 3.8 and for a withdrawal permit under Section 10.3 *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 November 5, 2025.

A. DESCRIPTION

1. **Purpose.** The purpose of this project is to renew the approval of an existing groundwater and surface water withdrawal of up to 12.28 million gallons per month (mgm) of water to the docket holder's golf course irrigation system from Well 1 and existing surface water intake Pond 1, which is on a man-made impoundment located on the Matsunk Creek.
2. **Location.** Well 1 is completed in the Conestoga Formation. The project ponds are located on Matsunk Creek Watershed, in Upper Merion Township, Montgomery County, Pennsylvania. Matsunk Creek near the project site is designated by the Pennsylvania Department of Environmental Protection (PADEP) as supporting Warm Water Fishes (WWF) and Migratory Fishes (MF).

Specific location information has been withheld for security reasons.

3. **Area Served.** The project withdrawals will only be used to supply water to the docket holder's golf course irrigation system. For the purpose of defining Area Served, the Application is

incorporated herein by reference consistent with conditions contained in Section C. DECISION of this docket.

4. Design Criteria. The docket holder's operates an 18-hole golf course located on 172 acres and consists of approximately 33 acres of fairways and tees, 4 acres of greens and 60 acres of additional property which is irrigated. The allocation of groundwater and surface water herein will only serve golf course irrigation.

The golf course uses water from two man-made impoundments located on Matsunk Creek, which is supplied by a spring that originates on the docket holder's property. The impoundments are supplied by spring fed streams and storm water runoff from the golf course. The impoundments are supplemented by Well 1 only in emergency conditions.

The average and maximum demand is 0.05 million gallons per day (mgd) and 0.4 mgd, respectively. The docket holder does not estimate an increase in the 10-year average or maximum daily demand. The allocation of 12.28 million gallons per month (mgm) should be sufficient to meet the future demands of the docket holder's irrigation system.

5. Facilities. The docket holder's existing project well and surface water intake have the following characteristics:

WELL NO.	DEPTH (FEET)	CASED DEPTH/ CASING DIAMETER	PUMP CAPACITY (GPM)	YEAR DRILLED
1	452	18'/16" 39'/12"	250	1966

INTAKE NO.	WITHDRAWAL WATER BODY	PUMP CAPACITY (GPM)	YEAR CONSTRUCTED
Pond 1	Matsunk Creek	1,500	2025

The well and surface water intake are metered.

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

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

The two impoundments have a combined usable storage capacity of approximately 1,000,000 gallons.

6. Other. Wastewater is disposed of via an on-site sub-surface system.

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. Historical use by the docket holder indicates the operation of this project will not create a local water shortage.

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 ground water 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 original 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 wells are located in the Schuylkill-Crow Creek subbasin (Subbasin No. 29), where the total net annual groundwater withdrawal of 2,863.73 million gallons per year (mgy) is greater than the withdrawal limit set in Section 6.I of the *GWPAR* of 1,543 mgy. This is largely due to withdrawals at the Aqua Pennsylvania (Aqua PA) Upper Merion Reservoir. This former quarry is now used by Aqua PA for public water supply purposes and is still considered by the Pennsylvania Department of Environmental Protection (PADEP) as a withdrawal from groundwater. Without including the Upper Merion Reservoir, the total withdrawal from the subbasin would be 499.48 mgy. The total annual groundwater allocation from Well 1 is limited to 66.96 mgy, a fraction of which will be returned to groundwater. Well 1 is only used in emergency conditions.

2. Surface Water Charges / Entitlement

On February 17, 2011, DRBC issued Certificate of Entitlement No. 392 to the docket holder. The Certificate entitled the docket holder to use, withdraw or divert up to 5.7 mgm of surface water from the Impoundments on Matsunk Creek in Upper Merion Township, Montgomery County, Pennsylvania without charge. The docket holder shall pay for surface water use in excess of the surface water listed in Entitlement No. 392 in accordance with the provisions of 18 C.F.R. Part 420 as described in Section C. DECISION Condition C.3.

3. Passby Flow

The docket holder's Matsunk Creek surface water withdrawal will continue to be subject to seasonal passby flow requirements. The estimated contributing drainage area to Matsunk Creek above the docket holder's surface water intake is approximately 0.62 square miles. The estimated seven-day low flow with a recurrence interval of 10 years (Q7-10) at the point of withdrawal is 0.187 cubic feet per second (cfs) or 0.121 million gallons per day (mgd). These values were calculated using Pennsylvania Streamstats. However, due to the small drainage area, the data calculated by Streamstats is an estimate with unknown errors. The project withdrawal must not cause the stream flow in Matsunk Creek to be less than 0.187 cfs at the point of taking and daily withdrawal rates shall be reduced as appropriate to ensure that a minimum of 0.187 cfs passes by the intake. Withdrawals shall cease entirely if the 24-hour average flow as measured below the intake, less the withdrawal, is 0.187 cfs or less. Whenever the stream flow below the intakes is less than 0.187 cfs, no withdrawal from the creek shall be made and the entire natural stream flow must be allowed to pass. No withdrawals shall be made until the flow in Matsunk Creek as measured below the intake is at least 0.80 cfs for at least a 24-hour period.

The docket holder shall continue to monitor the pass-by requirement in accordance with Section C. DECISION Condition C.8. in this docket.

4. Other Findings

The DRBC estimates that the project withdrawals, used for the purpose of golf course irrigation, result in a consumptive use of 90 percent of the total water use. The DRBC definition of consumptive use is defined in Basin Regulations-Water Supply Charges 18 C.F.R. 420.1(d).

The project is designed to conform to the requirements of the *Water Code (WC)*, *Water Quality Regulations (WQR)* and *Ground Water Protected Area Regulations (GWPARG)* of the DRBC.

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.

C. DECISION

Effective on the approval date for Docket No. D-1966-217-3 below, Docket No. D-1966-217-2 is terminated and replaced by Docket No. D-1966-217-3. 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. The docket holder shall pay for surface water use in excess of 5.7 mgm as shown in the Certificate of Entitlement No. 392, excluding any water withdrawals from Well 1 in accordance with *Basin Regulations – Water Supply Charges 18 C.F.R. Part 420*.
4. The docket holder shall continue to implement its Water Conservation Plan as approved by PADEP and shall report to the PADEP on actions taken pursuant to this program and the impact of those actions as requested by the PADEP.

Other Conditions

5. During any month, the combined withdrawal from Well 1 and Pond 1 shall not exceed 12.28 mgm or 73.68 mgy (12.28 mgm x 6 months). No source shall be pumped above the maximum rate and monthly allocation as indicated below:

WELL NO.	MAXIMUM RATE (GPM)*	MONTHLY ALLOCATION (MGM)
1	250	11.16
Pond 1	1,500	12.28

* Based on a 24-Hour Average

6. This approval shall expire on the expiration date set forth below unless prior thereto the docket holder has applied to the Commission to renew or extend this approval.
7. 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 C.F.R. 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 DRBC issues a reminder notice in advance of the deadline or the docket holder receives such notice. If the docket holder has not applied to renew the docket or the DRBC is unable to reissue the docket before the expiration date below, the terms and conditions of the current docket will remain fully effective and enforceable pending the renewal of the docket.

8. The project withdrawal must not cause the average daily streamflow to be less than 0.187 cfs at the point of taking. Whenever the average daily streamflow, less the withdrawal, is below the intake is less than this amount, no withdrawal shall be made and the entire natural streamflow must be allowed to pass. Within four months of the date of approval of this Docket, the docket holder shall submit an Operation Plan, subject to approval by the Executive Director of the DRBC, which shall include a means to monitor and report the passby flow.

9. The well, ponds and facility and operational records shall be available at all times for inspection by the DRBC.

10. The well, ponds and facility shall be operated at all times to comply with the requirements of the *WC* and *WQR* of the DRBC.

11. The well 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.

12. Each new water service connection shall include a water meter in accordance with the DRBC's Resolution No. 87-7 (Revised).

13. No water service connections shall be made to newly constructed premises with plumbing fixtures and fittings that do not comply with water conservation performance standards contained in Resolution No. 88-2 (Revision 2).

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

15. 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.

16. 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.

17. 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*.

18. 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).
19. 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 401.43).
20. 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 C.F.R. 401.43).
21. 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 to ensure the proper control, use and management of the water resources of the Basin.
22. 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.
23. 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.

24. 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: December 10, 2035