

Susquehanna River Basin Commission

a water management agency serving the Susquehanna River Watershed



February 19, 2014

TO ALL CONCERNED:

At the December 12, 2013, Commission meeting, the draft minutes of the September 19, 2013, Commission meeting were approved as written. Please attach this notice to your copy of the September 19, 2013, minutes.

- DRAFT -

SUSQUEHANNA RIVER BASIN COMMISSION
4423 N. FRONT ST.
HARRISBURG, PA 17110

**MINUTES OF THE
SUSQUEHANNA RIVER BASIN COMMISSION
December 12, 2013
#2013-04**

The meeting was held at the Lowe House Office Building, Annapolis, Maryland. Chairman Jordan called the meeting to order at 8:30 a.m.

ROLL CALL

Commissioners Present

Col. J. Richard Jordan, III, District Engineer,
USACE, Balt. Dist.

Mr. Kenneth P. Lynch, Director, Region 7, New
York State Dept. of Environmental Conservation
(NYSDEC)

Ms. Kelly Heffner, Deputy Secretary for Water
Management, Pennsylvania Dept. of Environmental
Protection (PADEP)

Mr. Saeid Kasraei, Program Administrator, Water
Supply Program, Maryland Dept. of the
Environment (MDE)

**Alternate Commissioners
and Advisors Present**

Staff Present

Mr. Andrew D. Dehoff, Executive Director

Mr. Andrew J. Gavin, Deputy Executive Director

Ms. Marcia Rynearson, Director, Administration
& Finance

Ms. Stephanie L. Richardson, Secretary to the
Commission

Mr. Thomas W. Beauduy, Special Counsel

Mr. Richard A. Cairo, General Counsel

Mr. John W. Balay, Manager, Planning & Operations

Ms. Paula B. Ballaron, Manager, Policy
Implementation & Outreach

Mr. Todd D. Eaby, Manager, Project Review

Mr. Eric Roof, Manager, Compliance & Enforcement

Mr. Brydon Lidle, Manager, Information Technology

Also Present

Mr. Hank Gruber, USACE, North Atlantic Division *Ms. Rhonda Manning*, PA DEP

1. Opening Remarks from the Chair

Chairman Jordan provided an opening statement outlining the rules of conduct for the meeting and introduced the other commissioners. Each of the commissioners added brief opening remarks relating to valuable cooperative efforts between their jurisdictions and the Commission. Commissioner Kasraei extended a special welcome on behalf of the State of Maryland.

Executive Director Dehoff noted that he looks forward to the Commission's annual trip to Maryland. It always reminds him of the importance of what the Commission does in the rest of the basin. He then reviewed a list of major accomplishments of the Commission during 2013.

2. Presentation: Relicensing of the Conowingo Hydroelectric Project

Mr. Bruce Michael of the Maryland Department of Natural Resources presented information on the ongoing federal relicensing process for the Conowingo Hydroelectric Project. He focused particularly on the issue of sediment trapped behind Conowingo Dam. The dam serves effectively as a BMP in holding back sediments from Chesapeake Bay; however, the storage capacity of the dam for these sediments is limited and an eventual solution will be needed if the Bay is to meet future water quality standards. Thus, dealing with the sediment problem is a high priority relicensing issue along with fish passage and flow management.

The Lower Susquehanna River Watershed Assessment Study, which deals with the sediment problem, is nearing completion and will evaluate options for dealing with the sediment problem such as reducing upstream sediment loads, bypassing sediment around the dam and removing sediment trapped behind the dam.

3. Minutes of June 20, 2013, Commission Meeting

On a motion by Commissioner Lynch, seconded by Commissioner Heffner, the minutes of the regular business meeting of September 19, 2013, were unanimously approved as written.

4. FY-2015 Funding of the National Streamflow Information Program (NSIP)

On a motion by Commissioner Summers, seconded by Commissioner Lynch, the Commission adopted the resolution (Exhibit A) presented by Mr. Balay urging the U.S. Congress to provide financial support to the National Streamflow Information Program (NSIP), thereby supporting the Susquehanna Flood Forecast & Warning System (SFFWS), by the affirmative votes of New York, Pennsylvania and Maryland.

5. 2013 Update of Comprehensive Plan

Mr. Balay presented a resolution (Exhibit B) adopting the five-year update of the 2008 Comprehensive Plan for the Water Resources of the Susquehanna River Basin. The update had been the subject of a public hearing on August 15, 2013, and a number of public comments were received by the August 25, 2013, deadline. These comments were carefully considered and responses have been provided by staff. When the Commission adopted a new comprehensive

plan in 2008, it stipulated that the plan should be updated every five years to maintain its timely application to current water resources issues. This update fulfills that directive.

On a motion by Commissioner Kasraei, seconded by Commissioner Lynch, the Commission unanimously adopted the 2013 update of the comprehensive plan.

6. Sale of 1721 N. Front Street Building

Director of Administration and Finance Marcia Rynearson presented a Resolution (Exhibit C) ratifying the sale and conveyance of the Commission’s former headquarters property at 1721 N. Front Street, Harrisburg, Pennsylvania.

On a motion by Commissioner Heffner, seconded by Commissioner Kasraei, the Commission unanimously adopted the resolution.

7. Contracts and Grants – Ratification/Approval

Director of Administration and Finance Marcia Rynearson presented the following grant and contract, along with a recommendation for ratification of both by the Commission:

a. Grant Approval – Water Quality Protection and Pollution Prevention (U.S. Environmental Protection Agency)

Under this grant, SRBC will continue to establish and maintain adequate measures for the prevention and control of surface water pollution and implement EPA approved Clean Water Act Section 106 program activities. Some of these activities include performance of subbasin surveys and large river assessments, Total Maximum Daily Load (TMDL) coordination, interstate stream monitoring, GIS and data management, water quality coordination, public participation and outreach, integrated reporting of monitoring results, migratory fish restoration, and aquatic invasive species control. Funding would be as follows:

USEPA - \$617,250	SRBC - \$47,847	Total - \$665,097
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b. Joint Funding Agreement Approval – Operation and maintenance of a network of New York streamgages (USGS)

This is a joint funding agreement (JFA) with the U.S. Geological Survey (USGS) in the amount of \$72,940. Under the JFA, the USGS will provide operation and maintenance services for streamgages located in New York, which support the Susquehanna Flood Forecast and Warning System (SFFWS). The funding provided by the SRBC will come from remaining SFFWS grant funds. Funding would be as follows:

USGS - \$10,950	SRBC - \$61,990	Total - \$72,940
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Ms. Rynearson requested Commission ratification by motion of items a. and b. On a motion by Commissioner Kasraei, seconded by Commissioner Heffner, the Commission unanimously approved the recommendations of Ms. Rynearson for items a. and b.

8. Regulatory Program Actions

a. Docket Actions

The Commission had before it a staff memorandum containing the following list of project applications:

1. Aqua Pennsylvania, Inc., Mifflin Township Water System, Mifflin Township, Columbia County, Pa. (Exhibit D1)
2. Aqua Infrastructure, LLC (Tioga River), Hamilton Township, Tioga County, Pa.
3. Chesapeake Appalachia, LLC (Susquehanna River), Athens Township, Bradford County, Pa. (Exhibit D2)
4. DS Waters of America, Inc., Clay Township, Lancaster County, Pa.
5. Energy Corporation of America (West Branch Susquehanna River), Goshen Township, Clearfield County, Pa. (Exhibit D3)
6. Gettysburg Municipal Authority, York Water Company Interconnection, Straban Township, Adams County, Pa.
7. Houtzdale Municipal Authority, Gulich Township, Clearfield County, Pa.
8. Keystone Clearwater Solutions, LLC (Lycoming Creek), Lewis Township, Lycoming County, Pa.
9. LHP Management, LLC (Fishing Creek – Clinton Country Club), Bald Eagle Township, Clinton County, Pa. (Exhibit D4)
- 10-11. Millersburg Area Authority, Upper Paxton Township, Dauphin County, Pa. (Exhibit D5)
12. New Holland Borough Authority, New Holland Borough, Lancaster County, Pa. (Exhibit D6)
13. New Oxford Municipal Authority, Oxen Country Meadows, Oxford Township, Adams County, Pa.
14. Old Dominion Electric Cooperative, Rock Springs Expansion, Rising Sun District, Cecil County, Md.
15. Old Dominion Electric Cooperative (Susquehanna River), Fulton Township, Lancaster County, Pa.
16. Seneca Resources Corporation (Arnot No. 5 Mine Discharge), Bloss Township, Tioga County, Pa.
17. Southwestern Energy Production Company (Lycoming Creek – Bodines), Lewis Township, Lycoming County, Pa. (Exhibit D7)
18. Southwestern Energy Production Company (Lycoming Creek – Ralston), McIntyre Township, Lycoming County, Pa. (Exhibit D8)
19. Talisman Energy USA Inc. (Choconut Creek), Choconut Township, Susquehanna County, Pa. (Exhibit D9)
20. Talisman Energy USA Inc. (Fall Brook – C.O.P. Tioga State Forest), Ward Township, Tioga County, Pa.
21. Talisman Energy USA Inc. (Fellows Creek – C.O.P. Tioga State Forest), Ward Township, Tioga County, Pa.
22. WPX Energy Appalachia, LLC (Turner Lake), Liberty Township, Susquehanna County, Pa.
23. Winner Water Services, Inc. (Manor #44 Deep Mine), Girard Township, Clearfield County, Pa.
24. York Water Company (Susquehanna River and South Branch Codorus Creek), Lower Windsor and Spring Garden Townships, York County, Pa.
25. Gettysburg Municipal Authority, Hunterstown Wastewater Treatment Plant, Straban Township, Adams County, Pa. (involving a diversion) (Exhibit D10)
26. Gettysburg Municipal Authority, York Water Company Interconnection, Straban Township, Adams County, Pa. (out-of-basin diversion)

Highlight = Project sponsor has withdrawn its application

Highlight = Staff recommending tabling.

All projects on the above list were recommended for approval with the exception of Nos. 2, 4, 6-8, 13-16, 20-21, 24, and 26, which were recommended for tabling, and with the exception of Nos. 22-23, which were withdrawn by the project sponsors.

Commissioner Lynch moved that the Commission adopt the recommendations of staff for the 26 project applications. This motion was seconded by Commissioner Heffner and unanimously adopted by the Commission.

9. Adjournment

There being no further business before the Commission, Chairman Jordan adjourned the meeting at 9:18 a.m. The next regular meeting of the Commission is tentatively scheduled for March 6, 2014, in Harrisburg, Pennsylvania.

Chairman Jordan opened the meeting to public comments. Lower Susquehanna River Keeper Michael Helfrich thanked Mr. Michael for his presentation on the sediment problem at Conowingo. He also thanked Mr. Beauduy for his past assistance on this issue. He offered further concerns about the sediment and scour problems at Conowingo and then added a comment on the deferral of the Gettysburg Municipal Authority (GMA) diversion application. He pointed out that there has been a substantial change in the demand outlook for water in the Gettysburg area since the GMA application was first submitted seven years ago.

March 6, 2014
Date Adopted


Stephanie L. Richardson

RESOLUTION NO. 2013-12

A RESOLUTION of the Susquehanna River Basin Commission urging the President and the Congress of the United States to provide financial support to the National Streamflow Information Program in FY 2015, thereby supporting the Susquehanna Flood Forecast and Warning System.

WHEREAS, the Susquehanna River Basin is one of the most flood-prone watersheds in the United States, with average annual flood damages of nearly \$150 million; and

WHEREAS, severe flooding in the Susquehanna River Basin in September 2011, from which basin residents are still continuing to recover, caused millions of dollars in flood damages, injury, and loss of life, and further underscored the flood prone nature of the basin; and

WHEREAS, through an integrated rain and stream gage network, timely and accurate flood forecasts and warnings, and flood stage mapping for at-risk communities in the Susquehanna River Basin, the Susquehanna Flood Forecasting and Warning System (SFFWS) has helped prevent injury and loss of life; reduced flood damages by tens of millions of dollars; and delivered a benefit to cost ratio of 20:1; and

WHEREAS, these streamgages are crucial to early warning and flood damage reduction efforts in the Susquehanna River Basin, one of the most flood prone river basins in the United States; and

WHEREAS, the SFFWS is inextricably linked to the public health, safety, and welfare of the citizens of the Susquehanna River Basin; and

WHEREAS, in the interest of avoiding duplication of effort, maximizing available resources and promoting good government, the Commission, in accordance with its authority under Section 3.7 of the Susquehanna River Basin Compact, Pub. L. 91-575, plays an important coordinative role with federal and state agencies through the SFFWS, and also provides important technical assistance and public information services to the SFFWS; and

WHEREAS, federal funding for the SFFWS was eliminated in FY 2011; and

WHEREAS, concern by Congress for the long-term continuity and reliability of our national streamgaging data led to the creation of the National Streamflow Information Program (NSIP) by the U.S. Geological Survey (USGS) in 1999; and

WHEREAS, NSIP was designed and authorized to operate as a federally funded “backbone” network supporting approximately 4,750 streamgages and tidal gages necessary to fulfill 5 specific national purposes including streamflow forecasts that provide real-time stage and discharge data that are required to support flood and other streamflow forecasting by the National Weather Service and other federal agencies across the country; and

WHEREAS, Public Law 111-11 known as the "Omnibus Public Land Management Act of 2009" authorizes full implementation of NSIP by March 2019; and

WHEREAS, full implementation of NSIP will offset costs incurred by other federal streamgage programs, offset associated costs to cooperators within these same programs, and create a sustainable network to protect the lives and property of our nation's citizenry; and

WHEREAS, 45 streamgages in the SFFWS have been designated as eligible for NSIP support.

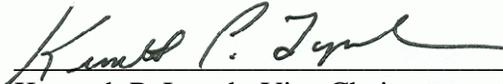
NOW THEREFORE BE IT RESOLVED THAT:

1. The Commission recommends the President include the amount of \$122 million in the FY 2015 budget to fully fund all NSIP eligible gages in the nation, thereby providing sustainable funding for the SFFWS.

2. The Congress of the United States is likewise encouraged to support the above stated appropriation request for FY 2015.

3. This resolution shall be effective immediately.

Dated: December 12, 2013



Kenneth P. Lynch, Vice Chair
New York

RESOLUTION NO. 2013-13

A RESOLUTION of the Susquehanna River Basin Commission (the “Commission) adopting an updated *Comprehensive Plan for the Water Resources of the Susquehanna River Basin*.

WHEREAS, under Article 3, Section 3.3 (1) and Article 14, Section 14.1 of the Susquehanna River Basin Compact, Pub. L. 91-575, (Compact), the Commission is directed to “develop and adopt, and from time to time review and revise, a comprehensive plan for the immediate and long range development and use of the water resources of the basin;” and

WHEREAS, by Resolution 2008-08 of December 4, 2008, the Commission adopted a substantially revised comprehensive plan; and

WHEREAS, Resolve No. 4 of the said Resolution 2008-08 directs the Commission staff to conduct periodic review of the comprehensive plan and propose appropriate revisions to the Commission to ensure its continued timeliness and relevance and to maintain its quality and utility; and

WHEREAS, the 2008 comprehensive plan called for an update to the plan every five years to help ensure it is current and of long term value and usefulness ; and

WHEREAS, in accordance with this five year directive, the staff has produced and presented this day to the Commission an updated comprehensive plan dated December 2013; and

WHEREAS, a draft of the updated plan was the subject of a public hearing held on August 15, 2013 at Harrisburg, Pennsylvania; and

WHEREAS, the Commission also accepted written comments on the draft plan during a 60-day comment period ending August 26, 2013; and

WHEREAS, the Commission has carefully considered the comments offered at the public hearings and in writing, and has, where appropriate, modified the contents of the proposed updated comprehensive plan.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Commission hereby adopts an updated *Comprehensive Plan for the Water Resources of the Susquehanna River Basin* as presented by staff, dated December 12, 2013.

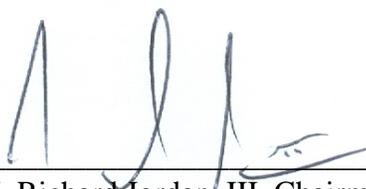
2. The staff is directed to distribute copies of the plan in printed or electronic form to interested parties and government officials, and to make the contents of the plan available on the Commission’s website.

3. Staff is further directed to file copies of this 2013 updated comprehensive plan with the Federal Energy Regulatory Commission pursuant to Section 10(a) of the Federal Power Act, 16 U.S.C. Section 803(a).

4. This resolution incorporates the provisions of any and all previous resolutions or actions of the Commission regarding its comprehensive plan, unless such provisions conflict with the contents of this revised comprehensive plan, in which case they shall be superseded.

5. This resolution shall be effective immediately.

Dated: December 12, 2013

A handwritten signature in blue ink, appearing to read "J. Richard Jordan, III", written over a horizontal line.

Col. J. Richard Jordan, III, Chairman
United States

RESOLUTION NO. 2013-14

A RESOLUTION of the Susquehanna River Basin Commission approving and ratifying the sale and conveyance of the Commission's former headquarters property at 1721 North Front Street, Harrisburg, Pennsylvania.

WHEREAS, in accordance with Resolution 2011-09 of September 15, 2011, the Commission has acquired and occupied a new headquarters property at 4423 North Front Street, Harrisburg (Susquehanna Township), Dauphin County Pennsylvania 17110-1788; and

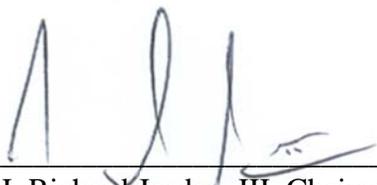
WHEREAS, at its regular business meeting of September 20, 2012, the Commission, by motion, authorized the listing for sale of its former headquarters property at 1721 North Front Street, Harrisburg, Dauphin County, Pennsylvania 17102-2391; and

WHEREAS, the Commission directed the Executive Director and the Director of Administration and Finance to negotiate and execute an agreement of sale and other ancillary documents, including those related to final settlement, in a form approved by counsel, for the sale of the said former headquarters property.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Commission hereby approves and ratifies the sale and conveyance of the former headquarters property at 1721 North Front Street, Harrisburg, Dauphin County, Pennsylvania 17102-2391 by the Executive Director and the Director of Administration and Finance, for the sum of \$875,000.
2. The Commission further approves and ratifies all ancillary documents executed by the said Executive Director and Director of Administration and Finance in connection with the said sale and conveyance.
3. This resolution shall be effective immediately.

Dated: December 12, 2013



Col. J. Richard Jordan, III, Chairman
United States



SUSQUEHANNA RIVER BASIN COMMISSION

4423 North Front Street • Harrisburg, Pennsylvania 17110-1788

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Docket No. 20131201

Approval Date: December 12, 2013

AQUA PENNSYLVANIA, INC. – MIFFLINVILLE WATER SYSTEM

**Groundwater Withdrawal (30-Day Average) of 0.432 mgd
from Mifflinville Well 3**

Section 1. Approval

After review of the record, including the technical findings of Susquehanna River Basin Commission (Commission) staff, the Commission has determined that no adverse impacts are anticipated by the operation of this project, and that 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. Accordingly, the Commission hereby approves the project described herein in accordance with the conditions set forth below.

In 1996, the Mifflin Township Water Authority (MTWA) was approved to withdraw 0.432 million gallons per day (mgd) from Well PW-3 by Commission Docket No. 19960902. The approval included a total system withdrawal limit of 0.432 mgd from Well PW-3 and two sources (Well Nos. PW-1 and PW-2), with use initiated prior to the applicable groundwater withdrawal regulations. Well Nos. PW-1 and PW-2 are no longer sources for the water system. On April 2, 2012, the MTWA's docket was conditionally transferred to Aqua Pennsylvania, Inc. In accordance with Commission Regulation 18 CFR §806.6, Aqua Pennsylvania, Inc. applied to continue withdrawal of 0.432 mgd (30-day average) from Well PW-3 and requested a waiver from the Commission's aquifer testing requirement. Aqua Pennsylvania, Inc. also requested that Well PW-3 be identified as Mifflinville Well 3 in this and future approvals and correspondence.

Commission staff has coordinated with the Pennsylvania Department of Environmental Protection (PADEP) and the Pennsylvania Fish and Boat Commission (PFBC) during review of this project.

Section 2. Project Information

Information concerning the project sponsor, water use type, and location are set forth in the table below.

Project Information	
Project Sponsor:	Aqua Pennsylvania, Inc.
Approval Type:	Groundwater Withdrawal
Authorized Water Use Purpose:	Public Water Supply
Municipality:	Mifflin Township
County:	Columbia County
State:	Pennsylvania

Section 3. Source Information

Information concerning the source of water from which the withdrawal will be made is set forth in the table below.

Source Information	
Withdrawal Type:	Groundwater
Approved Source:	Mifflinville Well 3
Subbasin:	Middle Susquehanna
Watershed Boundary Dataset (WBD):	0205010710 (Lower Susquehanna River)
Withdrawal Location (degrees)*:	Lat: -- Long: --
Special Flow Protection Required:	No
* Specific location information concerning discrete water-related project features has been withheld for security reasons.	

Section 4. Aquifer Testing

The project sponsor requested that the constant-rate aquifer testing required by Commission Regulation 18 CFR §806.12 for groundwater withdrawals be waived. In support of its request for a waiver, the project sponsor submitted background information including historical withdrawal data demonstrating use at the requested rate, and a hydrogeological report providing the results of a 50-hour aquifer test completed for Well PW-3 in 1993.

Commission staff finds that the supporting documentation provides sufficient information and data to determine that operation of Mifflinville Well 3 at the requested withdrawal rate should not cause permanent loss of aquifer storage, render competing supplies unreliable, or cause adverse impacts to the water resources of the basin. Therefore, the aquifer testing requirements for Mifflinville Well 3, pursuant to Commission Regulation 18 CFR §806.12, are hereby waived.

Section 5. Approved Withdrawal Quantities and Limitations

The withdrawal approved hereunder is subject to the quantitative limits and restrictions set forth in the table below.

Approved Withdrawal Quantities and Limitations – Mifflinville Well 3	
30-Day Average Withdrawal (mgd):	0.432
Maximum Instantaneous Withdrawal Rate (gpm):	300 (Not to Exceed)
gpm – gallons per minute	

The withdrawal is also subject to all other conditions set forth in this docket approval.

Section 6. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, 18 CFR Parts 801, 806, and 808. This project is subject to the annual compliance and monitoring fee as specified in the Commission’s Regulatory Program Fee Schedule, which may be modified over the term of the approval.

2. The project sponsor shall adhere to the metering plan reviewed and approved by Commission staff. Any modifications proposed for the metering plan shall be submitted for review and approval by Commission staff in accordance with Commission Regulation 18 CFR §806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan.

3. The project sponsor shall maintain the totalizing meter and other measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals, and certify to the Commission once every five (5) years, or as otherwise requested, the accuracy of all measuring devices and methods to within five (5) percent of actual flow.

4. The project sponsor shall adhere to the groundwater elevation monitoring plan reviewed and approved by Commission staff. Any modifications proposed for the groundwater elevation monitoring plan shall be submitted for review and approval by Commission staff in accordance with Commission Regulation 18 CFR §806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan. Thereafter, the groundwater elevation data shall be reported to the Commission quarterly, and as otherwise required. Quarterly monitoring reports shall be submitted online and are due within thirty (30) days after the close of the preceding quarter.

5. The project sponsor or any other person representing the project sponsor shall allow authorized employees or agents of the Commission, without advance notice, 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, or otherwise exercise all investigative powers authorized under Commission Regulation 18 CFR §808.12.

6. The project sponsor shall keep daily records of the project’s withdrawal 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 thirty (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, if appropriate, approved by Commission staff prior to implementing or modifying existing equipment or procedures.

7. Should the project's anticipated total system demand be expected to exceed the approved total system withdrawal limit herein, the project sponsor is required to make application for modification to this approval.

8. This approval is conditioned on the project sponsor maintaining legal access to the withdrawal location for the duration of the approval.

9. The project sponsor shall comply with the water conservation requirements and reduce system water losses to less than 20 percent to comply with Commission Regulation 18 CFR §806.25(a)(1). The project sponsor shall reduce system losses and achieve compliance with the requirements within five (5) years of the effective date of this docket approval (December 12, 2018) unless an extension of time is granted due to extenuating circumstances described, in writing, by the project sponsor. The project sponsor shall report to the Commission annually on the progress made pursuant to this requirement. Annual reports are due within sixty (60) days after the close of the preceding year.

10. The project sponsor shall register with the appropriate agency all groundwater sources described herein, as may be required by regulations of the member jurisdiction.

11. If the project sponsor fails to comply with the provisions of the Susquehanna River Basin Compact or any rule, regulation, or order of the Commission, or any term or condition of this docket, the project sponsor is subject to enforcement actions pursuant to Commission Regulation 18 CFR §808.

12. 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. All such permits and/or approvals shall be obtained prior to the withdrawal of water. The Commission reserves the right to modify, suspend, or revoke this action if the project sponsor fails to obtain or maintain such approvals.

13. 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, pursuant to Commission Regulation 18 CFR §806.32.

14. 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.

15. This project is approved for inclusion in the Commission's Comprehensive Plan for the Water Resources of the Susquehanna River Basin.

16. If the project is discontinued for such a time and under such circumstances that an abandonment of the project may be reasonably inferred, the Commission may rescind the approval of the project unless a renewal is requested by the project sponsor and approved by the Commission.

17. Should the project's anticipated withdrawals be expected to exceed the amounts listed herein, the project sponsor is required to make application for modification to this approval.

18. If the Commission determines that the operation of the project's groundwater withdrawal adversely affects any existing groundwater or surface water withdrawal, the project sponsor shall be required to provide, at its expense, an alternate water supply or other mitigating measure.

19. This approval is effective until December 11, 2028. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before June 11, 2028, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

Section 7. Special Conditions

20. This approval shall be effective January 1, 2014.

21. Prior to supplying water for any use not authorized pursuant to Section 2 of this approval, the project sponsor shall first submit a request for authorization for such new use to the Executive Director. The project sponsor shall not supply water for such use unless and until such authorization is granted, and pursuant to any supplemental terms and conditions contained in such approval.

22. Commission Docket No. 19960902, dated October 1, 1996, which was conditionally transferred from MTWA to Aqua Pennsylvania, Inc. on April 2, 2012, shall remain effective through December 31, 2013, whereupon it shall be rescinded.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on December 12, 2013.

Dated: December 13, 2013


Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

4423 North Front Street • Harrisburg, Pennsylvania 17110-1788

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Docket No. 20131202**Approval Date: December 12, 2013**

CHESAPEAKE APPALACHIA, LLC

Surface Water Withdrawal (Peak Day) of up to 0.750 mgd from the Susquehanna River

Section 1. Approval

After review of the record, including the technical findings of Susquehanna River Basin Commission (Commission) staff, the Commission has determined that no adverse impacts are anticipated by the operation of this project, and that 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. Accordingly, the Commission hereby approves renewal of the project described herein in accordance with the conditions set forth below.

This approval is a renewal of Commission Docket No. 20080906 that was originally approved September 11, 2008, and modified September 15, 2011, as Commission Docket No. 20080906-1 with a peak day withdrawal rate of 1.440 million gallons per day (mgd) and no special flow protection requirements. The project sponsor has not requested any changes to the conditions of the approval. In consideration of the reasonably foreseeable need for water, as demonstrated by historic usage of the source and development plans presented by the project sponsor, Commission staff recommended that the approved peak day withdrawal rate be reduced to 0.750 mgd. This approval incorporates those recommendations.

Commission staff has coordinated with the Pennsylvania Department of Environmental Protection (PADEP), the Department of Conservation and Natural Resources (DCNR), and the Pennsylvania Fish and Boat Commission (PFBC) during review of this project.

Section 2. Project Information

Information concerning the project sponsor, water use type, and location are set forth in the table below.

Project Information	
Project Sponsor:	Chesapeake Appalachia, LLC
Approval Type:	Surface Water Withdrawal
Original Docket No.:	20080906
Authorized Water Use Purpose:	Hydrocarbon Development and Related Incidental Uses

Project Information (continued)	
Municipality:	Athens Township
County:	Bradford County
State:	Pennsylvania

Section 3. Source Information

Information concerning the source of water from which the withdrawal will be made is set forth in the table below.

Source Information	
Approved Source:	Susquehanna River
Subbasin:	Upper Susquehanna
Watershed Boundary Dataset (WBD):	0205010307 (Susquehanna River)
Water Use Designation:	Warm Water Fishery (WWF)
Withdrawal Location (degrees):	Lat: 41.957300 N Long: 76.514700 W
Site Flow Statistics (cfs):	Q7-10 = 409; Average Daily Flow = 8,230
Drainage Area (square miles):	4,934
Aquatic Resource Class*:	5
Special Flow Protection Required:	No
cfs – cubic feet per second	
*Refer to Commission Policy No. 2012-01 (Low Flow Protection Policy Related to Withdrawal Approvals)	

Section 4. Approved Withdrawal Quantities and Limitations

The withdrawal approved hereunder is subject to the quantitative limits and restrictions set forth in the table below.

Approved Withdrawal Quantities and Limitations	
Peak Day Withdrawal Amount (mgd):	0.750 (Not to Exceed)
Maximum Instantaneous Withdrawal Rate (gpm):	1,000 (Not to Exceed)
gpm – gallons per minute	

The withdrawal is also subject to all other conditions set forth in this docket approval.

Section 5. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, 18 CFR Parts 801, 806, and 808. This project is subject to the annual compliance and monitoring fee as specified in the Commission’s Regulatory Program Fee Schedule, which may be modified over the term of the approval.

2. Within sixty (60) days from the date of this approval, the project sponsor shall submit a metering plan to the Commission for review and approval by Commission staff that accounts for all withdrawals.

3. The project sponsor shall maintain metering on the withdrawal in accordance with Commission Regulation 18 CFR §806.30.

4. The project sponsor shall maintain the totalizing meter and other measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals, and certify to the Commission once every two (2) years, or as otherwise requested, the accuracy of all measuring devices and methods to within five (5) percent of actual flow.

5. The project sponsor shall adhere to the intake design reviewed and approved by Commission staff. Any modifications proposed by the project sponsor for the permitted intake structure shall be submitted for review and approval by Commission staff in accordance with Commission Regulations 18 CFR §806.21 and §806.23 prior to undertaking such modification(s).

6. The project sponsor or any other person representing the project sponsor shall allow authorized employees or agents of the Commission, without advance notice, 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, or otherwise exercise all investigative powers authorized under Commission Regulation 18 CFR §808.12.

7. The project sponsor shall keep daily records of the project's withdrawal 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 thirty (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, if appropriate, approved by Commission staff prior to implementing or modifying existing equipment or procedures.

8. Within sixty (60) days from notice of this approval, the project sponsor shall post a sign that meets Commission specifications and displays required project description information. The sign shall be maintained for the duration of the approval. Such sign shall be posted at the point of entry or access to the project facility from a public right-of-way. If there is any restriction to access at such point that would prevent an interested person from legibly viewing such sign, then the project sponsor shall post the sign at the nearest location to such point, along the route of ingress and egress to same, where an interested person would have unrestricted access to legibly view such sign. The project description shall identify the project sponsor, project name, docket approval number, and conditions of the surface water withdrawal approval including quantity, rate, docket expiration date, and contact information for the project sponsor and the Commission. The project sponsor shall submit digital photographs as proof of sign installation.

9. The project sponsor shall comply with the water conservation requirements specified in Commission Regulation 18 CFR §806.25(b).

10. This approval is conditioned on the project sponsor maintaining legal access to the withdrawal location for the duration of the approval.

11. The project sponsor shall register with the appropriate agency all surface water sources described herein, as may be required by regulations of the member jurisdiction.

12. If the project sponsor fails to comply with the provisions of the Susquehanna River Basin Compact or any rule, regulation, or order of the Commission, or any term or condition of this docket, the project sponsor is subject to enforcement actions pursuant to Commission Regulation 18 CFR §808.

13. 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. All such permits and/or approvals shall be obtained prior to the withdrawal of water. The Commission reserves the right to modify, suspend, or revoke this action if the project sponsor fails to obtain or maintain such approvals.

14. 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, pursuant to Commission Regulation 18 CFR §806.32.

15. 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.

16. This project is approved for inclusion in the Commission's Comprehensive Plan for the Water Resources of the Susquehanna River Basin.

17. In accordance with Commission Regulation 18 CFR §806.31(d), if the project is discontinued for such a time and under such circumstances that an abandonment of the project may be reasonably inferred, the Commission may rescind the approval of the project unless a renewal is requested by the project sponsor and approved by the Commission.

18. Should the project's anticipated withdrawals be expected to exceed the amounts listed herein, the project sponsor is required to make application for modification to this approval.

19. This approval is effective until December 31, 2017. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before June 30, 2017, the project sponsor may continue operation of this project pursuant to the terms

and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

Section 6. Special Conditions

20. This approval shall be effective January 1, 2014. Commission Docket Nos. 20080906 and 20080906-1 shall remain effective through December 31, 2013, whereupon they shall expire.

21. Per Commission coordination with jurisdictional agency(ies), the project sponsor shall adhere to recommendations for avoiding adverse impact to documented occurrences of rare, threatened, or endangered species at or in proximity to the project location. The documented species include freshwater mussels.

22. Except as authorized pursuant to Special Condition 24, the project sponsor shall only supply water for use in hydrocarbon development to persons who have properly registered this approval pursuant to Commission Regulation 18 CFR §806.22(f)(12).

23. The project sponsor shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for use in hydrocarbon development, including daily quantities supplied. The project sponsor also shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for uses other than hydrocarbon development authorized pursuant to Special Condition 24, including daily quantities supplied.

24. Prior to supplying water for any use not authorized pursuant to Section 2 of this approval, the project sponsor shall first submit a request for authorization for such new use to the Executive Director. The project sponsor shall not supply water for such use unless and until such authorization is granted, and pursuant to any supplemental terms and conditions contained in such approval.

25. The project sponsor shall demonstrate to the satisfaction of the Commission that appropriate controls and treatment to prevent the spread of aquatic nuisance species are employed at the water withdrawal site.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on December 12, 2013.

Dated: December 13, 2013


Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

4423 North Front Street • Harrisburg, Pennsylvania 17110-1788

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Docket No. 20131204**Approval Date: December 12, 2013**

ENERGY CORPORATION OF AMERICA

**Surface Water Withdrawal (Peak Day) of up to 2.000 mgd
from the West Branch Susquehanna River**

Section 1. Approval

After review of the record, including the technical findings of Susquehanna River Basin Commission (Commission) staff, the Commission has determined that no adverse impacts are anticipated by the operation of this project, and that 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. Accordingly, the Commission hereby approves renewal of the project described herein in accordance with the conditions set forth below.

This approval is a renewal of Commission Docket No. 20091203 that was originally approved December 17, 2009. The project sponsor has not requested any changes to the conditions of the original docket. Commission staff recommended that the special flow protection requirements be modified to reflect current policy. This approval incorporates those recommendations.

Commission staff has coordinated with the Pennsylvania Department of Environmental Protection (PADEP), the Department of Conservation and Natural Resources (DCNR), and the Pennsylvania Fish and Boat Commission (PFBC) during review of this project.

Section 2. Project Information

Information concerning the project sponsor, water use type, and location are set forth in the table below.

Project Information	
Project Sponsor:	Energy Corporation of America
Approval Type:	Surface Water Withdrawal
Original Docket No.:	20091203
Authorized Water Use Purpose:	Hydrocarbon Development and Related Incidental Uses
Municipality:	Goshen Township
County:	Clearfield County
State:	Pennsylvania

Section 3. Source Information

Information concerning the source of water from which the withdrawal will be made is set forth in the table below.

Source Information	
Approved Source:	West Branch Susquehanna River
Subbasin:	West Branch Susquehanna
Watershed Boundary Dataset (WBD):	0205020107 (Lower West Branch Susquehanna River)
Water Use Designation:	Warm Water Fishery (WWF)
Withdrawal Location (degrees):	Lat: 41.06682 N Long: 78.369563 W
Site Flow Statistics (cfs):	Q7-10 = 115; Average Daily Flow = 1,700
Impairment:	Abandoned Mine Drainage
Drainage Area (square miles):	930
Aquatic Resource Class*:	4
Special Flow Protection Required:	Yes
cfs – cubic feet per second	
*Refer to Commission Policy No. 2012-01 (Low Flow Protection Policy Related to Withdrawal Approvals)	

Section 4. Approved Withdrawal Quantities and Limitations

The withdrawal approved hereunder is subject to the quantitative limits and restrictions set forth in the table below.

Approved Withdrawal Quantities and Limitations		
Peak Day Withdrawal Amount (mgd):	2.000 (Not to Exceed, When Available)	
Maximum Instantaneous Withdrawal Rate (gpm):	1,400 (Not to Exceed)	
Flow Protection Type:	Seasonal passby expressed as monthly values	
Method for Implementing Flow Protection:	Off-site monitoring of USGS Real-Time Gage 01541303; West Branch Susquehanna River at Hyde, Pennsylvania	
Passby Schedule:		
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)</i>
January	648	332
February	749	402
March	--	--
April	--	--
May	630	323
June	396	204

Approved Withdrawal Quantities and Limitations (continued)		
Passby Schedule:		
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)</i>
July	239	124
August	183	95
September	153	80
October	190	99
November	360	185
December	706	362
mgd – million gallons per day 1 cfs = 448.8 gallons per minute (gpm)		USGS – U.S. Geological Survey -- – No special flow protection required

The withdrawal is also subject to all other conditions set forth in this docket approval.

Section 5. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, 18 CFR Parts 801, 806, and 808. This project is subject to the annual compliance and monitoring fee as specified in the Commission’s Regulatory Program Fee Schedule, which may be modified over the term of the approval.

2. The project sponsor shall adhere to the metering plan reviewed and approved by Commission staff. Any modifications proposed for the metering plan shall be submitted for review and approval by Commission staff in accordance with Commission Regulation 18 CFR §806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan.

3. The project sponsor shall maintain metering on the withdrawal in accordance with Commission Regulation 18 CFR §806.30.

4. The project sponsor shall maintain the totalizing meter and other measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals and consumptive water uses, and certify to the Commission once every two (2) years, or as otherwise requested, the accuracy of all measuring devices and methods to within five (5) percent of actual flow. The next meter accuracy certification is due November 6, 2015, and every two (2) years thereafter.

5. The project sponsor shall adhere to the intake design reviewed and approved by Commission staff. Any modifications proposed by the project sponsor for the permitted intake structure shall be submitted for review and approval by Commission staff in accordance with Commission Regulations 18 CFR §806.21 and §806.23 prior to undertaking such modification(s).

6. The project sponsor or any other person representing the project sponsor shall allow authorized employees or agents of the Commission, without advance notice, 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, or otherwise exercise all investigative powers authorized under Commission Regulation 18 CFR §808.12.

7. The project sponsor shall keep daily records of the project's withdrawal 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 thirty (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, if appropriate, approved by Commission staff prior to implementing or modifying existing equipment or procedures.

8. Within sixty (60) days from notice of this approval, the project sponsor shall post a sign that meets Commission specifications and displays required project description information. The sign shall be maintained for the duration of the approval. Such sign shall be posted at the point of entry or access to the project facility from a public right-of-way. If there is any restriction to access at such point that would prevent an interested person from legibly viewing such sign, then the project sponsor shall post the sign at the nearest location to such point, along the route of ingress and egress to same, where an interested person would have unrestricted access to legibly view such sign. The project description shall identify the project sponsor, project name, docket approval number, and conditions of the surface water withdrawal approval including quantity, rate and passby flow requirement, docket expiration date, and contact information for the project sponsor and the Commission. The project sponsor shall submit digital photographs as proof of sign installation.

9. The project sponsor shall comply with the water conservation requirements specified in Commission Regulation 18 CFR §806.25(b).

10. This approval is conditioned on the project sponsor maintaining legal access to the withdrawal location for the duration of the approval.

11. The project sponsor shall register with the appropriate agency all surface water sources described herein, as may be required by regulations of the member jurisdiction.

12. If the project sponsor fails to comply with the provisions of the Susquehanna River Basin Compact or any rule, regulation, or order of the Commission, or any term or condition of this docket, the project sponsor is subject to enforcement actions pursuant to Commission Regulation 18 CFR §808.

13. 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. All such permits and/or approvals shall be obtained prior to the withdrawal of water. The Commission reserves the right

to modify, suspend, or revoke this action if the project sponsor fails to obtain or maintain such approvals.

14. 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, pursuant to Commission Regulation 18 CFR §806.32.

15. 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.

16. This project is approved for inclusion in the Commission's Comprehensive Plan for the Water Resources of the Susquehanna River Basin.

17. In accordance with Commission Regulation 18 CFR §806.31(d), if the project is discontinued for such a time and under such circumstances that an abandonment of the project may be reasonably inferred, the Commission may rescind the approval of the project unless a renewal is requested by the project sponsor and approved by the Commission.

18. Should the project's anticipated withdrawals be expected to exceed the amounts listed herein, the project sponsor is required to make application for modification to this approval.

19. This approval is effective until December 31, 2017. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before June 30, 2017, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

Section 6. Special Conditions

20. This approval shall be effective January 1, 2014. Commission Docket No. 20091203 shall remain effective through December 31, 2013, whereupon it shall expire.

21. Effective January 1, 2014, the project sponsor shall cease all withdrawals from the approved source when streamflow, as measured at the U.S. Geological Survey stream gage specified in Section 4, is less than the applicable flow protection threshold specified in Section 4, and shall not reinstate withdrawals until the streamflow exceeds such flow protection threshold. The project sponsor shall keep daily records of the U.S. Geological Survey stream gage and shall report the data to the Commission, as required. The project sponsor may propose alternative flow monitoring to the Commission for staff review and, if acceptable, approval.

22. Except as authorized pursuant to Special Condition 24, the project sponsor shall only supply water for use in hydrocarbon development to persons who have properly registered this approval pursuant to Commission Regulation 18 CFR §806.22(f)(12).

23. The project sponsor shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for use in hydrocarbon development, including daily quantities supplied. The project sponsor also shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for uses other than hydrocarbon development authorized pursuant to Special Condition 24, including daily quantities supplied.

24. Prior to supplying water for any use not authorized pursuant to Section 2 of this approval, the project sponsor shall first submit a request for authorization for such new use to the Executive Director. The project sponsor shall not supply water for such use unless and until such authorization is granted, and pursuant to any supplemental terms and conditions contained in such approval.

25. The project sponsor shall demonstrate to the satisfaction of the Commission that appropriate controls and treatment to prevent the spread of aquatic nuisance species are employed at the water withdrawal site.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on December 12, 2013.

Dated: December 13, 2013


Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20131205**Approval Date: December 12, 2013****LHP MANAGEMENT, LLC****Surface Water Withdrawal (Peak Day) of up to 0.999 mgd
from Fishing Creek (Clinton Country Club)**

Section 1. Approval

After review of the record, including the technical findings of Susquehanna River Basin Commission (Commission) staff, the Commission has determined that no adverse impacts are anticipated by the operation of this project, and that 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. Accordingly, the Commission hereby approves renewal of the project described herein in accordance with the conditions set forth below.

This approval is a renewal of Commission Docket No. 20090906 that was originally approved September 10, 2009, and modified December 16, 2010 and June 23, 2011, as Commission Docket Nos. 20090906-1 and 20090906-2, respectively. The project sponsor has not requested any changes to the renewal approval. Commission staff recommended that the special flow protection requirements be modified to reflect current policy. This approval incorporates those recommendations.

Commission staff has coordinated with the Pennsylvania Department of Environmental Protection (PADEP), the Department of Conservation and Natural Resources (DCNR), and the Pennsylvania Fish and Boat Commission (PFBC) during review of this project.

Section 2. Project Information

Information concerning the project sponsor, water use type, and location are set forth in the table below.

Project Information	
Project Sponsor:	LHP Management, LLC
Approval Type:	Surface Water Withdrawal
Original Docket No.:	20090906
Authorized Water Use Purpose:	Bulk Sale for Hydrocarbon Development and Related Incidental Uses
Municipality:	Bald Eagle Township
County:	Clinton County
State:	Pennsylvania

Section 3. Source Information

Information concerning the source of water from which the withdrawal will be made is set forth in the table below.

Source Information	
Approved Source:	Fishing Creek
Subbasin:	West Branch Susquehanna
Watershed Boundary Dataset (WBD):	0205020403 (Fishing Creek)
Water Use Designation:	Cold Water Fishery (CWF)
Withdrawal Location (degrees):	Lat: 41.115694 N Long: 76.487139 W
Site Flow Statistics (cfs):	Q7-10 = 18.7; Average Daily Flow = 225
Wild Trout Classification:	Class A
Drainage Area (square miles):	182
Aquatic Resource Class*:	3
Special Flow Protection Required:	Yes
cfs – cubic feet per second	
*Refer to Commission Policy No. 2012-01 (Low Flow Protection Policy Related to Withdrawal Approvals)	

Section 4. Approved Withdrawal Quantities and Limitations

The withdrawal approved hereunder is subject to the quantitative limits and restrictions set forth in the table below.

Approved Withdrawal Quantities and Limitations		
Peak Day Withdrawal Amount (mgd):	0.999 (Not to Exceed, When Available)	
Maximum Instantaneous Withdrawal Rate (gpm):	1,000 (Not to Exceed)	
Flow Protection Type:	Seasonal passby expressed as monthly values	
Method for Implementing Flow Protection:	Off-site monitoring of USGS Real-Time Gage 01555000; Penns Creek at Penns Creek, Pennsylvania	
Passby Schedule:		
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)</i>
January	79	163
February	100	205
March	--	--
April	--	--
May	136	279
June	82	169

Approved Withdrawal Quantities and Limitations (continued)		
Passby Schedule:		
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)</i>
July	48	100
August	35	74
September	29	62
October	30	64
November	39	83
December	70	145
mgd – million gallons per day 1 cfs = 448.8 gallons per minute (gpm)		USGS – U.S. Geological Survey -- – No special flow protection required

The withdrawal is also subject to all other conditions set forth in this docket approval.

Section 5. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, 18 CFR Parts 801, 806, and 808. This project is subject to the annual compliance and monitoring fee as specified in the Commission’s Regulatory Program Fee Schedule, which may be modified over the term of the approval.

2. The project sponsor shall adhere to the metering plan reviewed and approved by Commission staff. Any modifications proposed for the metering plan shall be submitted for review and approval by Commission staff in accordance with Commission Regulation 18 CFR §806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan.

3. The project sponsor shall maintain metering on the withdrawal in accordance with Commission Regulation 18 CFR §806.30.

4. The project sponsor shall maintain the totalizing meter and other measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals and certify to the Commission once every two (2) years, or as otherwise requested, the accuracy of all measuring devices and methods to within five (5) percent of actual flow. The next meter accuracy certification is due August 5, 2015, and every two (2) years thereafter.

5. The project sponsor shall adhere to the intake design reviewed and approved by Commission staff. Any modifications proposed by the project sponsor for the permitted intake structure shall be submitted for review and approval by Commission staff in accordance with Commission Regulations 18 CFR §806.21 and §806.23 prior to undertaking such modification(s).

6. The project sponsor or any other person representing the project sponsor shall allow authorized employees or agents of the Commission, without advance notice, 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, or otherwise exercise all investigative powers authorized under Commission Regulation 18 CFR §808.12.

7. The project sponsor shall keep daily records of the project's withdrawal 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 thirty (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, if appropriate, approved by Commission staff prior to implementing or modifying existing equipment or procedures.

8. Within sixty (60) days from notice of this approval, the project sponsor shall post a sign that meets Commission specifications and displays required project description information. The sign shall be maintained for the duration of the approval. Such sign shall be posted at the point of entry or access to the project facility from a public right-of-way. If there is any restriction to access at such point that would prevent an interested person from legibly viewing such sign, then the project sponsor shall post the sign at the nearest location to such point, along the route of ingress and egress to same, where an interested person would have unrestricted access to legibly view such sign. The project description shall identify the project sponsor, project name, docket approval number, and conditions of the surface water withdrawal approval including quantity, rate and passby flow requirement, docket expiration date, and contact information for the project sponsor and the Commission. The project sponsor shall submit digital photographs as proof of sign installation.

9. The project sponsor shall comply with the water conservation requirements specified in Commission Regulation 18 CFR §806.25(b).

10. This approval is conditioned on the project sponsor maintaining legal access to the withdrawal location for the duration of the approval.

11. The project sponsor shall register with the appropriate agency all surface water sources described herein, as may be required by regulations of the member jurisdiction.

12. If the project sponsor fails to comply with the provisions of the Susquehanna River Basin Compact or any rule, regulation, or order of the Commission, or any term or condition of this docket, the project sponsor is subject to enforcement actions pursuant to Commission Regulation 18 CFR §808.

13. 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. All such permits and/or approvals shall be obtained prior to the withdrawal of water. The Commission reserves the right to modify, suspend, or revoke this action if the project sponsor fails to obtain or maintain such approvals.

14. 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, pursuant to Commission Regulation 18 CFR §806.32.

15. 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.

16. This project is approved for inclusion in the Commission's Comprehensive Plan for the Water Resources of the Susquehanna River Basin.

17. In accordance with Commission Regulation 18 CFR §806.31(d), if the project is discontinued for such a time and under such circumstances that an abandonment of the project may be reasonably inferred, the Commission may rescind the approval of the project unless a renewal is requested by the project sponsor and approved by the Commission.

18. Should the project's anticipated withdrawals be expected to exceed the amounts listed herein, the project sponsor is required to make application for modification to this approval.

19. This approval is effective until December 31, 2017. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before June 30, 2017, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

Section 6. Special Conditions

20. This approval shall be effective January 1, 2014. Commission Docket Nos. 20090906, 20090906-1, and 20090906-2 shall remain effective through December 31, 2013, whereupon they shall expire.

21. Effective January 1, 2014, the project sponsor shall cease all withdrawals from the approved source when streamflow, as measured at the U.S. Geological Survey stream gage specified in Section 4, is less than the applicable flow protection threshold specified in Section 4, and shall not reinstate withdrawals until the streamflow has remained above such flow protection threshold for 48 hours. The project sponsor shall keep daily records of the U.S. Geological Survey stream gage and shall report the data to the Commission, as required. The project sponsor may propose alternative flow monitoring to the Commission for staff review and, if acceptable, approval.

22. Except as authorized pursuant to Special Condition 24, the project sponsor shall only supply water for use in hydrocarbon development to persons who have properly registered this approval pursuant to Commission Regulation 18 CFR §806.22(f)(12).

23. The project sponsor shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for use in hydrocarbon development, including daily quantities supplied. The project sponsor also shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for uses other than hydrocarbon development authorized pursuant to Special Condition 24, including daily quantities supplied.

24. Prior to supplying water for any use not authorized pursuant to Section 2 of this approval, the project sponsor shall first submit a request for authorization for such new use to the Executive Director. The project sponsor shall not supply water for such use unless and until such authorization is granted, and pursuant to any supplemental terms and conditions contained in such approval.

25. The project sponsor shall demonstrate to the satisfaction of the Commission that appropriate controls and treatment to prevent the spread of aquatic nuisance species are employed at the water withdrawal site.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on December 12, 2013.

Dated: December 13, 2013


Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20131206

Approval Date: December 12, 2013

MILLERSBURG AREA AUTHORITY

**Groundwater Withdrawals (30-Day Averages) of 0.173 mgd from Well 10
and 0.102 mgd from Well 11, and
Total System Withdrawal Limit (30-Day Average) of 0.550 mgd**

Section 1. Approval

After review of the record, including the technical findings of Susquehanna River Basin Commission (Commission) staff, the Commission has determined that no adverse impacts are anticipated by the operation of this project, and that 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. Accordingly, the Commission hereby approves the renewal of the project described herein in accordance with the conditions set forth below.

Groundwater withdrawals from Wells 10 and 11 were originally approved with Commission Docket No. 19830309 on March 31, 1983. This approval authorizes continued use of Wells 10 and 11. The Millersburg Area Authority water system includes a total of nine wells (Wells 1, 2, 3, 4, 5, 10, 11, 14, and 15), one surface water source (Wiconisco Creek), and seven spring water sources (Springs 1 through 7), and collectively are hereafter referred to as the "total system." Groundwater withdrawals from Wells 14 and 15 were originally approved by Commission Docket No. 19930301 on March 11, 1993. Surface water withdrawal from Wiconisco Creek was originally approved by Commission Docket No. 20021101 on November 12, 2002. The five remaining wells and the spring sources predate the respective Commission regulations pertaining to withdrawals and are described further in Section 7 below.

Commission staff has coordinated with the Pennsylvania Department of Environmental Protection (PADEP) and the Pennsylvania Fish and Boat Commission (PFBC) during review of this project.

Section 2. Project Information

Information concerning the project sponsor, water use type, and location are set forth in the table below.

A review of operational withdrawal data submitted for Well 11 indicated that this well has not been able to withdraw groundwater at the previously tested rate (0.187 mgd) without drawing the pumping water level in the well below an identified primary water-bearing zone located at 95 feet bgs. Therefore, Commission staff cannot recommend the requested and previously tested rate of 0.187 mgd (30-day average) for Well 11. Commission staff’s review of the MW-11 operational data identified a demonstrated maximum, sustainable historic 30-day average withdrawal rate without adverse impact to be 0.102 mgd. Subsequently, staff recommended a maximum groundwater withdrawal rate from Well 11 at 0.102 mgd (30-day average).

Staff is recommending a total system withdrawal limit based on the 15-year projected demand for the service area of the public water supply system.

Commission staff determined that the individual withdrawals from Wells 10 and 11 at the withdrawal rates approved herein should not cause permanent loss of aquifer storage, render competing supplies unreliable, or cause adverse impacts to the water resources of the basin, subject to the conditions of this approval. Therefore, completion of aquifer testing requirements for Wells 10 and 11 is hereby waived.

Section 5. Approved Withdrawal Quantities and Limitations

The withdrawal approved hereunder is subject to the quantitative limits and restrictions set forth in the table below.

Approved Withdrawal Quantities and Limitations		
	Well 10	Well 11
30-Day Average Withdrawal (mgd):	0.173	0.102
Maximum Instantaneous Withdrawal Rate (gpm) (Not to Exceed):	120	130
Total System Withdrawal Limit – Wells 1, 2, 3, 4, 5, 10, 11, 14, and 15; Springs 1 through 7; and Wiconisco Creek (30-Day Average) (mgd):	0.550	

The withdrawal is also subject to all other conditions set forth in this docket approval.

Section 6. Existing Approved Withdrawals

Quantities applicable to the existing approved withdrawals are listed in the tables below.

Existing Approved Groundwater Withdrawals			
Source	30-Day Average Withdrawal (mgd)	Commission Docket No.	Docket Expiration Date
Wells 14 and 15	0.460	19930301	March 11, 2023

Existing Approved Surface Water Withdrawals			
Source	Peak Day Withdrawal (mgd)	Commission Docket No.	Docket Expiration Date
Wiconisco Creek	0.2365	20021101	November 12, 2027

Section 7. Grandfathering Determination – Withdrawals

The system has used the spring sources since on or before 1909, while the wells have been in use since prior to 1909 (Wells 1, 2, and 3), since 1961 (Well 4), and since 1963 (Well 5) and do not require separate authorization under this action.

Quantities applicable to the project’s grandfathering determination for existing withdrawals are listed in the tables below.

Grandfathered Groundwater Withdrawals	
Source	30-Day Average Withdrawal (mgd)*
Well 1	0.103
Well 2	0.099
Well 3	0.098
Well 4	0.113
Well 5	0.125

* Value(s) represent maximum documented 30-day average amounts that occurred prior to applicable regulatory effective date(s).

Grandfathered Surface Water Withdrawals		
Source	Peak Day Withdrawal (mgd)	30-Day Average Withdrawal (mgd)
Springs 1 through 7	-- ¹	-- ¹

--¹ – Indicates that no specific withdrawal rates are established. Based on the design of the existing spring water capture structures, all water captured and gravity transmitted via the existing spring water collection system is considered to be grandfathered.

The grandfathered quantities identified in the tables above are based on information and withdrawal data submitted by the project sponsor. The grandfathered quantities or the grandfathered status of the sources are subject to change if information becomes available that demonstrates withdrawal occurred at rates that are inconsistent with the data submitted and utilized to support this determination.

Section 8. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, 18 CFR Parts 801, 806, and 808. This project is subject to the annual compliance and monitoring fee as specified in the Commission’s Regulatory Program Fee Schedule, which may be modified over the term of the approval.

2. The project sponsor shall maintain metering on the sources listed in Sections 3, 6, and 7 in accordance with Commission Regulation 18 CFR §806.30. The exceptions to this requirement are Springs 1 through 7, for which the project sponsor shall continue to calculate flow volumes in accordance with the approved method. The project sponsor shall document the existing meters on Wells 1, 2, 3, 4, 5, 10, 11, 14, and 15, and the Wiconisco Creek intake. Documentation must be submitted to the Commission, in writing, and shall include digital photographs of the meters installed and certification of the accuracy of the measuring device to within five (5) percent of actual flow.

3. The project sponsor shall maintain the totalizing meters and other measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals, and certify to the Commission once every five (5) years, or as otherwise requested, the accuracy of all measuring devices and methods to within five (5) percent of actual flow.

4. Within ninety (90) days from the date of this approval, the project sponsor shall submit a plan to Commission staff for review and approval for the implementation of a groundwater elevation monitoring program in accordance with Commission Regulation 18 CFR §806.30(a)(4). The plan shall include proposed methods for the daily measurement and recording of groundwater elevations in the sources listed in Sections 3, 6, and 7. Several sources are only used periodically and alternate measurement frequencies can be proposed. Requests for alternate measurement frequencies will be reviewed and must be approved by Commission staff before implementation. Following approval, the project sponsor shall execute the plan and complete installation of water level monitoring equipment in accordance with the approved schedule. The project sponsor shall notify the Commission, in writing, and submit digital photographs of the water level monitoring equipment when it has been installed and certify the accuracy of the measuring devices. The project sponsor shall notify the Commission when the monitoring plan has been fully implemented. Thereafter, the groundwater elevation data shall be reported to the Commission quarterly, and as otherwise required. Quarterly monitoring reports shall be submitted online and are due within thirty (30) days after the close of the preceding quarter.

5. The project sponsor or any other person representing the project sponsor shall allow authorized employees or agents of the Commission, without advance notice, 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, or otherwise exercise all investigative powers authorized under Commission Regulation 18 CFR §808.12.

6. The project sponsor shall keep daily records of the project's withdrawal 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 thirty (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, if appropriate, approved by Commission staff prior to implementing or modifying existing equipment or procedures.

7. Should the project's withdrawals from grandfathered sources be expected to exceed the amounts listed herein or if changes in the existing spring water collection system are expected to be made, the project sponsor is required to make application for the sources listed in Section 7.

8. Should the project's anticipated total system demand be expected to exceed the approved total system withdrawal limit herein, the project sponsor is required to make application for modification to this approval.

9. The project sponsor shall comply with the water conservation requirements specified in Commission Regulation 18 CFR §806.25(a).

10. This approval is conditioned on the project sponsor maintaining legal access to the withdrawal location for the duration of the approval.

11. The project sponsor shall register with the appropriate agency all surface water and groundwater sources described herein, as may be required by regulations of the member jurisdiction.

12. If the project sponsor fails to comply with the provisions of the Susquehanna River Basin Compact or any rule, regulation, or order of the Commission, or any term or condition of this docket, the project sponsor is subject to enforcement actions pursuant to Commission Regulation 18 CFR §808.

13. 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. All such permits and/or approvals shall be obtained prior to the withdrawal of water. The Commission reserves the right to modify, suspend, or revoke this action if the project sponsor fails to obtain or maintain such approvals.

14. 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, pursuant to Commission Regulation 18 CFR §806.32.

15. 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.

16. This project is approved for inclusion in the Commission's Comprehensive Plan for the Water Resources of the Susquehanna River Basin.

17. If the project is discontinued for such a time and under such circumstances that an abandonment of the project may be reasonably inferred, the Commission may rescind the

approval of the project unless a renewal is requested by the project sponsor and approved by the Commission.

18. Should the project's anticipated withdrawals be expected to exceed the amounts listed herein, the project sponsor is required to make application for modification to this approval.

19. If the Commission determines that the operation of the project's groundwater withdrawal adversely affects any existing groundwater or surface water withdrawal, the project sponsor shall be required to provide, at its expense, an alternate water supply or other mitigating measure.

20. This approval is effective until December 11, 2028. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before June 11, 2028, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

Section 9. Special Conditions

21. This approval shall be effective January 1, 2014. Commission Docket No. 19830309 shall remain effective through December 31, 2013, whereupon it shall expire.

22. Initial testing data provided for Well 11 in Appendix A of the submitted aquifer test waiver report support a pump setting design that will maintain a water level above the 95-foot pumping level. A review of historical water level data provided for Well 11 demonstrates that the critical water-bearing zone has been exposed during past operating conditions. Because dewatering of the zone at 95 feet bgs could have potentially adverse impacts on the quality and quantity of groundwater, implementation of an instantaneous maximum pumping rate limit and use of an automatic shut-off switch are intended to provide protection of the critical water-bearing zone. Accordingly, the following modifications shall be completed within ninety (90) days from the date of approval of the groundwater elevation monitoring plan outlined in Standard Condition 4 above:

- a. The project sponsor shall install a shut-off switch or similar limiting equipment so that operation of Well 11 automatically ceases if the water level reaches 92 feet bgs.
- b. The project sponsor shall notify the Commission, in writing, and submit digital photographs of the automatic shut-off equipment. The project sponsor shall notify the Commission when such equipment is fully functional.

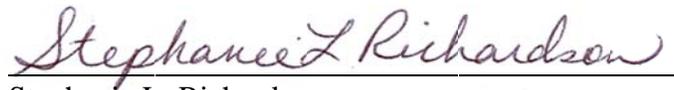
23. Notifications for groundwater withdrawals from Wells 10 and 11 were made by the project sponsor to the municipality, the state, the local planning agency, and to the general public in a newspaper of general circulation. The project sponsor has requested a waiver of the requirement for making individual property owner notifications within one-half mile radius because the groundwater withdrawals from Wells 10 and 11 have been ongoing since 1984, have

been in accordance with the terms of a previous Commission approval (Commission Docket No. 19830309), and the withdrawal quantities requested by the project sponsor do not represent an increase above the previously approved withdrawal quantities. The project sponsor completed an alternate method of notifying five residents within one-half mile that are known to use a private water supply well. Therefore, the public notification requirements for nearby property owners as specified in Commission Regulation 18 CFR §806.15 are hereby waived, as requested.

24. Prior to supplying water for any use not authorized pursuant to Section 2 of this approval, the project sponsor shall first submit a request for determination of authorized use to the Executive Director. The project sponsor shall not supply water for such use unless and until such authorization is granted, and pursuant to any supplemental terms and conditions contained in such approval.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on December 12, 2013.

Dated: December 13, 2013


Stephanie L. Richardson



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Docket No. 20131207

Approval Date: December 12, 2013

NEW HOLLAND BOROUGH AUTHORITY

**Groundwater Withdrawal (30-Day Average) of 0.400 mgd from Well 2,
Well Field Combined Withdrawal Limit for
Wells 1 and 2 (30-Day Average) of 0.522 mgd, and a
Total System Withdrawal Limit (30-Day Average) of 1.650 mgd**

Section 1. Approval

After review of the record, including the technical findings of Susquehanna River Basin Commission (Commission) staff, the Commission has determined that no adverse impacts are anticipated by the operation of this project, and that 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. Accordingly, the Commission hereby approves the renewal of the project described herein in accordance with the conditions set forth below.

Groundwater withdrawal from Well 2 was originally approved with Commission Docket No. 19830501 on May 12, 1983. This approval authorizes continued use of Well 2 consistent with sustainable withdrawal rates demonstrated by historical withdrawal and aquifer testing data. The New Holland Borough Authority water system includes a total of four wells (Wells 1, 2, 3, and 4) and is hereafter referred to as the "total system." Groundwater withdrawal from Well 3 was originally approved by Commission Docket No. 19950307 on March 9, 1995, while withdrawal from Well 4 was originally approved by Commission Docket No. 20030609 on June 12, 2003. Withdrawal from Well 1 predates Commission regulations pertaining to withdrawals and is described further in Section 7 below.

Commission staff has coordinated with the Pennsylvania Department of Environmental Protection (PADEP) and the Pennsylvania Fish and Boat Commission (PFBC) during review of this project.

Section 2. Project Information

Information concerning the project sponsor, water use type, and location are set forth in the table below.

conditioned herein. To avoid adverse conditions due to well interference from nearby Well 1, a well field combined limit is included as provided in Section 5.

Commission staff determined that the withdrawal from Well 2 at the rate approved herein should not cause permanent loss of aquifer storage, render competing supplies unreliable, or cause adverse impacts to the water resources of the basin, subject to the conditions of this approval. Therefore, completion of aquifer testing requirements for Well 2, pursuant to Commission Regulation 18 CFR §806.12, is hereby waived.

Section 5. Approved Withdrawal Quantities and Limitations

The withdrawal approved hereunder is subject to the quantitative limits and restrictions set forth in the table below.

Approved Withdrawal Quantities and Limitations – Well 2	
30-Day Average Withdrawal (mgd):	0.400
Maximum Instantaneous Withdrawal Rate (gpm):	400 (Not to Exceed)
Well Field Combined Withdrawal Limit – Wells 1 and 2 (30-Day Average) (mgd):	0.522
Total System Withdrawal Limit – Wells 1, 2, 3, and 4 (30-Day Average) (mgd):	1.650
gpm – gallons per minute	

The withdrawal is also subject to all other conditions set forth in this docket approval.

Section 6. Existing Approved Withdrawals

Quantities applicable to the existing approved withdrawals are listed in the table below.

Existing Approved Groundwater Withdrawals			
Source	30-Day Average Withdrawal (mgd)	Commission Docket No.	Docket Expiration Date
Well 3	0.790	19950307	March 9, 2025
Well 4	0.720	20030609	June 12, 2028

Section 7. Grandfathering Determination – Withdrawals

Well 1 has been in use since approximately 1966 and does not require separate authorization under this action.

Quantities applicable to the project’s grandfathering determination for existing withdrawals are listed in the table below.

Grandfathered Groundwater Withdrawals	
Source	30-Day Average Withdrawal (mgd)*
Well 1	0.391
* Value(s) represent maximum documented 30-day average amounts that occurred prior to applicable regulatory effective date(s).	

The grandfathered quantity identified in the table above is based on information submitted by the project sponsor and available reported historic withdrawal data for Well 1 downloaded from the PADEP’s Pennsylvania State Water Plan website. The grandfathered quantities or the grandfathered status of the sources are subject to change if information becomes available that demonstrates withdrawal occurred at rates that are inconsistent with the data submitted and utilized to support this determination.

Section 8. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, 18 CFR Parts 801, 806, and 808. This project is subject to the annual compliance and monitoring fee as specified in the Commission’s Regulatory Program Fee Schedule, which may be modified over the term of the approval.

2. The project sponsor shall adhere to the metering plan reviewed and approved by Commission staff as provided with the groundwater withdrawal application. Any modifications proposed for the metering plan shall be submitted for review and approval by Commission staff in accordance with Commission Regulation 18 CFR §806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan.

3. The project sponsor shall maintain the totalizing meter and other measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals and certify to the Commission once every five (5) years, or as otherwise requested, the accuracy of all measuring devices and methods to within five (5) percent of actual flow. The project sponsor must certify the accuracy of the four well totalizing meters within ninety (90) days of the date of this approval, and every five (5) years thereafter.

4. The project sponsor shall adhere to the groundwater elevation and monitoring plan reviewed and approved by Commission staff as provided with the groundwater withdrawal application. The groundwater elevation data shall be reported to the Commission quarterly, and as otherwise required. Quarterly monitoring reports shall be submitted online and are due within thirty (30) days after the close of the preceding quarter. Any modifications proposed for the groundwater elevation and monitoring plan shall be submitted for review and approval by Commission staff in accordance with Commission Regulation 18 CFR §806.30(a)(4). Modifications shall not be made until the project sponsor receives written approval of the amended plan.

5. The project sponsor or any other person representing the project sponsor shall allow authorized employees or agents of the Commission, without advance notice, 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, or otherwise exercise all investigative powers authorized under Commission Regulation 18 CFR §808.12.

6. The project sponsor shall keep daily records of the project's withdrawal 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 thirty (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, if appropriate, approved by Commission staff prior to implementing or modifying existing equipment or procedures.

7. Should the project's withdrawals from grandfathered sources be expected to exceed the amounts listed herein, the project sponsor is required to make application.

8. Should the project's anticipated total system demand be expected to exceed the approved total system withdrawal limit herein, the project sponsor is required to make application for modification to this approval.

9. The project sponsor shall comply with the water conservation requirements specified in Commission Regulation 18 CFR §806.25(a).

10. This approval is conditioned on the project sponsor maintaining legal access to the withdrawal location for the duration of the approval.

11. The project sponsor shall register with the appropriate agency all groundwater sources described herein, as may be required by regulations of the member jurisdiction.

12. If the project sponsor fails to comply with the provisions of the Susquehanna River Basin Compact or any rule, regulation, or order of the Commission, or any term or condition of this docket, the project sponsor is subject to enforcement actions pursuant to Commission Regulation 18 CFR §808.

13. 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. All such permits and/or approvals shall be obtained prior to the withdrawal of water. The Commission reserves the right to modify, suspend, or revoke this action if the project sponsor fails to obtain or maintain such approvals.

14. 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, pursuant to Commission Regulation 18 CFR §806.32.

15. 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.

16. This project is approved for inclusion in the Commission's Comprehensive Plan for the Water Resources of the Susquehanna River Basin.

17. If the project is discontinued for such a time and under such circumstances that an abandonment of the project may be reasonably inferred, the Commission may rescind the approval of the project unless a renewal is requested by the project sponsor and approved by the Commission.

18. Should the project's anticipated withdrawals be expected to exceed the amounts listed herein, the project sponsor is required to make application for modification to this approval.

19. If the Commission determines that the operation of the project's groundwater withdrawal adversely affects any existing groundwater or surface water withdrawal, the project sponsor shall be required to provide, at its expense, an alternate water supply or other mitigating measure.

20. This approval is effective until December 11, 2028. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before June 11, 2028, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

Section 9. Special Conditions

21. This approval shall be effective January 1, 2014. Commission Docket No. 19830501 shall remain effective through December 31, 2013, whereupon it shall expire.

22. A review of historical water level data provided for Well 2 demonstrates that the critical water-bearing zone has been exposed during past operation in drought conditions. Because dewatering of the main water-bearing zone at 105 feet bgs could have potentially adverse impacts on the quality and quantity of groundwater, use of an automatic shut-off switch is intended to provide protection of this critical water-bearing zone. Accordingly, the following modifications shall be completed within ninety (90) days from the date of this approval:

- a. The project sponsor shall install a level warning system (or similar device) so that a water system operator is alerted when the water level in Well 2 reaches a depth of 92 feet bgs. When this depth is encountered, it is recommended that the project sponsor reduce or cease operation of Well 2 to prevent continued groundwater drawdown from potentially exposing the main water-bearing zone at 105 feet bgs.
- b. The project sponsor shall install a shut-off switch or similar limiting equipment so that operation of Well 2 automatically ceases if the water level reaches 102 feet bgs.

- c. The project sponsor shall notify the Commission, in writing, and submit digital photographs of the automatic shut-off equipment. The project sponsor shall notify the Commission when such equipment is fully functional.

23. Prior to supplying water for any use not authorized pursuant to Section 2 of this approval, the project sponsor shall first submit a request for authorization for such new use to the Executive Director. The project sponsor shall not supply water for such use unless and until such authorization is granted, and pursuant to any supplemental terms and conditions contained in such approval.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on December 12, 2013.

Dated: December 13, 2013


Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20131209

Approval Date: December 12, 2013

SOUTHWESTERN ENERGY PRODUCTION COMPANY

**Surface Water Withdrawal (Peak Day) of up to 0.500 mgd
from Lycoming Creek (Bodines)**

Section 1. Approval

After review of the record, including the technical findings of Susquehanna River Basin Commission (Commission) staff, the Commission has determined that no adverse impacts are anticipated by the operation of this project, and that 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. Accordingly, the Commission hereby approves renewal of the project described herein in accordance with the conditions set forth below.

This approval is a renewal of Commission Docket No. 20091207 that was originally approved December 17, 2009, with a peak day withdrawal rate of 1.500 million gallons per day (mgd) and special flow protection requirements. The project sponsor has not requested any changes to the conditions of the approval. In consideration of the reasonably foreseeable need for water, as demonstrated by historic usage of the source and development plans presented by the project sponsor, Commission staff recommended that the approved peak day withdrawal rate be reduced to 0.500 mgd. Commission staff also recommended that the special flow protection requirements be modified to reflect current policy. This approval incorporates those recommendations.

Commission staff has coordinated with the Pennsylvania Department of Environmental Protection (PADEP), the Department of Conservation and Natural Resources (DCNR), and the Pennsylvania Fish and Boat Commission (PFBC) during review of this project.

Section 2. Project Information

Information concerning the project sponsor, water use type, and location are set forth in the table below.

Project Information	
Project Sponsor:	Southwestern Energy Production Company
Approval Type:	Surface Water Withdrawal
Original Docket No.:	20091207
Authorized Water Use Purpose:	Hydrocarbon Development and Related Incidental Uses
Municipality:	Lewis Township
County:	Lycoming County
State:	Pennsylvania

Section 3. Source Information

Information concerning the source of water from which the withdrawal will be made is set forth in the table below.

Source Information	
Approved Source:	Lycoming Creek
Subbasin:	West Branch Susquehanna
Watershed Boundary Dataset (WBD):	0205020602 (Lycoming Creek)
Water Use Designation:	Exceptional Value (EV)
Withdrawal Location (degrees):	Lat: 41.447986 N Long: 76.98088 W
Site Flow Statistics (cfs):	Q7-10 = 6.4; Average Daily Flow = 246
Wild Trout Classification:	Naturally Reproducing Wild Trout
Drainage Area (square miles):	146
Aquatic Resource Class*:	Class 3
Special Flow Protection Required:	Yes
cfs – cubic feet per second	
*Refer to Commission Policy No. 2012-01 (Low Flow Protection Policy Related to Withdrawal Approvals)	

Section 4. Approved Withdrawal Quantities and Limitations

The withdrawal approved hereunder is subject to the quantitative limits and restrictions set forth in the table below.

Approved Withdrawal Quantities and Limitations	
Peak Day Withdrawal Amount (mgd):	0.500 (Not to Exceed, When Available)
Maximum Instantaneous Withdrawal Rate (gpm):	1,100 (Not to Exceed)
Flow Protection Type:	Seasonal passby expressed as monthly values
Method for Implementing Flow Protection:	Off-site monitoring of USGS Real-Time Gage 01550000; Lycoming Creek near Trout Run, Pennsylvania

Approved Withdrawal Quantities and Limitations (continued)		
Passby Schedule:		
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)</i>
January	64	77
February	68	82
March	76	91
April	129	154
May	112	134
June	52	63
July	49	59
August	47	57
September	47	57
October	49	59
November	51	61
December	78	93
USGS– U.S. Geological Survey 1 cfs = 448.8 gallons per minute (gpm)		

The withdrawal is also subject to all other conditions set forth in this docket approval.

Section 5. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, 18 CFR Parts 801, 806, and 808. This project is subject to the annual compliance and monitoring fee as specified in the Commission’s Regulatory Program Fee Schedule, which may be modified over the term of the approval.

2. The project sponsor shall adhere to the metering plan reviewed and approved by Commission staff. Any modifications proposed for the metering plan shall be submitted for review and approval by Commission staff in accordance with Commission Regulation 18 CFR §806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan.

3. The project sponsor shall maintain metering on the withdrawal in accordance with Commission Regulation 18 CFR §806.30.

4. The project sponsor shall maintain the totalizing meter and other measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals and certify to the Commission once every two (2) years, or as otherwise requested, the accuracy of all measuring devices and methods to within five (5) percent of actual flow. The next meter accuracy certification is due July 22, 2015, and every two (2) years thereafter.

5. The project sponsor shall adhere to the intake design reviewed and approved by Commission staff. Any modifications proposed by the project sponsor for the permitted intake structure shall be submitted for review and approval by Commission staff in accordance with Commission Regulations 18 CFR §806.21 and §806.23 prior to undertaking such modification(s).

6. The project sponsor or any other person representing the project sponsor shall allow authorized employees or agents of the Commission, without advance notice, 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, or otherwise exercise all investigative powers authorized under Commission Regulation 18 CFR §808.12.

7. The project sponsor shall keep daily records of the project's withdrawal 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 thirty (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, if appropriate, approved by Commission staff prior to implementing or modifying existing equipment or procedures.

8. Within sixty (60) days from notice of this approval, the project sponsor shall post a sign that meets Commission specifications and displays required project description information. The sign shall be maintained for the duration of the approval. Such sign shall be posted at the point of entry or access to the project facility from a public right-of-way. If there is any restriction to access at such point that would prevent an interested person from legibly viewing such sign, then the project sponsor shall post the sign at the nearest location to such point, along the route of ingress and egress to same, where an interested person would have unrestricted access to legibly view such sign. The project description shall identify the project sponsor, project name, docket approval number, and conditions of the surface water withdrawal approval including quantity, rate and passby flow requirement, docket expiration date, and contact information for the project sponsor and the Commission. The project sponsor shall submit digital photographs as proof of sign installation.

9. The project sponsor shall comply with the water conservation requirements specified in Commission Regulation 18 CFR §806.25(b).

10. This approval is conditioned on the project sponsor maintaining legal access to the withdrawal location for the duration of the approval.

11. The project sponsor shall register with the appropriate agency all surface water sources described herein, as may be required by regulations of the member jurisdiction.

12. If the project sponsor fails to comply with the provisions of the Susquehanna River Basin Compact or any rule, regulation, or order of the Commission, or any term or condition of this docket, the project sponsor is subject to enforcement actions pursuant to Commission Regulation 18 CFR §808.

13. 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. All such permits and/or approvals shall be obtained prior to the withdrawal of water. The Commission reserves the right to modify, suspend, or revoke this action if the project sponsor fails to obtain or maintain such approvals.

14. 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, pursuant to Commission Regulation 18 CFR §806.32.

15. 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.

16. This project is approved for inclusion in the Commission's Comprehensive Plan for the Water Resources of the Susquehanna River Basin.

17. In accordance with Commission Regulation 18 CFR §806.31(d), if the project is discontinued for such a time and under such circumstances that an abandonment of the project may be reasonably inferred, the Commission may rescind the approval of the project unless a renewal is requested by the project sponsor and approved by the Commission.

18. Should the project's anticipated withdrawals be expected to exceed the amounts listed herein, the project sponsor is required to make application for modification to this approval.

19. This approval is effective until December 31, 2017. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before June 30, 2017, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

Section 6. Special Conditions

20. This approval shall be effective January 1, 2014. Commission Docket No. 20091207 shall remain effective through December 31, 2013, whereupon it shall expire.

21. Effective January 1, 2014, the project sponsor shall cease all withdrawals from the approved source when streamflow, as measured at the U.S. Geological Survey stream gage specified in Section 4, is less than the applicable flow protection threshold specified in Section 4, and shall not reinstate withdrawals until the streamflow exceeds such flow protection threshold. The project sponsor shall keep daily records of the U.S. Geological Survey stream gage and shall

report the data to the Commission, as required. The project sponsor may propose alternative flow monitoring to the Commission for staff review and, if acceptable, approval.

22. Except as authorized pursuant to Special Condition 24, the project sponsor shall only supply water for use in hydrocarbon development to persons who have properly registered this approval pursuant to Commission Regulation 18 CFR §806.22(f)(12).

23. The project sponsor shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for use in hydrocarbon development, including daily quantities supplied. The project sponsor also shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for uses other than hydrocarbon development authorized pursuant to Special Condition 24, including daily quantities supplied.

24. Prior to supplying water for any use not authorized pursuant to Section 2 of this approval, the project sponsor shall first submit a request for authorization for such new use to the Executive Director. The project sponsor shall not supply water for such use unless and until such authorization is granted, and pursuant to any supplemental terms and conditions contained in such approval.

25. The project sponsor shall demonstrate to the satisfaction of the Commission that appropriate controls and treatment to prevent the spread of aquatic nuisance species are employed at the water withdrawal site.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on December 12, 2013.

Dated: December 13, 2013


Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

4423 North Front Street • Harrisburg, Pennsylvania 17110-1788

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Docket No. 20131210

Approval Date: December 12, 2013

SOUTHWESTERN ENERGY PRODUCTION COMPANY

**Surface Water Withdrawal (Peak Day) of up to 0.500 mgd
from Lycoming Creek (Ralston)**

Section 1. Approval

After review of the record, including the technical findings of Susquehanna River Basin Commission (Commission) staff, the Commission has determined that no adverse impacts are anticipated by the operation of this project, and that 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. Accordingly, the Commission hereby approves renewal of the project described herein in accordance with the conditions set forth below.

This approval is a renewal of Commission Docket No. 20091210 that was originally approved December 17, 2009, with a peak day withdrawal rate of 1.500 million gallons per day (mgd) and special flow protection requirements. The project sponsor has not requested any changes to the conditions of the approval. In consideration of the reasonably foreseeable need for water, as demonstrated by historic usage of the source and development plans presented by the project sponsor, Commission staff recommended that the approved peak day withdrawal rate be reduced to 0.500 mgd. Commission staff also recommended that the special flow protection requirements be modified to reflect current policy. This approval incorporates those recommendations.

Commission staff has coordinated with the Pennsylvania Department of Environmental Protection (PADEP), the Department of Conservation and Natural Resources (DCNR), and the Pennsylvania Fish and Boat Commission (PFBC) during review of this project.

Section 2. Project Information

Information concerning the project sponsor, water use type, and location are set forth in the table below.

Project Information	
Project Sponsor:	Southwestern Energy Production Company
Approval Type:	Surface Water Withdrawal
Original Docket No.:	20091210
Authorized Water Use Purpose:	Hydrocarbon Development and Related Incidental Uses
Municipality:	McIntyre Township
County:	Lycoming County
State:	Pennsylvania

Section 3. Source Information

Information concerning the source of water from which the withdrawal will be made is set forth in the table below.

Source Information	
Approved Source:	Lycoming Creek
Subbasin:	West Branch Susquehanna
Watershed Boundary Dataset (WBD):	0205020602 (Lycoming Creek)
Water Use Designation:	Exceptional Value (EV)
Withdrawal Location (degrees):	Lat: 41.498878 N Long: 76.956948 W
Site Flow Statistics (cfs):	Q7-10 = 4.4; Average Daily Flow = 168
Wild Trout Classification:	Naturally Reproducing Wild Trout
Drainage Area (square miles):	100
Aquatic Resource Class*:	Class 3
Special Flow Protection Required:	Yes
cfs – cubic feet per second	
*Refer to Commission Policy No. 2012-01 (Low Flow Protection Policy Related to Withdrawal Approvals)	

Section 4. Approved Withdrawal Quantities and Limitations

The withdrawal approved hereunder is subject to the quantitative limits and restrictions set forth in the table below.

Approved Withdrawal Quantities and Limitations	
Peak Day Withdrawal Amount (mgd):	0.500 (Not to Exceed, When Available)
Maximum Instantaneous Withdrawal Rate (gpm):	1,100 (Not to Exceed)
Flow Protection Type:	Seasonal passby expressed as monthly values
Method for Implementing Flow Protection:	Off-site monitoring of USGS Real-Time Gage 01550000; Lycoming Creek near Trout Run, Pennsylvania

Approved Withdrawal Quantities and Limitations (continued)		
Passby Schedule:		
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)</i>
January	51	90
February	47	83
March	101	176
April	88	155
May	77	135
June	49	86
July	53	94
August	56	98
September	56	98
October	56	98
November	56	98
December	53	94
USGS– U.S. Geological Survey 1 cfs = 448.8 gallons per minute (gpm)		

The withdrawal is also subject to all other conditions set forth in this docket approval.

Section 5. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, 18 CFR Parts 801, 806, and 808. This project is subject to the annual compliance and monitoring fee as specified in the Commission’s Regulatory Program Fee Schedule, which may be modified over the term of the approval.

2. The project sponsor shall adhere to the metering plan reviewed and approved by Commission staff. Any modifications proposed for the metering plan shall be submitted for review and approval by Commission staff in accordance with Commission Regulation 18 CFR §806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan.

3. The project sponsor shall maintain metering on the withdrawal in accordance with Commission Regulation 18 CFR §806.30.

4. The project sponsor shall maintain the totalizing meter and other measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals and certify to the Commission once every two (2) years, or as otherwise requested, the accuracy of all measuring devices and methods to within five (5) percent of actual flow. The next meter accuracy certification is due July 22, 2015, and every two (2) years thereafter.

5. The project sponsor shall adhere to the intake design reviewed and approved by Commission staff. Any modifications proposed by the project sponsor for the permitted intake structure shall be submitted for review and approval by Commission staff in accordance with Commission Regulations 18 CFR §806.21 and §806.23 prior to undertaking such modification(s).

6. The project sponsor or any other person representing the project sponsor shall allow authorized employees or agents of the Commission, without advance notice, 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, or otherwise exercise all investigative powers authorized under Commission Regulation 18 CFR §808.12.

7. The project sponsor shall keep daily records of the project's withdrawal 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 thirty (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, if appropriate, approved by Commission staff prior to implementing or modifying existing equipment or procedures.

8. Within sixty (60) days from notice of this approval, the project sponsor shall post a sign that meets Commission specifications and displays required project description information. The sign shall be maintained for the duration of the approval. Such sign shall be posted at the point of entry or access to the project facility from a public right-of-way. If there is any restriction to access at such point that would prevent an interested person from legibly viewing such sign, then the project sponsor shall post the sign at the nearest location to such point, along the route of ingress and egress to same, where an interested person would have unrestricted access to legibly view such sign. The project description shall identify the project sponsor, project name, docket approval number, and conditions of the surface water withdrawal approval including quantity, rate and passby flow requirement, docket expiration date, and contact information for the project sponsor and the Commission. The project sponsor shall submit digital photographs as proof of sign installation.

9. The project sponsor shall comply with the water conservation requirements specified in Commission Regulation 18 CFR §806.25(b).

10. This approval is conditioned on the project sponsor maintaining legal access to the withdrawal location for the duration of the approval.

11. The project sponsor shall register with the appropriate agency all surface water sources described herein, as may be required by regulations of the member jurisdiction.

12. If the project sponsor fails to comply with the provisions of the Susquehanna River Basin Compact or any rule, regulation, or order of the Commission, or any term or condition of this docket, the project sponsor is subject to enforcement actions pursuant to Commission Regulation 18 CFR §808.

13. 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. All such permits and/or approvals shall be obtained prior to the withdrawal of water. The Commission reserves the right to modify, suspend, or revoke this action if the project sponsor fails to obtain or maintain such approvals.

14. 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, pursuant to Commission Regulation 18 CFR §806.32.

15. 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.

16. This project is approved for inclusion in the Commission's Comprehensive Plan for the Water Resources of the Susquehanna River Basin.

17. In accordance with Commission Regulation 18 CFR §806.31(d), if the project is discontinued for such a time and under such circumstances that an abandonment of the project may be reasonably inferred, the Commission may rescind the approval of the project unless a renewal is requested by the project sponsor and approved by the Commission.

18. Should the project's anticipated withdrawals be expected to exceed the amounts listed herein, the project sponsor is required to make application for modification to this approval.

19. This approval is effective until December 31, 2017. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before June 30, 2017, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

Section 6. Special Conditions

20. This approval shall be effective January 1, 2014. Commission Docket No. 20091210 shall remain effective through December 31, 2013, whereupon it shall expire.

21. Effective January 1, 2014, the project sponsor shall cease all withdrawals from the approved source when streamflow, as measured at the U.S. Geological Survey stream gage specified in Section 4, is less than the applicable flow protection threshold specified in Section 4, and shall not reinstate withdrawals until the streamflow exceeds such flow protection threshold. The project sponsor shall keep daily records of the U.S. Geological Survey stream gage and shall

report the data to the Commission, as required. The project sponsor may propose alternative flow monitoring to the Commission for staff review and, if acceptable, approval.

22. Except as authorized pursuant to Special Condition 24, the project sponsor shall only supply water for use in hydrocarbon development to persons who have properly registered this approval pursuant to Commission Regulation 18 CFR §806.22(f)(12).

23. The project sponsor shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for use in hydrocarbon development, including daily quantities supplied. The project sponsor also shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for uses other than hydrocarbon development authorized pursuant to Special Condition 24, including daily quantities supplied.

24. Prior to supplying water for any use not authorized pursuant to Section 2 of this approval, the project sponsor shall first submit a request for authorization for such new use to the Executive Director. The project sponsor shall not supply water for such use unless and until such authorization is granted, and pursuant to any supplemental terms and conditions contained in such approval.

25. The project sponsor shall demonstrate to the satisfaction of the Commission that appropriate controls and treatment to prevent the spread of aquatic nuisance species are employed at the water withdrawal site.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on December 12, 2013.

Dated: December 13, 2013


Stephanie L. Richardson



SUSQUEHANNA RIVER BASIN COMMISSION

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Docket No. 20131211

Approval Date: December 12, 2013

TALISMAN ENERGY USA INC.

Surface Water Withdrawal (Peak Day) of up to 0.999 mgd from Choconut Creek

Section 1. Approval

After review of the record, including the technical findings of Susquehanna River Basin Commission (Commission) staff, the Commission has determined that no adverse impacts are anticipated by the operation of this project, and that 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. Accordingly, the Commission hereby approves the project described herein in accordance with the conditions set forth below.

Commission staff has coordinated with the Pennsylvania Department of Environmental Protection (PADEP), the Department of Conservation and Natural Resources (DCNR), and the Pennsylvania Fish and Boat Commission (PFBC) during review of this project.

Section 2. Project Information

Information concerning the project sponsor, water use type, and location are set forth in the table below.

Project Information	
Project Sponsor:	Talisman Energy USA Inc.
Approval Type:	Surface Water Withdrawal
Authorized Water Use Purpose:	Hydrocarbon Development and Related Incidental Uses
Municipality:	Choconut Township
County:	Susquehanna County
State:	Pennsylvania

Section 3. Source Information

Information concerning the source of water from which the withdrawal will be made is set forth in the table below.

Source Information	
Approved Source:	Choconut Creek
Subbasin:	Upper Susquehanna
Watershed Boundary Dataset (WBD):	0205010302 (Choconut Creek)
Water Use Designation:	Warm Water Fishery (WWF)
Withdrawal Location (degrees):	Lat: 41.982302 N Long: 76.004048 W
Site Flow Statistics (cfs):	Q7-10 = 0.9; Average Daily Flow = 29.2
Drainage Area (square miles):	23.7
Aquatic Resource Class*:	2
Special Flow Protection Required:	Yes
cfs – cubic feet per second	
*Refer to Commission Policy No. 2012-01 (Low Flow Protection Policy Related to Withdrawal Approvals).	

Section 4. Approved Withdrawal Quantities and Limitations

The withdrawal approved hereunder is subject to the quantitative limits and restrictions set forth in the table below.

Approved Withdrawal Quantities and Limitations		
Peak Day Withdrawal Amount (mgd):	0.999 (Not to Exceed, When Available)	
Maximum Instantaneous Withdrawal Rate (gpm):	694 (Not to Exceed)	
Flow Protection Type:	Seasonal passby expressed as monthly values	
Method for Implementing Flow Protection:	Off-site monitoring of USGS Real-Time Gage 01534000; Tunkhannock Creek near Tunkhannock, Pennsylvania	
Passby Schedule:		
<i>Month</i>	<i>On-Site Flow Protection Rate (cfs)</i>	<i>Off-Site Monitoring Threshold for Flow Protection (cfs)</i>
January	8.9	200
February	11	235
March	23	465
April	25	501
May	13	277
June	6.9	163
July	6.5	154
August	6.3	150
September	6.9	163
October	6.9	163
November	6.9	163
December	11	235
mgd – million gallons per day		USGS – U.S. Geological Survey
1 cfs = 448.8 gallons per minute (gpm)		

The withdrawal is also subject to all other conditions set forth in this docket approval.

Section 5. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, 18 CFR Parts 801, 806, and 808. This project is subject to the annual compliance and monitoring fee as specified in the Commission's Regulatory Program Fee Schedule, which may be modified over the term of the approval.

2. The project sponsor shall adhere to the metering plan reviewed and approved by Commission staff. Any modifications proposed for the metering plan shall be submitted for review and approval by Commission staff in accordance with Commission Regulation 18 CFR §806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan.

3. Prior to any withdrawal from the source listed in Section 3, the project sponsor shall install and maintain metering on the withdrawal in accordance with Commission Regulation 18 CFR §806.30. The project sponsor shall notify the Commission, in writing, and submit digital photographs of the meter when it has been installed, provide the serial number of the meter, and certify the accuracy of the measuring device to within five (5) percent of actual flow. Withdrawals shall not commence until Commission staff has approved the implementation of the approved metering plan and notified the project sponsor of such approval.

4. The project sponsor shall maintain the totalizing meter and other measuring devices, accurate to within five (5) percent, so as to provide an accurate record of withdrawals, and certify to the Commission once every two (2) years, or as otherwise requested, the accuracy of all measuring devices and methods to within five (5) percent of actual flow.

5. The project sponsor shall adhere to the intake design reviewed and approved by Commission staff, and shall obtain necessary general or individual permits from the jurisdictional permitting agency prior to use of the intake. The project sponsor shall provide the Commission with a copy of the permit prior to operating the withdrawal. If subsequent design review by the permitting agency requires modification to the intake design, the project sponsor shall submit to the Commission the approved permit for the modified intake structure. Thereafter, any modifications proposed by the project sponsor for the permitted intake structure shall be submitted for review and approval by Commission staff in accordance with Commission Regulations 18 CFR §806.21 and §806.23 prior to undertaking such modification(s).

6. The project sponsor or any other person representing the project sponsor shall allow authorized employees or agents of the Commission, without advance notice, 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, or otherwise exercise all investigative powers authorized under Commission Regulation 18 CFR §808.12.

210710.17. The project sponsor shall keep daily records of the project's withdrawal 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 thirty (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, if appropriate, approved by Commission staff prior to implementing or modifying existing equipment or procedures.

8. Prior to the withdrawal of water, the project sponsor shall post a sign that meets Commission specifications and displays required project description information. The sign shall be maintained for the duration of the approval. Such sign shall be posted at the point of entry or access to the project facility from a public right-of-way. If there is any restriction to access at such point that would prevent an interested person from legibly viewing such sign, then the project sponsor shall post the sign at the nearest location to such point, along the route of ingress and egress to same, where an interested person would have unrestricted access to legibly view such sign. The project description shall identify the project sponsor, project name, docket approval number, and conditions of the surface water withdrawal approval including quantity, rate and passby flow requirement, docket expiration date, and contact information for the project sponsor and the Commission. The project sponsor shall submit digital photographs as proof of sign installation prior to the initiation of the withdrawal.

9. The project sponsor shall comply with the water conservation requirements specified in Commission Regulation 18 CFR §806.25(b).

10. This approval is conditioned on the project sponsor maintaining legal access to the withdrawal location for the duration of the approval.

11. The project sponsor shall register with the appropriate agency all surface water sources described herein, as may be required by regulations of the member jurisdiction.

12. If the project sponsor fails to comply with the provisions of the Susquehanna River Basin Compact or any rule, regulation, or order of the Commission, or any term or condition of this docket, the project sponsor is subject to enforcement actions pursuant to Commission Regulation 18 CFR §808.

13. 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. All such permits and/or approvals shall be obtained prior to the withdrawal of water. The Commission reserves the right to modify, suspend, or revoke this action if the project sponsor fails to obtain or maintain such approvals.

14. 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, pursuant to Commission Regulation 18 CFR §806.32.

15. 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.

16. This project is approved for inclusion in the Commission's Comprehensive Plan for the Water Resources of the Susquehanna River Basin.

17. The project sponsor has a period of three (3) years from the date of this approval to commence the withdrawal or this approval will automatically expire, unless an extension is requested by the project sponsor and approved by the Commission as provided in Commission Regulation 18 CFR §806.31(b). Likewise, if the project is discontinued for such a time and under such circumstances that an abandonment of the project may be reasonably inferred, the Commission may rescind the approval of the project unless a renewal is requested by the project sponsor and approved by the Commission.

18. Should the project's anticipated withdrawals be expected to exceed the amounts listed herein, the project sponsor is required to make application for modification to this approval.

19. This approval is effective until December 11, 2017. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before June 11, 2017, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

Section 6. Special Conditions

20. The project sponsor shall cease all withdrawals from the approved source when streamflow, as measured at the U.S. Geological Survey stream gage specified in Section 4, is less than the applicable flow protection threshold specified in Section 4, and shall not reinstate withdrawals until the streamflow has remained above such flow protection threshold for 48 hours. The project sponsor shall keep daily records of the U.S. Geological Survey stream gage and shall report the data to the Commission, as required. The project sponsor may propose alternative flow monitoring to the Commission for staff review and, if acceptable, approval.

21. Except as authorized pursuant to Special Condition 23, the project sponsor shall only supply water for use in hydrocarbon development to persons who have properly registered this approval pursuant to Commission Regulation 18 CFR §806.22(f)(12).

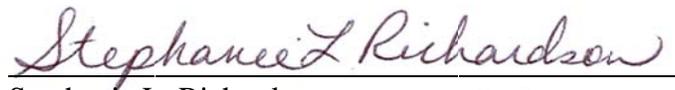
22. The project sponsor shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for use in hydrocarbon development, including daily quantities supplied. The project sponsor also shall keep daily records, and shall report the same to the Commission upon request, of all persons supplied water from the project for uses other than hydrocarbon development authorized pursuant to Special Condition 23, including daily quantities supplied.

23. Prior to supplying water for any use not authorized pursuant to Section 2 of this approval, the project sponsor shall first submit a request for authorization for such new use to the Executive Director. The project sponsor shall not supply water for such use unless and until such authorization is granted, and pursuant to any supplemental terms and conditions contained in such approval.

24. The project sponsor shall demonstrate to the satisfaction of the Commission that appropriate controls and treatment to prevent the spread of aquatic nuisance species are employed at the water withdrawal site.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on December 12, 2013.

Dated: December 13, 2013


Stephanie L. Richardson



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Docket No. 20100916-1

Approval Date: September 16, 2010

Modification Date: December 12, 2013

GETTYSBURG MUNICIPAL AUTHORITY HUNTERSTOWN WASTEWATER TREATMENT PLANT

**Into-Basin Diversion (Peak Day) of up to 0.232 mgd
from the Hunterstown Wastewater Treatment Plant
in the Potomac River Basin**

Section 1. Approval

After review of the record, including the technical findings of Susquehanna River Basin Commission (Commission) staff, the Commission has determined that no adverse impacts are anticipated by the operation of this project, and that 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. Accordingly, the Commission hereby approves the modification of the project described herein in accordance with the conditions set forth below.

This approval is a modification of Commission Docket No. 20100916 that was originally approved on September 16, 2010, and authorized an into-basin diversion of 0.123 million gallons per day (mgd). The project involves the discharge of water from the Hunterstown Wastewater Treatment Plant in Straban Township, Adams County, into the Susquehanna River Basin. A portion of the treatment plant discharge originates within the Potomac River Basin and is considered an into-basin diversion. The project sponsor has requested to increase the into-basin diversion from 0.123 mgd to 0.232 mgd to accommodate ongoing occasional surges in peak discharges received from the Reliant Energy power plant. The treatment and discharge of wastewater has been approved by the Pennsylvania Department of Environmental Protection (PADEP).

Commission staff has coordinated with the PADEP and the Pennsylvania Fish and Boat Commission (PFBC) during review of this project.

Section 2. Project Information

Information concerning the project sponsor, water use type, and location are set forth in the table below.

Project Information	
Project Sponsor:	Gettysburg Municipal Authority
Approval Type:	Into-Basin Diversion from the Potomac River Basin
Authorized Purpose:	Treatment and Disposal of Wastewater
Municipality:	Straban Township
County:	Adams County
State:	Pennsylvania

Section 3. Facility and Discharge Location Information

Information concerning the facility from which the into-basin diversion will be made is set forth in the table below.

Facility and Discharge Location Information	
Approved Facility:	Hunterstown Wastewater Treatment Plant, which receives water from domestic, industrial, and power generating facilities within the Susquehanna River and Potomac River Basins
Subbasin:	Lower Susquehanna
Watershed Boundary Dataset (WBD):	0205030602 (Upper Conewago Creek)
Diversion Location (degrees):	Lat: 39.887778 N Long: 77.165556 W
Impairment:	Receiving stream, Beaverdam Creek, is impaired by siltation

Section 4. Approved Into-Basin Diversion Quantities and Limitations

The into-basin diversion approved hereunder is subject to the quantitative limits and restrictions set forth in the table below.

Approved Into-Basin Diversion Quantities and Limitations	
Peak Day Diversion Amount (mgd):	0.232 (Not to Exceed)

The into-basin diversion is also subject to all other conditions set forth in this docket approval.

Section 5. Standard Conditions

1. The project sponsor shall comply with all Commission regulations, 18 CFR Parts 801, 806, and 808. This project is subject to the annual compliance and monitoring fee as specified in the Commission's Regulatory Program Fee Schedule, which may be modified over the term of the approval.

2. The project sponsor shall adhere to the metering plan reviewed and approved by Commission staff. Any modifications proposed for the metering plan shall be submitted for review and approval by Commission staff in accordance with Commission Regulation 18 CFR §806.30. Modifications shall not be made until the project sponsor receives written approval of the amended plan.

3. The project sponsor shall maintain metering on the diversion in accordance with Commission Regulation 18 CFR §806.30.

4. The project sponsor shall maintain the totalizing meter and other measuring devices, accurate to within five (5) percent, so as to provide an accurate record of diversions, and certify to the Commission once every five (5) years, or as otherwise requested, the accuracy of all measuring devices and methods to within five (5) percent of actual flow. The next meter accuracy certification is due September 16, 2015.

5. The project sponsor or any other person representing the project sponsor shall allow authorized employees or agents of the Commission, without advance notice, 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, or otherwise exercise all investigative powers authorized under Commission Regulation 18 CFR §808.12.

6. The project sponsor shall keep daily records of the project's diversion 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 thirty (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, if appropriate, approved by Commission staff prior to implementing or modifying existing equipment or procedures.

7. This approval is conditioned on the project sponsor maintaining legal access to the discharge location for the duration of the approval.

8. If the project sponsor fails to comply with the provisions of the Susquehanna River Basin Compact or any rule, regulation, or order of the Commission, or any term or condition of this docket, the project sponsor is subject to enforcement actions pursuant to Commission Regulation 18 CFR §808.

9. 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. All such permits and/or approvals shall be obtained prior to the diversion of water. The Commission reserves the right to modify, suspend, or revoke this action if the project sponsor fails to obtain or maintain such approvals.

10. 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 pursuant to Commission Regulation 18 CFR §806.32.

11. 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.

12. This project is approved for inclusion in the Commission's Comprehensive Plan for the Water Resources of the Susquehanna River Basin.

13. Should the project's anticipated diversion be expected to exceed the amounts listed herein, the project sponsor is required to make application for modification to this approval.

14. This modified approval is effective until September 15, 2025, the term of the prior docket approval. As specified in Commission Regulation 18 CFR §806.31(e), if the project sponsor submits an application on or before March 15, 2025, the project sponsor may continue operation of this project pursuant to the terms and conditions of this approval until such time as the Commission acts on such application, or until otherwise notified by the Executive Director.

Section 6. Special Conditions

15. This approval shall be effective January 1, 2014.

16. The project sponsor must maintain the approval(s) for wastewater treatment and discharge issued by the PADEP.

17. All other conditions in Commission Docket No. 20100916 not inconsistent herewith shall remain effective.

CERTIFICATION: I, Stephanie L. Richardson, Secretary to the Susquehanna River Basin Commission, do hereby certify that the foregoing project docket was approved by the Susquehanna River Basin Commission on December 12, 2013.

Dated: December 13, 2013


Stephanie L. Richardson