

**DOCKET NO. D-67-32-2**

**DELAWARE RIVER BASIN COMMISSION**

**Burlington Country Club  
Ground and Surface Water Withdrawal  
Westampton Township, Burlington County, New Jersey**

**PROCEEDINGS**

This docket is issued in response to an Application submitted to the Delaware River Basin Commission (DRBC or Commission) by Eastern Geosciences on behalf of the Burlington Country Club on February 13, 2008 (Application), for review of a ground and surface water withdrawal. The project ground and surface water withdrawal (Permit No. WAP060001) was approved by the New Jersey Department of Environmental Protection (NJDEP) on May 7, 2008, effective on May 8, 2008, subject to approval by the DRBC.

The Application was reviewed for approval under Section 3.8 of the *Delaware River Basin Compact*. The Burlington County Planning Board has been notified of pending action on this docket. A public hearing on this project was held by the DRBC on September 24, 2008.

**A. DESCRIPTION**

- 1. Purpose.** The purpose of this project is to approve a total ground and surface water withdrawal of 8.4 mg/30 days for Burlington Country Club.
- 2. Location.** The three project wells (Well Nos. 1A, 1R, and C1) and two intakes (Pond 1 and Wet Well/Pond 14) are located in the headwaters of the Mill Creek tributary of the Rancocas Creek Watershed, in the Englishtown Formation, in Westampton Township, Burlington County, New Jersey. Specific location information has been withheld for security reasons.
- 3. Area Served.** The docket holder's ground and surface water withdrawal will supply the irrigation system for their existing golf course. For the purpose of defining Area Served, the Application is incorporated herein by reference consistent with conditions contained in the DECISION section of this docket.

4. **Physical features.**

a. **Design criteria.** The docket holder proposes to continue operating three existing wells and two surface water intakes (one new and one existing) with a maximum water demand of 6.3 mg/30 days and 8.4 mg/30 days respectively. The docket holder is requesting an 8.4 mg/30 days limit.

b. **Facilities.** The proposed project facilities have the following characteristics:

FACILITY	DEPTH	CASED DEPTH/ CASING DIAMETER	PUMP CAPACITY	YEAR DRILLED
Well 1A	294'	260'/8"	150 gpm	1974
Well 1R	300'	270'/12"	450 gpm	1995
Well C1	300'	275'/4"	40 gpm	1995
Pond 1 (Existing)	---	---	1.152 mgd	---
Wet Well (New, Pond 14)	---	---	0.432 mgd	---

All wells and intakes are metered.

The project wells and intakes are above the 100-year flood elevation.

d. **Cost.** The overall cost of the project is estimated to be \$13,000.

**B. FINDINGS**

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

The NJDEP water allocation is for a limited period and is not subject to automatic renewal. The permittee is in a Critical Area designated by the State of New Jersey and is subject to such requirements as may be necessary pursuant to N.J.A.C. 7:19-8.

Well Nos. 1A, 1R, and C1 are screened in the Potomac-Raritan-Magothy Aquifer and are located within the depleted portion of the NJDEP's Water Supply Critical Area No. 2. Accordingly, the docket holder has been mandated by the NJDEP to limit the total withdrawal from these wells to 24.8 mg/year.

Ponds 1 and 14 are utilized as surface water sources for irrigation of the greens and fairways of the docket holder's golf course. They do not divert waters from any local tributaries, but utilize storm and naturally existing surface water in the irrigation process.

The DRBC estimates that the project withdrawals, used for the purpose of golf course irrigation, result in a consumptive use of 90 percent of the total water use. The DRBC definition of consumptive use is defined in Article 5.5.1.D of the *Administrative Manual – Part III – Basin Regulations – Water Supply Charges*.

The project does not conflict with the Comprehensive Plan and is designed to prevent substantial adverse impact on the water resources related environment, while sustaining the current and future water uses and development of the water resources of the Basin.

### **C. DECISION**

I. Effective on the approval date for Docket No. D-67-32-2 below, Docket No. D-67-32 is terminated and replaced by Docket No. D-67-32-2.

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

a. Docket approval is subject to all conditions, requirements, and limitations imposed by the NJDEP in its Water Allocation permit, and such conditions, requirements, and limitations are incorporated herein, unless they are less stringent than the Commission's.

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

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

d. During any 30-day period, the withdrawal from the two surface intakes (Pond 1 and Wet Well/Pond 14) shall not exceed 8.4 million gallons, and the withdrawal from all well sources (Well Nos. 1A, 1R, and C1) shall not exceed 3.1 million gallons. The total withdrawal from all sources shall not exceed 8.4 million gallons/30 days and 37.8 mg/year. In addition, the total withdrawal from all wells is limited to 24.8 mg/year.

e. The three wells shall be equipped with readily accessible capped ports and drop pipes so that water levels may be measured under all conditions.

f. The docket holder shall pay for surface water use in accordance with the provisions of Resolution No. 74-6, as amended.

g. Upon completion of construction of the approved project, the docket holder shall submit a statement to the DRBC, signed by the docket holder's engineer or other responsible agent, advising the Commission that the construction has been completed in compliance with the approved plans, giving the final construction cost of the approved project and the date the project is placed in operation.

h. This docket approval shall expire three years from date below unless prior thereto the docket holder has commenced operation of the subject project or has expended substantial funds (in relation to the cost of the project) in reliance upon this docket approval.

i. The project withdrawals shall be metered with an automatic continuous recording device that measures to within 5 percent of actual flow. An exception to the 5 percent performance standard, but no greater than 10 percent, may be granted if maintenance of the 5 percent performance is not technically feasible or economically practicable. A record of daily withdrawals shall be maintained, and monthly totals shall be reported to the NJDEP quarterly and shall be available at any time to the Commission if requested by the Executive Director.

j. In accordance with DRBC Resolution No. 87-6 (Revised), the docket holder shall continue to implement to the satisfaction of the NJDEP, the systematic program to monitor and control leakage within the water supply system. The program shall at a minimum include: periodic surveys to monitor leakage, enumerate unaccounted-for water and determine the current status of system infrastructure; recommendations to monitor and control leakage; and a schedule for the implementation of such recommendations. The docket holder shall proceed expeditiously to correct leakages and unnecessary usage identified by the program.

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

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

m. The docket holder shall continue to implement its Water Conservation Plan as approved by NJDEP, and shall report to the NJDEP on actions taken pursuant to this program and the impact of those actions as requested by the NJDEP.

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

o. Sound practices of excavation, backfill and reseedling shall be followed to minimize erosion and deposition of sediment in streams.

p. No new water service connections shall be made to premises connected to sewerage systems which are not in compliance with all applicable effluent limits contained in State permits and the *Water Quality Regulations* of the Commission.

q. Nothing herein shall be construed to exempt the docket holder from obtaining all necessary permits and/or approvals from other State, Federal or local government agencies having jurisdiction over this project.

r. The docket holder is permitted to provide the water approved in this docket to the areas included in Section A.3. Area Served of this docket. Any expansion beyond those included in Section A.3. Area Served is subject to DRBC review and approval in accordance with Section 3.8 of the *Compact*.

s. A complete application for the renewal of this docket, or a notice of intent to cease the operations (withdrawal, discharge, etc.) approved by this docket by the expiration date, must be submitted to the DRBC at least 12 months prior to the expiration date below (unless permission has been granted by the DRBC for submission at a later date), using the appropriate DRBC application form. In the event that a timely and complete application for renewal has been submitted and the DRBC is unable, through no fault of the docket holder, to reissue the docket before the expiration date below, the terms and conditions of this docket will remain fully effective and enforceable against the docket holder pending the grant or denial of the application for docket approval.

t. The issuance of this docket approval shall not create any private or proprietary rights in the water of the Basin, and the Commission reserves the rights to amend, alter or rescind any actions taken hereunder in order to insure the proper control, use and management of the water resources of the Basin.

u. If the construction or operation of this project significantly affects or interferes with any domestic or other existing wells or surface water supplies, or if the docket holder receives a complaint by any user of wells or surface water supplies within the zone of influence of the withdrawal, the docket holder shall immediately notify the Executive Director of any complaints by users of wells or surface water supplies within the zone of influence of the withdrawal, and unless excused by the Executive Director, shall investigate such complaints. The docket holder should direct phone call notifications of potential well or surface water interference or complaints of interference to the DRBC Project Review Section at 609-883-9500, extension 216. Oral notification must always be followed up in writing directed to the Executive Director. In addition, the docket holder shall provide written notification to all potentially impacted users of wells or surface water supplies of the docket holder's responsibilities under this condition. Any well or surface water supply which is substantially adversely affected, or

rendered dry or otherwise unusable as a result of the docket holder's project withdrawal, shall be repaired, replaced or otherwise mitigated at the expense of the docket holder. A report of investigation and/or mitigation plan prepared by a hydrologist shall be submitted to the Executive Director as soon as practicable. The Executive Director shall make the final determination regarding the validity of such complaints, the scope or sufficiency of such investigations, and the extent of appropriate mitigation measures, if required. The Executive Director may modify or suspend this approval or any condition thereof, or require mitigating measures pending additional review, if in the Executive Director's judgment such modification or suspension is required to protect the water resources of the Basin.

v. During any water emergency or other non-emergency declaration by the Governor of New Jersey, NJDEP or the Commission, water service or use by the project docket holder pursuant to this docket approval shall be subject to any order or restriction governing those non-essential uses specified by the NJDEP to the extent that they may be applicable, and to any other emergency resolutions or orders adopted by the Commission.

w. The docket holder and any other person aggrieved by a reviewable action or decision taken by the Executive Director or Commission pursuant to this docket may seek an administrative hearing pursuant to Articles 5 and 6 of the Commission's *Rules of Practice and Procedure*, and after exhausting all administrative remedies may seek judicial review pursuant to Article 6, section 2.6.10 of the *Rules of Practice and Procedure* and section 15.1(p) of the Commission's *Compact*.

**BY THE COMMISSION**

**APPROVAL DATE:**

**EXPIRATION DATE: September 24, 2018**