DOCKET NO. D-1981-061 CP-6

DELAWARE RIVER BASIN COMMISSION

Drainage Area to the Special Protection Waters

Aqua Pennsylvania, Inc.
Fawn Lake, Masthope, and Woodloch Water Systems
Groundwater Withdrawal
Lackawaxen Township, Pike County, Pennsylvania

PROCEEDING

This docket is issued in response to an Application submitted to the Delaware River Basin Commission (DRBC or Commission) on June 27, 2025 for renewal of an allocation of groundwater and review of a groundwater water withdrawal project (Application). The groundwater withdrawal project was approved by the Pennsylvania Department of Environmental Protection (PADEP) on May 6, 2009 (Permit No. 2520037). An application for Wells MH-5R, MH-7 and FL-3(r) has been submitted to the PADEP and is currently under review.

The Application was reviewed for continuation of this project in the Comprehensive Plan and for approval under Section 3.8 of the *Delaware River Basin Compact*. The Pike 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 docket is to renew the approval of an existing groundwater withdrawal of up to 20.5 mgm to supply the docket holder's Fawn Lake, Masthope and Woodloch public water supply distribution systems from existing Wells FL-2, FL-3r, FL-4, FL-5, WL-5, WL-6, WL-10 and new Wells MH-5R and MH-7. Wells MH-5 and MH-4 will be removed from the docket with this approval and will be replaced by Wells MH-5R and MH-7, respectively. The docket holder received an emergency approval for the project pursuant to Section 401.40(b) of the Commission's Administrative Manual - *Rules of Practice and Procedure, 18 CFR Part* 401 on July 11, 2025 for Well MH-5R (See Findings B.1).

2. Location. The project wells are completed in the Upper Devonian Catskill Formation and are located in the Westcolang Creek, West Falls Creek, and Teedyuskung Creek Watersheds, within the drainage area to the Upper Delaware Special Protection Waters, in Lackawaxen Township, Pike County, Pennsylvania.

Specific location information has been withheld for security reasons.

3. **Area Served.** The docket holder's Fawn Lake, Masthope, and Woodloch water system wells serve water to the Fawn Lake Forest residential development, the Masthope Rapids and Falling Waters at Masthope residential developments, and the Woodloch Springs residential development as shown on a map entitled "Fawn Lake Service Area Map", submitted with this Application. 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 operates seven (7) existing and two (2) new production wells in their Fawn Lake, Masthope, and Woodloch public water supply systems. The system currently serves water to approximately 6,533 customers via 2,669 domestic service connections, 28 commercial and 6 Aqua PA internal use connections. The docket holder records an existing average and maximum water demand of 0.225 million gallons per day (mgd) and 0.535 mgd, respectively. The docket holder projects an average and maximum water demand of 0.337 mgd and 0.722 mgd, respectively, by the year 2035. The requested allocation of 20.5 mgm should be sufficient to meet the future demands of the docket holder.

The project includes the following modifications:

- Well FL-3 was reconstructed with deeper 6-inch sleeved casing to eliminate any potential future contamination from previously open shallow water bearing zones (improper grout seal at the bottom of the original casing). The designation 'r', Well FL-3r, reflects this construction modification. Following reconstruction of the well, a 72-hour constant rate aquifer test was conducted at an average rate of 50 gpm which is the recommended permitted rate for FL-3(r). FL-3(r) allocation will be decreased from 95 gpm to 50 gpm (2.16 mgm).

- Well MH-5R will replace Well MH-5. Well MH-5 pumping capacity has declined to between 35 and 60 gallons per minute (gpm) and the Masthope system has struggled to supply peak system demand and is in need of additional source capacity.

- Well MH-7 will replace Well MH-4. Well MH-4 has lost pumping capacity and operates at approximately 30 gpm. Additionally, well MH-4 is located across Westcolang Creek and is difficult to reach for regular maintenance and operation.

5. **Facilities.** The existing project wells have the following characteristics:

WELL NO.	DEPTH (FEET)	CASED DEPTH / CASING DIAMETER	PUMP CAPACITY (GPM)	YEAR DRILLED
FL-2	642	42'/8"	165	1969
FL-3r	527	38'/8"	95	1969*
FL-4	657	116'/8"	50	1969
FL-5	630	58'/8"	120	1969
MH-5R (new)	270	62'/8"	100	2023

WELL NO.	DEPTH (FEET)	CASED DEPTH / CASING DIAMETER	PUMP CAPACITY (GPM)	YEAR DRILLED
MH-7 (new)	316	114'/8"	186	2024
WL-5	500	120'/6"	75	1988
WL-6	500	175'/6"	60	1988
WL-10	640	126'/ 10"	90	2022

* Well FL-3 was reconstructed in 2024 and named FL-3r

All water service connections are metered.

All wells are metered.

Prior to entering the distribution system, the water from the Fawn Lake and Woodloch water systems is disinfected by chlorination and treated for iron and manganese. The water from the Masthope system is disinfected by chlorination.

The project wellheads are located above the 100-year flood elevation.

The docket holder's water systems noted above are presently interconnected. The Woodloch and Fawn Lake distribution systems were interconnected in Fall 2003. The Masthope and Fawn Lake distribution systems were interconnected in Fall 2006. Because of topography and pressure gradients, Woodloch and Fawn Lake can supply water to Masthope, but there is no booster station that would allow Masthope to supply water to the other systems. The docket holder's water systems are not interconnected with any other distribution system.

6. Other. Wastewater from the Fawn Lake Water System is disposed of entirely via on-lot septic systems within the Fawn Lake residential community.

Wastewater from the Woodloch Springs and Woodloch Pines developments is conveyed to the docket holder's Woodloch Springs sewage treatment facility, which was most recently approved by DRBC Docket No. D-2014-005 CP-3 on March 12, 2025. The PADEP issued NPDES Permit No. PA0062341 A-1 for this treatment facility. The treatment facility has adequate capacity to receive wastewater from the proposed project.

Wastewater from the Masthope development is conveyed to the docket holder's Masthope sewage treatment facility, which was most recently approved by DRBC Docket No. D-1976-021-4 on March 9, 2022. The PADEP issued NPDES Permit No. PA0060496 for this treatment facility. The treatment facility has adequate capacity to receive wastewater from the proposed project.

7. Relationship to the Comprehensive Plan. The docket holder's existing wells were previously included in the Comprehensive Plan as follows:

Docket No.	Date Approved	Approved Wells
D-1970-235 CP	September 27, 1972	FL-2 and FL3

D-1981-062 CP	February 23, 1983	MH-1, MH-3 and MH-4
D-1987-096 CP	April 26, 1989	MH-1, MH-4 and MH-5
D-1987-096 CP REN	January 22, 1997	MH-1, MH-4 and MH-5
D-1989-057 CP	August 8, 1990	WL-5, WL-6 and WL-9
D-1989-057 CP REN	September 19, 1996	WL-5, WL-6 and WL-9
D-1981-061 CP	August 5, 1982	FL-1, FL-2, FL-3, FL-4 and FL-5
D-1981-061 CP REN	May 27, 1987	FL-1, FL-2, FL-3, FL-4 and FL-5
D-1981-061 CP REN 2	May 20, 1992	FL-1, FL-2, FL-3, FL-4 and FL-5
D-1981-061 CP REN 3	June 25, 1997	FL-1, FL-2, FL-3, FL-4 and FL-5
D-1981-061 CP-4	May 6, 2009	FL-2, FL-3, FL-4, FL-5, MH-1, MH-4, MH-5, WL-5, WL-6 and WL-9
D-1981-061 CP-5	March 6, 2024	FL-2, FL-3, FL-4, FL-5, MH-4, MH-5, WL-5, WL-6 and WL-10

Issuance of this docket will continue the groundwater withdrawal project in the Comprehensive Plan.

B. FINDINGS

1. Emergency Certificate

On July 11, 2025, an emergency certificate was granted by the Executive Director of the DRBC in accordance with Section 2.3.9.B. of the Commission's Administrative Manual-*Rules of Practice and Procedure* to Aqua PA for permission to withdrawal up to 100 gpm and 4.32 mgm of groundwater from new Well Masthope MH-5R in Lackawaxen Township, Pike County, Pennsylvania. The provisions and conditions of the emergency certificate issued to Aqua PA that remain active include:

a. Aqua PA shall meter and record the withdrawals from Masthope Well MH-5R on a daily basis.

b. The maximum pumping rate (based on a 24-hour average) from Masthope Well MH-5R shall not exceed 100 gpm.

c. During any month, the withdrawals from Masthope Well MH-5R shall not exceed 4.32 million gallons.

d. Masthope Well MH-5R and operational records shall always be available for inspection by the DRBC.

e. Water level measurements and pumping records for Well MH-5R shall be maintained to evaluate long-term well and aquifer performance. A report evaluating the well and aquifer performance during the initial startup period shall be submitted to the Commission by October 15, 2025.

f. Sound practices of excavation, backfill, and reseeding shall be followed to minimize erosion and deposition of sediment in streams from any new facilities or repair related construction.

g. 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.

h. The provisions of this emergency certificate are temporary and shall expire upon the earlier of:

1) Approval of Aqua PA's Withdrawal Docket No. D-1981-061 CP-6 (the docket expiration date will then apply); or

2) Six (6) months from the date of this letter.

2. Special Protection Waters

In 1992, the DRBC amended its *Water Quality Regulations (WQR)* by the addition of regulations for the protection of Special Protection Waters (SPW), designed to maintain the quality of interstate waters where existing quality is better than the established stream quality objectives. As the result of its initial classifications and subsequent amendments, the Commission has designated the entire non-tidal main stem Delaware River from Hancock, New York to Trenton, New Jersey as SPW. DRBC's SPW regulations apply within the designated reaches and their drainage area.

The wells providing water supply to the docket holder are located within the drainage area to SPW. Sections 3.10.3A.2.e.1) and 2) of the *WQR* state that projects subject to review under Section 3.8 of the *Compact* that are located within the drainage area of SPW must submit for approval a Non-Point Source Pollution Control Plan (NPSPCP) that controls the new or increased non-point source loads generated within the portion of the docket holder's service area which is also located within the drainage area of SPW.

Since this project involves the renewal of an approval for existing activities and does not entail additional construction or expansion of facilities or create new or increased non-point source loads, the NPSPCP requirement is not applicable at this time. Condition C.27. of this docket provides that at such time, if ever, as additions to the area served by the docket holder's withdrawals are proposed, the docket holder will be required to demonstrate compliance with an approved NPSPCP in accordance with DRBC's SPW regulations.

3. Water Audits for Public Water Supply Systems Serving Greater than 100,000 gpd

Section 2.1.8 of the *Water Code (WC)* is the policy of the Commission to establish a standardized water audit methodology for owners of water supply systems serving the public to ensure accountability in the management of water resources. Voluntary Water Audits were

encouraged for public water supply systems through December 31, 2011 (Section 2.1.8.B.). Effective January 1, 2012, the owners of each public water supply system are required to implement an annual calendar year water audit program conforming to IWA/AWWA Water Audit Methodology (AWWA Water Loss Control Committee (WLCC) Water Audit Software) and corresponding AWWA guidance (Section 2.1.8.C.). Water audits shall be submitted annually to the Commission by March 31. The docket holder submitted their most recent Water Audit on March 25, 2025, and then the docket holder submitted a revised report on May 27, 2025.

4. Well MH-5R Hydrogeologic Evaluation

On June 19, 2023 through June 22, 2023, a 72-hour pumping test was conducted to assess groundwater withdrawal capabilities of Well MH-5R and the underlying aquifer characteristics and potential impacts to the local hydrologic system. The average pumping rate of the test on Well MH-5R was 120 gallons per minute (gpm). The constant rate test started at an initial pumping rate of 140 gpm and drifted down over the first hour of the test. Following 36 hours of pumping, the long-term projection was deemed too steep and would result in the 180-day pumping water level below the shallowest water bearing zone at 103 feet below top of casing (btoc). The pumping rate was decreased from 130 gpm to 110 gpm at 2,165 minutes. No further rate adjustments were necessary. The test average pumping rate for the three days of pumping was 120 gpm and the average pumping rate following the rate adjustment at 2,165 minutes was 110 gpm for the final 36 hours of pumping. During the long-term pumping test of Well MH-5R, discharge water was conveyed through 2 1/2-inch lay flat hose approximately 200 feet north of the pumping well and allowed to discharge directly into the culvert under Eagle Rock Road through which the unnamed tributary UNT-West flows. The discharge was located downstream from all surface water monitoring points to preclude any interference during the test and no recirculation of discharge water occurred. Well MH-5R was pumped for a total period of 4,320 minutes.

Groundwater response monitoring was conducted in the pumping well (Well MH-5R) and Monitoring Wells MH-5, test well MH-TW and a domestic well 150 Mountain Drive. All wells were monitored electronically and manually. Monitoring Wells MH-5, test well MH-TW and a domestic well 150 Mountain Drive are located approximately 55 feet, 45 feet and 2,000 feet from the pumping well, respectively.

Surface water monitoring was also conducted at five (5) locations; South Wetland Stilling Well, South Wetland Piezometer, West Wetland Stilling Well, West Wetland Piezometer and a 6-inch Flume. All surface water monitoring points were monitored electronically and programmed at a 10-minute frequency. Surface water monitoring points were located at the following distances from pumping well MH-5R; South Wetland Stilling Well (540 feet), South Wetland Piezometer (540 feet), West Wetland Stilling Well (100 feet), West Wetland Piezometer (100 feet) and a 6-inch Flume (110 feet).

Prior to the start of the pumping test, the water level in Well MH-5R was 52.59 feet btoc. The maximum drawdown observed at the pumping well, after approximately 72 hours of pumping at an average rate of 120 gpm, was 22.75 feet (water level of 75.34 feet btoc). Well MH-5 was taken out of operation during the long-term pumping test.

During the 72-hour aquifer test at an average rate of 120 gpm, interference from MH-5R pumping occurred at two of the three wells (MH-5 and MH-TW). Well MH-5 was estimated to experience approximately 22.44 feet of drawdown from the pumping at Well MH-5R. Well MH-TW was estimated to experience approximately 21.45 feet of drawdown from the pumping at Well MH-5R. Both wells are located within 55 feet of the pumping well and display similar drawdown curves. Both wells will be abandoned once Well MH-5R goes into operation. No discernable drawdown was observed in any of the other monitoring wells or surface water monitoring points due to the pumping of Well MH-5R.

The observed drawdown data was used to calculate aquifer parameters to characterize the underlying aquifer. The median Transmissivity value for the Well MH-5R test data was 490 ft^2/day from Well MH-5R and the monitoring wells data using the Cooper-Jacob drawdown and Theis Recovery method at an average test rate of 120 gpm. A median Storativity value of 0.00062 was calculated from the drawdowns observed in Monitoring Wells MH-5 and MH-TW. The Storativity value is consistent with a confined aquifer value.

Commission staff have reviewed the Hydrogeologic Report for the Well MH-5R pumping test. No adverse impacts are expected to occur to the local hydrologic system due to the pumping from Well MH-5R.

5. Well MH-7 Hydrogeologic Evaluation

On September 9, 2023, through September 12, 2023, a 72-hour pumping test was conducted to assess groundwater withdrawal capabilities of Well MH-7 and the underlying aquifer characteristics and potential impacts to the local hydrologic system. The average pumping rate of the test on Well MH-7 was 186 gallons per minute (gpm). The MH-7 constant rate test started at an initial pumping rate of 205 gpm and intended to drift down slightly during the initial hours of pumping. The pumping rate reached 190 gpm within the first 1,150 minutes and was allowed to drift down for the remainder of the test to a final rate of 179 gpm. Minor rate adjustments were made in the initial 100 minutes; no further rate adjustments were necessary. Discharge from the pumping well was conveyed through 6-inch diameter plastic lay flat hose approximately 250 feet northeast and allowed to discharge directly into the culvert under Falling Waters Blvd. through which the Westcolang Creek flows. PADEP Clean Water provided a Temporary Discharge Authorization for the test water. The discharge was located downstream from all surface water monitoring points to preclude any interference during the test and no recirculation of discharge water occurred. Well MH-7 was pumped for a total period of 4,320 minutes.

Groundwater response monitoring was conducted in the pumping well (Well MH-7) and Monitoring Wells Test Well D, MH-4, 109 Hooper, 117 Hooper, 123 Hooper and 297 Westcolang. All wells were monitored electronically and manually. Monitoring Wells ranged from 1,800 feet (MH-4) to 3,550 feet (123 Hooper) from the pumping well.

Surface water monitoring was also conducted at six (6) locations; Westcolang Creek Stilling Well, East Wetland Piezometer, East Wetland Stilling Well, South Wetland Piezometer,

South Wetland Stilling Well and West Wetland Piezometer. All surface water monitoring points were monitored electronically and programmed at a 10-minute frequency. Surface water monitoring points were located at the following distances from pumping well MH-7; South Wetland Stilling Well (540 feet), South Wetland Piezometer (540 feet), West Wetland Stilling Well (100 feet), West Wetland Piezometer (100 feet) and a 6-inch Flume (110 feet Westcolang Creek Stilling Well (150 feet), East Wetland Piezometer (700 feet), East Wetland Stilling Well (700 feet), South Wetland Piezometer (2,650 feet), South Wetland Stilling Well (2,650 feet) and West Wetland Piezometer (4,300 feet).

Prior to the start of the pumping test, the water level in Well MH-7 was 17.99 feet btoc. The maximum drawdown observed at the pumping well, after approximately 72 hours of pumping at an average rate of 186 gpm, was 77.31 feet (water level of 95.30 feet btoc).

During the 72-hour aquifer test at an average rate of 186 gpm, interference from MH-7 pumping occurred at MH-4. Well MH-4 was estimated to experience approximately 13.00 feet of drawdown from the pumping at Well MH-7. Four of the other monitoring wells experienced minor drawdowns due to pumping from Well MH-7. The minor drawdowns ranged from 0.69 feet (Test Well D) to 1.24 feet (109 Hooper). No discernable drawdown was observed in any of the other monitoring wells or surface water monitoring points due to the pumping of Well MH-7.

The observed drawdown data was used to calculate aquifer parameters to characterize the underlying aquifer. The median Transmissivity value for the Well MH-7 test data was 470 ft^2/day from Well MH-7 using the Cooper-Jacob drawdown and Theis Recovery method at an average test rate of 186 gpm. A median Storativity value of 0.000229 was calculated from the drawdowns observed in monitoring wells using Distance Drawdown Method. The Storativity value is consistent with a confined aquifer value.

Commission staff have reviewed the Hydrogeologic Report for the Well MH-7 pumping test. No adverse impacts are expected to occur to the local hydrologic system due to the pumping from Well MH-7.

6. Well FL-3r

In 2016, FL-3 was found to be contaminated by some form of oil, presumed to be home heating oil, and the well was taken out of service. Significant investigative efforts and testing were completed and the original well has been reconstructed with deeper 6-inch sleeved casing to 200 feet below grade (bg) in order to eliminate potential future contamination of the well.

7. Other Findings

The DRBC estimates that the project withdrawals, used for the purpose of public water supply, result in a consumptive use of 10 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 is designed to conform to the requirements of the *Water Code (WC), Water Quality Regulations (WQR)* and *Ground Water Protected Area Regulations (GWPAR)* of the DRBC.

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-1981-061 CP-6 below, the project described in Docket D-1981-061 CP-5 is removed from the Comprehensive Plan to the extent that they are not included in Docket No. D-1981-061 CP-6; Docket No. D-1981-061 CP-5 is terminated and replaced by Docket No. D-1981-061 CP-6; 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 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. In accordance with DRBC Resolutions No. 87-6 (Revised) and No. 2009-1, the docket holder shall continue to implement to the satisfaction of the PADEP, the systematic program to monitor and control leakage within the water supply system. The program shall at a minimum include: periodic surveys to monitor leakage, enumerate non-revenue water and determine the current status of system infrastructure; recommendations to monitor and control leakage; and a schedule for the implementation of such recommendations. The docket holder shall proceed expeditiously to correct leakages and unnecessary usage identified by the program.

4. In accordance with DRBC Resolution No. 2009-1 and Section 2.1.8. of the *Water Code*, the docket holder shall implement an annual calendar year water audit program conforming to IWA/AWWA Water Audit Methodology (AWWA Water Loss Control Committee

(WLCC) Water Audit Software) and corresponding guidance. Water audits shall be submitted annually to the Commission by March 31.

5. The docket holder shall implement to the satisfaction of the PADEP, a continuous program to encourage water conservation in all types of use within the facilities served by this docket approval. The docket holder will report to the PADEP on the actions taken pursuant to this program and the impact of those actions as requested by the PADEP.

6. 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

7. During any month, the combined withdrawal from all well sources shall not exceed 20.5 million gallons. No well shall be pumped above the maximum rate and monthly allocation as indicated below:

WELL NO.	MAXIMUM RATE (GPM)*	MONTHLY ALLOCATION (MGM)
FL-2	165	4.75
FL-3r	50	2.16
FL-4	50	1.75
FL-5	120	4.18
MH-5R	100	4.32
MH-7	186	8.04
WL-5	75	3.03
WL-6	60	2.52
WL-10	90	3.45

*Based on a 24-Hour Average

8. In accordance with 18 C.F.R. 401.8. of the Commission's *Rules of Practice and Procedure (RPP)*, if at any future time the Project is changed materially from the Project as described in this docket, it will be deemed to constitute a new and different project for the purposes of Article 11 of the *Delaware River Basin Compact* and will require Commission amendment of the Comprehensive Plan. In accordance with the same section of the *RPP*, whenever a change to the Project is made, the sponsor must advise the Executive Director, who will determine whether the change is deemed materially for purposes of this provision.

9. 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.

10. 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.

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

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

13. 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.

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

15. Sound practices of excavation, backfill and reseeding shall be followed to minimize erosion and deposition of sediment in streams from any new facilities or repair related construction.

16. 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).

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

18. 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.

19. 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.

20. 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*.

21. 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).

22. 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).

23. 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 401.43).

24. 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 ensure the proper control, use and management of the water resources of the Basin.

25. 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.

26. 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.

27. Prior to allowing connections from any new service areas or any new developments, the docket holder shall either submit and have approved by the Executive Director of the DRBC a Non-Point Source Pollution Control Plan (NPSPCP) in accordance with Section 3.10.3.A.2.e or receive written confirmation from the Executive Director of the DRBC that the new service area is in compliance with a DRBC approved NPSPCP.

28. 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: **December 10, 2025**

EXPIRATION DATE: **December 10, 2035**