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Planning

Center of Engineers

CORPS OF ENGINEERS U. S. ARMY

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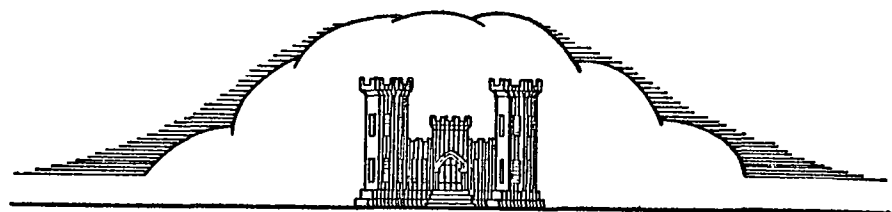
SUSQUEHANNA RIVER BASIN

# INDIAN ROCK RESERVOIR

## CODORUS CREEK , PENNSYLVANIA

### DESIGN MEMORANDUM NO. 1

#### MASTER PLAN



OFFICE OF THE DISTRICT ENGINEER  
 U.S. ARMY ENGINEER DISTRICT , BALTIMORE  
 BALTIMORE 3, MARYLAND

APRIL 1959

ADDRESS REPLY TO  
THE DISTRICT ENGINEER

U. S. ARMY ENGINEER DISTRICT, BALTIMORE  
CORPS OF ENGINEERS  
P. O. Box 1715  
Baltimore 3, Maryland

REFER TO FILE NO

NABGW

17 April 1959

SUBJECT: Design Memorandum No. 1, Master Plan, Indian Rock Reservoir, Pa.

THRU: Division Engineer  
U. S. Army Engineer Division, North Atlantic  
New York, New York

TO: The Chief of Engineers  
Department of the Army  
Washington, D. C.

1. Inclosed for review and approval is Design Memorandum No. 1, Master Plan, for Indian Rock Reservoir, Pennsylvania.

2. Indian Rock Dam was completed in 1942. No preliminary master plan was issued.

FOR THE DISTRICT ENGINEER:



ROGER A. BARNES  
Lt. Colonel, Corps of Engineers  
Deputy District Engineer

1 Incl  
DM #1 (cys 1 thru 8)

Baltimore District, Corps of Engineers  
Planning Division Resource Center

**DO NOT REMOVE**

CORPS OF ENGINEERS, U. S. ARMY

SUSQUEHANNA RIVER BASIN

INDIAN ROCK RESERVOIR  
CODORUS CREEK, PENNSYLVANIA

DESIGN MEMORANDUM NO. 1

MASTER PLAN

OFFICE OF THE DISTRICT ENGINEER  
U. S. ARMY ENGINEER DISTRICT, BALTIMORE  
BALTIMORE 3, MARYLAND

APRIL 1959



INDIAN ROCK DAM AND SPILLWAY. A portion of the rock-faced dam can be seen at the left. The control house is shown at the center. Flow in the creek normally enters the three gated openings under the control house and is carried through a 15-foot tunnel to the creek channel downstream. The operator's residence appears just to the right of the control house. The concrete spillway (foreground) would be used only in the event of a flood that exceeds the reservoir capacity. Note 3-hinged steel arch bridge which carries road across spillway channel.

SUSQUEHANNA RIVER BASIN

INDIAN ROCK RESERVOIR

CODORUS CREEK, PENNSYLVANIA

DESIGN MEMORANDUM NO. 1

MASTER PLAN

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SUSQUEHANNA RIVER BASIN  
INDIAN ROCK RESERVOIR

CODORUS CREEK, PENNSYLVANIA

DESIGN MEMORANDUM NO. 1

M A S T E R   P L A N

1959

A. GENERAL INFORMATION

1. Project authorization. By enactment of the Flood Control Act approved 22 June 1936 (Public Law No. 738, Seventy-fourth Congress), Congress authorized "Construction of detention reservoirs and related flood control works for protection of . . . towns in New York and Pennsylvania in accordance with plans approved by the Chief of Engineers . . ." Indian Rock Dam in York County, Pennsylvania, constructed under this authority, as amended by the Flood Control Act approved 28 June 1938 (Public Law No. 761, Seventy-fifth Congress, third session), is a part of the comprehensive plan for flood control in the Susquehanna River watershed in southern New York and eastern Pennsylvania.

2. Purpose. The project is for flood-control purposes for the protection of the city of York, Spring Garden Township, and York County from floods on Codorus Creek.

3. History. Construction of Indian Rock Dam was commenced in February 1940 and was completed in September 1942.

4. Scope. The purpose of this Master Plan is to present a sound, coordinated plan for the administration and development of the reservoir for all desirable uses so far as such uses are consistent with the operation and maintenance of the project for its primary purpose and to present data on the type of development which will return maximum sustained public benefits.

B. GENERAL CHARACTERISTICS OF PROJECT AREA

5. Location. Indian Rock Reservoir is located in York County, Pennsylvania, on the Main Branch of Codorus Creek approximately 15 miles above its confluence with the Susquehanna River. The Main Branch joins the South Branch to form Codorus Creek at a point 2.5 miles above the southerly limits of the city of York, Pennsylvania. The dam site is on the Main Branch 700 feet above its confluence with the South Branch. (See plate 1.)

6. Topography. The reservoir occupies a narrow, shallow valley which was previously used largely as farm and pasture land. The region surrounding the project is used largely for agricultural purposes. The amount of timber cover in and around the reservoir is generally rather limited.

7. Accessibility. U. S. Highway 30, between York and Gettysburg, runs within one mile of the reservoir area on the north. State Routes 616, 66050, and 498 lead from this highway across the reservoir area. U. S. Highway 111, between York, Pennsylvania, and Baltimore, Maryland, passes the reservoir area approximately three miles to the east with several secondary roads leading from the highway to the reservoir area.

#### 8. Engineering features

a. The dam is a rolled-fill earth embankment with rock facings extending across the Codorus Creek Valley, having a crest length of approximately 1,000 feet and a maximum height of approximately 83 feet above the stream bed. The outlet works for releasing impounded water from the reservoir consist of an approach channel, intake tower and operating house, tunnel, stilling basin, and outlet channel located near the right abutment of the dam. The discharge of impounded water is controlled by three 6-x 13-foot vertical-lift tractor gates of the Broome type. A 15-foot circular tunnel, 432 feet long including intake, has been excavated through quartzite rock in the right abutment. The intake transition is 36'-6" long tapering from a rectangular section about 13 feet high and 27 feet wide upstream, to the 15-foot diameter circular section at the downstream end. The outlet transition is 20 feet long, tapering from the circular section at the upper end to a horseshoe section at the portal. A stilling basin is provided at the outlet of the tunnel to reduce the velocity of water issuing from the tunnel.

b. The spillway is located on the right abutment and is of the side-channel type with a concrete overflow section, a concrete-lined discharge channel, and a stilling basin at the outfall of the discharge channel. The spillway crest at elevation 435.0 is 17.5 feet below the top of the dam and was designed to discharge 62,000 c.f.s. The channel is 750 feet in length. The side walls of the channel are built in blocks, approximately 20 feet square, and are anchored to the rock slope.

c. The reservoir has a flood-water storage capacity of 28,000 acre-feet at spillway crest and 47,000 acre-feet when the spillway is surcharged to 10.5 feet. Reservoir storage at present is utilized only in time of flood. The reservoir is operated by regulating the gate openings in such a manner that the total flow in the creek will not exceed the capacity of the downstream channel. When the reservoir is full to spillway crest, the lake formed will have a surface area of 1,430 acres and a main valley length of about 7.8 miles. The dam controls 100 percent of the drainage area of the Main Branch of Codorus Creek and about 41 percent of the total drainage above York.

d. Pertinent engineering data of the dam and reservoir are given below:

DAM

Type of structure -----	Rolled earth and rock
Top elevation, feet above m.s.l. -----	452.5
Total crest length, feet (exclusive of spillway) -----	1,000
Maximum height above stream bed, feet -----	83

SPILLWAY

Type -----	Side channel, ogee weir
Crest elevation, feet above m.s.l. -----	435
Crest length, feet -----	461
Discharge capacity with 10.5 feet surcharge, c.f.s. ---	62,000

OUTLET WORKS

Type -----	15-foot circular tunnel
Length, entrance to outlet portal, feet -----	432
Number and size of gates -----	three (6 x 13 feet)
Elevation of gate sill, feet above m.s.l. -----	370
Maximum outlet discharge, 3 gates open and pool at spillway crest, c.f.s. -----	8,000
Minimum time required to empty reservoir from spillway crest with 3 gates full open (inflow of 100 c.f.s.), days -----	2-1/2 approx.

RESERVOIR

Drainage area controlled, square miles -----	93.7
Runoff stored at spillway crest, inches -----	5.6
Invert of intake structure and gate sill -----	370.0 (m.s.l.)
Elevation, top of low water -----	372.5 (m.s.l.)
Elevation, top of flood pool, surcharge 10.5 feet -----	445.5 (m.s.l.)
Reservoir capacity at spillway crest, acre-feet -----	28,000
Reservoir capacity, surcharge 10.5 ft., acre-feet -----	47,000
Area of flood pool at spillway crest, acres -----	1,430
Length of flood pool at spillway crest, miles -----	7.8

9. Description of reservoir area. Approximately 1,759 acres, most of which were acquired in fee, are within the taking line. Easements were acquired on about 95 of the 1,759 acres. A major portion of this land lies below elevation 435.0, the top of the flood-control pool at spillway crest, all of which will be subject to inundation to varying depths at infrequent intervals during the operation of the reservoir for flood control. Due to pollution of the stream by papermill wastes at Spring Grove, in the



upper reaches of the reservoir, a recreation or conservation pool was not provided. Provision can be made at a reasonable cost to maintain a small recreation pool of approximately 100 acres to elevation 390 feet, m.s.l. This would store 800 acre-feet, equivalent to 0.16 inch of runoff.

### C. LAND USAGE AND DEVELOPMENT

#### 10. Past land utilization in reservoir area

a. Since completion of the dam and reservoir in September 1942 a program of outleasing of project lands for agriculture and grazing purposes has been instituted. The actual advertising and leasing is performed by the Real Estate Division, U. S. Army Engineer District, Washington, D.C., in cooperation with the U. S. Army Engineer District, Baltimore, Maryland. As of 17 September 1958 approximately 1,398 acres of the 1,664 acres acquired in fee were outleased for agriculture or grazing purposes to 20 different lessees at an annual rental of \$3,926.00. Of the 1,664 acres, approximately 125 acres contiguous to the dam were withheld. Approximately 91% of the project lands considered available for collateral use are being utilized for agriculture or grazing. (See plate 2.) Leases granted, effective 1 January 1957, were made on Department of the Army Lease Form, River and Harbor or Flood Control Property, ENG Form 1366, 1 April 1956. Leases were granted, in most instances, for a term of five years. Periodic inspections are made to insure that lessees comply with the minimum conservation requirements of their leases. The outlease program in effect has reduced the expenditure of funds by the Government for maintenance and policing of the leased areas.

b. Seventy-five percent of the revenue from these leases is distributed to the local political subdivisions to compensate them for the taxes lost when the lands were acquired for flood-control purposes.

c. In addition to the agriculture leases certain portions of the reservoir area are used, under license issued by the District Engineer, for short periods by units of the Army Reserve Corps and the Pennsylvania National Guard for small arms firing and tank-driver training. Two small parcels are under lease, one for radio communication purposes and the other for water supply.

#### 11. Fish and wildlife management

a. The Coordination Act of 14 August 1946 (60 Stat. 1080) provides that whenever the waters of any stream are impounded, diverted, or controlled, adequate provision, consistent with the primary purposes of such impoundment, diversion, or other control, shall be made for the conservation, maintenance, and management of wildlife. The Act further provides that in accordance with general plans covering the use of such

waters and other interests for wildlife conservation purposes, approved jointly by the heads of the department or agency exercising primary administration thereof, the Secretary of the Interior, and the head of the agency administering wildlife resources of the State in which the waters and areas lie, such waters and other interests shall be made available without cost, for administration (a) by such State agency, if the management relates to conservation of wildlife other than migratory birds, or (b) by the Secretary of the Interior if the waters and other interests have particular value in carrying out the National migratory bird management program. The Corps of Engineers and the Fish and Wildlife Service, Department of the Interior, formally agreed that general plans for fish and wildlife management should be developed jointly by the Corps of Engineers, the Fish and Wildlife Service, and the appropriate State agency. This agreement was approved by the Acting Secretary of the Interior on 6 August 1954 and by the Secretary of the Army on 20 August 1954.

b. In November 1956 the Game Commission of the Commonwealth of Pennsylvania requested that the lands of Indian Rock Reservoir be made available for wildlife conservation and game management. The U. S. Fish and Wildlife Service prepared a general plan for the use of the lands by the Pennsylvania Game Commission, which plan was approved by the Game Commission on 18 February 1957, by the Secretary of the Army on 1 May 1957, and by the Assistant Secretary of the Interior on 24 May 1957. A copy of the plan is inclosed as exhibit A. A license has been granted the Pennsylvania Game Commission implementing this general plan. A copy of this license is included as exhibit B. This license, for a period of 25 years, authorizes the Commonwealth of Pennsylvania to develop, use, and control, for the purpose of wildlife and game management, with the exception of fish, and to administer and enforce the laws of the Commonwealth pertaining thereto, approximately 1,540 acres at the reservoir. This includes all lands in fee, excepting approximately 125 acres contiguous to the dam which has been withheld. The area licensed to the Pennsylvania Game Commission is indicated on plate 2. This license authorizes the Game Commission to:

(1) Construct and maintain buildings, fences, signs, and other structures above the 435-foot contour and maintain, improve, and construct roads and provide appropriate markings.

(2) Plant seeds, shrubs, plants, and trees and remove interfering natural growth from and around apple, thornapple, dogwood, and other natural game-food producing trees, shrubs, and vines and, where necessary, prune fruit trees for the benefit of wildlife.

(3) Take, trap, remove, stock, or otherwise control all forms of wildlife and close the areas or any parts thereof to hunting and/or trapping provided that the closing of any area is consistent with the State laws for the protection of wildlife.

(4) Enforce, within the licensed area, the wildlife and game laws enacted by the General Assembly of the Commonwealth of Pennsylvania, as well as such orders as from time to time may be issued by the Government.

c. All activities of the Game Commission will be subject to approval by the District Engineer, Baltimore. The license will have no effect on the current program for leasing of reservoir lands for agricultural and grazing purposes. Future leases granted for agricultural and grazing purposes will provide the required cooperation from the lessee to enable installing and maintaining the program for development of wildlife resources.

## 12. Recreation

a. The Indian Rock Reservoir is not at present suitable for recreational development due to the pollution of the stream from paper mills in the upper reaches. This pollution causes an obnoxious odor in the vicinity of the stream. Newspaper accounts indicate that the Sanitary Water Board of the Commonwealth of Pennsylvania in August 1957 ordered the paper mills to comply with the clean-stream laws and treat their industrial wastes. No results of this order have been noted to date, and it is not believed that this condition will be corrected in the immediate future.

b. The Commonwealth of Pennsylvania was offered the facilities of the reservoir area for use in its recreational program. On 31 July 1958 the Department of Forests and Waters, Commonwealth of Pennsylvania, rejected the area with the following comments: ". . . the area in question does not meet with the minimum criteria established for sites to be considered for State park development. Its proximity to the city of York and the questionable quality of the water of Codorus Creek are the two major reasons for our rejection of this site." In subsequent conversations the Board recommended that, if and when the pollution of the stream is abated, that the city and/or county of York be offered these facilities.

c. There is need for additional recreational facilities in this area. There are no public parks within a radius of 10 miles of the reservoir area. Within this 10-mile area is the city of York and numerous small boroughs and townships with an estimated population of 121,000. It is estimated that there are 419,000 people residing within a 25-mile radius of the dam in Pennsylvania. A portion of rural Maryland also falls within this area, the population of which is not included in the above figures. Public recreational areas in Pennsylvania within a 50-mile radius of Indian Rock Dam are listed below together with facilities offered.

<u>Recreation Area</u>	<u>Direction and Mileage from Indian Rock Dam</u>	<u>Bathing</u>	<u>Boating</u>	<u>Camping</u>	<u>Fishing</u>	<u>Picnicking</u>
Samuel S. Lewis State Park	E - 14 miles					X
Pine Grove Furnace State Park	W - 27 miles	X		X	X	X
Caledonia State Park	W - 35 miles	X		X	X	X
Mont Alto State Park	W - 40 miles					X
Old Forge State Forest Picnic Area	W - 38 miles	X			X	X
Fowlers Hollow State Forest Picnic Area	WNW - 43 miles					X
Big Spring State Park	WNW - 50 miles					X
Hemlock State Forest Monument	WNW - 49 miles					X
Kansas Valley State Forest Picnic Area	WNW - 49 miles					X
Col. Denning State Forest Picnic Area	NW - 40 miles	X			X	X
Minnichs Spring State Forest Picnic Area	N - 40 miles					X
Rowland State Forest Picnic Area	N - 40 miles					X

The Pennsylvania Department of Forests and Waters is developing a recreation area approximately 15 miles north of the dam site. This area will include a large body of water provided by damming the flow of a small stream tributary to the Susquehanna River.

#### D. RECOMMENDATIONS

13. Fish and wildlife management. The license to the Pennsylvania Game Commission provides for utilizing all available lands for wildlife management, and no further action in this regard is recommended. Should

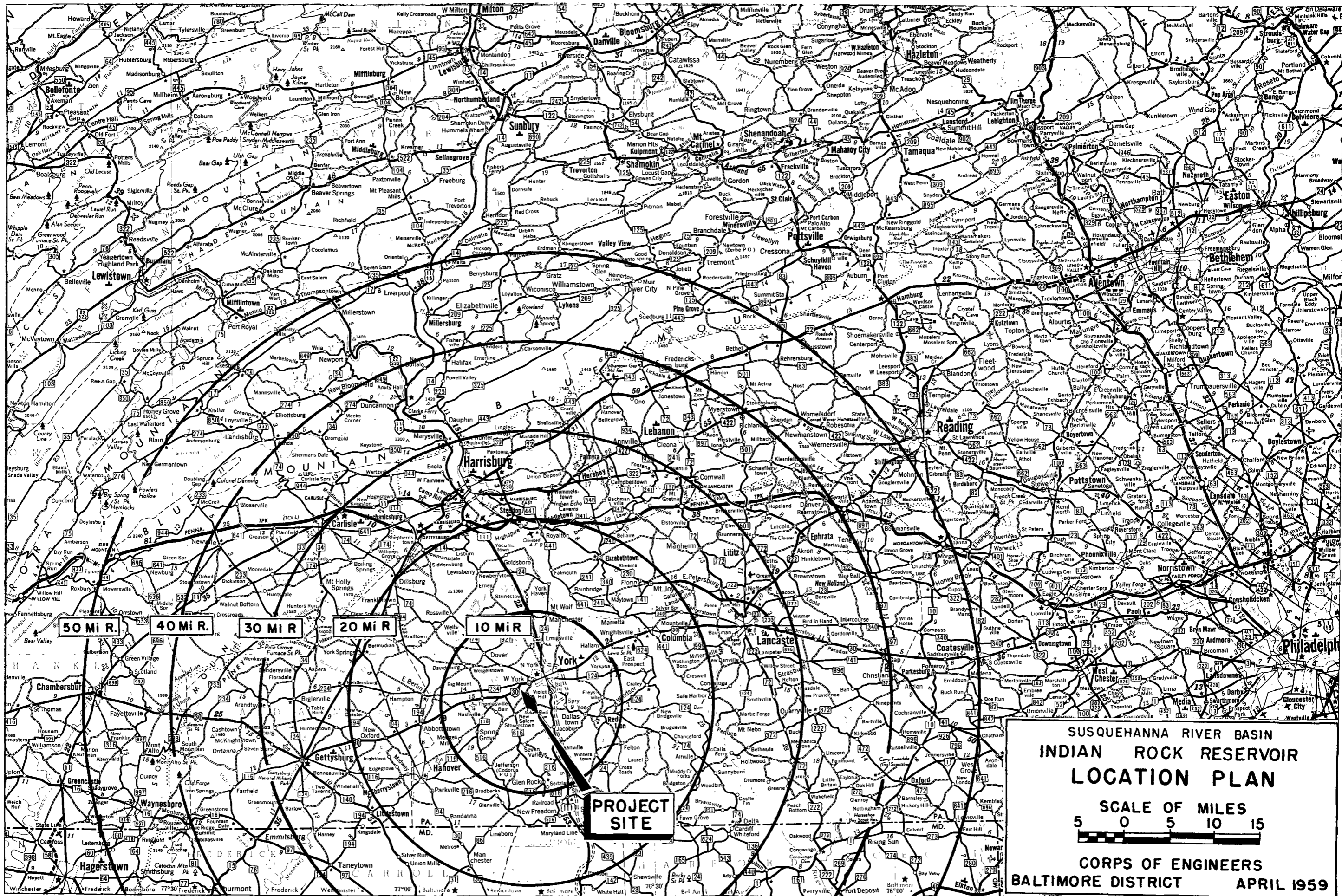
the stream pollution be cleared up to a point where the creek will support fish life, the Pennsylvania Fish Commission will be offered the facilities of the reservoir. It is further recommended that any farmlands which become vacant in the future, and which cannot be leased due to lack of public interest, be made available for exclusive use of the Pennsylvania Game Commission.

14. Outlease program. No change is recommended in the present outlease program except as indicated in paragraphs 11c and 13, above.

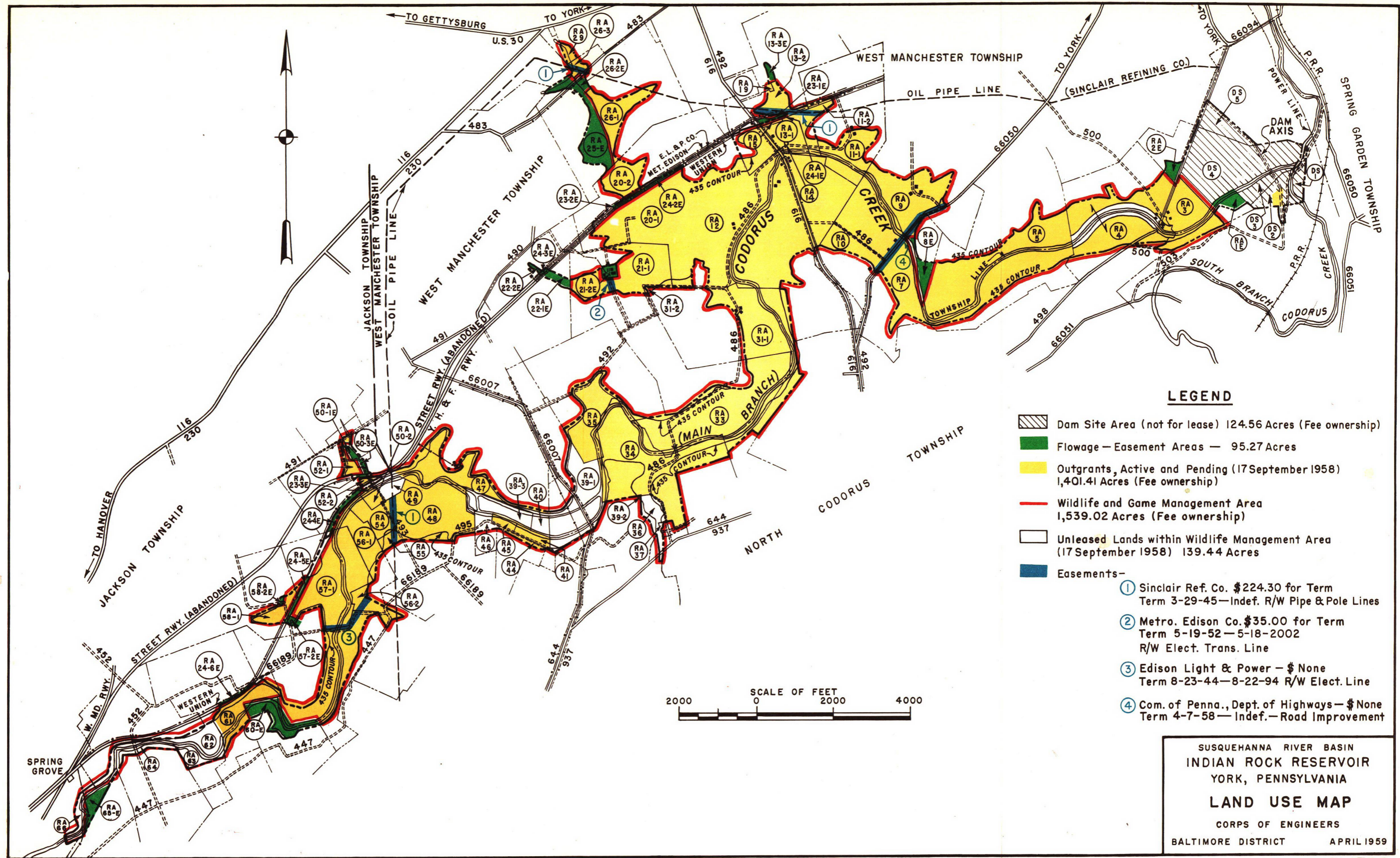
15. Recreation

a. No further action on recreational facilities appears feasible until the stream pollution is satisfactorily corrected.







b. Should the pollution be corrected, it is recommended that the city and/or county of York be offered the facilities of the reservoir. It is further recommended that consideration be given at that time to providing a small recreational pool.



SUSQUEHANNA RIVER BASIN  
INDIAN ROCK RESERVOIR  
LOCATION PLAN  
SCALE OF MILES  
5 0 5 10 15  
CORPS OF ENGINEERS  
BALTIMORE DISTRICT APRIL 1959



**LEGEND**

-  Dam Site Area (not for lease) 124.56 Acres (Fee ownership)
-  Flowage - Easement Areas - 95.27 Acres
-  Outgrants, Active and Pending (17 September 1958) 1,401.41 Acres (Fee ownership)
-  Wildlife and Game Management Area 1,539.02 Acres (Fee ownership)
-  Unleased Lands within Wildlife Management Area (17 September 1958) 139.44 Acres
-  Easements -

- ① Sinclair Ref. Co. \$224.30 for Term Term 3-29-45 - Indef. R/W Pipe & Pole Lines
- ② Metro. Edison Co. \$35.00 for Term Term 5-19-52 - 5-18-2002 R/W Elect. Trans. Line
- ③ Edison Light & Power - \$ None Term 8-23-44 - 8-22-94 R/W Elect. Line
- ④ Com. of Penna., Dept. of Highways - \$ None Term 4-7-58 - Indef. - Road Improvement

SUSQUEHANNA RIVER BASIN  
 INDIAN ROCK RESERVOIR  
 YORK, PENNSYLVANIA  
**LAND USE MAP**  
 CORPS OF ENGINEERS  
 BALTIMORE DISTRICT APRIL 1959  
 PLATE 2

SUSQUEHANNA RIVER BASIN  
I N D I A N   R O C K   R E S E R V O I R  
C O D O R U S   C R E E K ,   P E N N S Y L V A N I A

DESIGN MEMORANDUM NO. 1

MASTER PLAN

APPENDIX A

GENERAL PLAN, U.S. FISH AND WILDLIFE SERVICE

(Exhibit A to this plan is not included.  
Area covered is shown on plate 2 of this  
memorandum.)





GENERAL PLAN  
FOR THE USE OF LANDS OF THE  
INDIAN ROCK DAM AND RESERVOIR PROJECT, YORK COUNTY, PENNSYLVANIA  
FOR  
WILDLIFE CONSERVATION AND MANAGEMENT

WHEREAS, the United States through the Department of the Army, under authority of the Flood Control Act of Congress approved June 28 1938 (52 Stat. 1215), has acquired title to certain lands for the operation and maintenance of the Indian Rock Dam and Reservoir Project in York County, Pennsylvania, for flood control purposes, which said reservoir lands are shown on the map hereto attached, made part hereof and marked "Exhibit A"; and

WHEREAS, the Corps of Engineers of the Department of the Army is charged with the primary function and responsibility of operating and maintaining the said Indian Rock Dam and Reservoir Project for flood control purposes; and

WHEREAS, the Act of Congress approved August 14, 1946 (60 Stat. 1080; 16 U.S.C. 661) provides in Section 3 thereof that whenever the waters of any stream or other body of water are impounded, diverted, or otherwise controlled for any purpose whatever by any department or agency of the United States, adequate provision consistent with the primary purposes of such impoundment, diversion, or other control, shall be made for the use thereof, together with any areas of land, or interest therein, acquired or administered in connection therewith, for the conservation, maintenance, and management of wildlife, resources thereof, and its habitat thereon; and

WHEREAS, the aforesaid Act of August 14, 1946 further provides in Section 3 thereof that, in accordance with general plans, covering the use of such waters and other interests for the wildlife conservation purposes therein mentioned, approved jointly by the heads of the Department or agency exercising primary administration thereof, the Secretary of the Interior, and the head of the agency exercising administration over the wildlife resources of the State wherein the waters and areas lie, such waters and other interests shall be made available without cost for administration (a) by such State agency, if the management thereof for the conservation of wildlife relates to other than migratory birds, (b) by the Secretary of the Interior, if the waters and other interests have particular value in carrying out the national migratory bird management program; and

WHEREAS, the Pennsylvania Game Commission acting for and on behalf of the Commonwealth of Pennsylvania, finds that approximately 1,539 acres of the land and water areas acquired by the United States for the

said Indian Rock Dam and Reservoir Project, situated in York County, Pennsylvania, as outlined in red boundary on map Exhibit "A" hereto attached, have considerable value in the conservation and management of resident wildlife in the Commonwealth of Pennsylvania.

NOW, THEREFORE, the SECRETARY OF THE ARMY, the SECRETARY OF THE INTERIOR, and the PENNSYLVANIA GAME COMMISSION acting for and on behalf of the Commonwealth of Pennsylvania, DO HEREBY JOINTLY APPROVE and agree to the following as a general plan for the use and management of the aforesaid land and water areas of the Indian Rock Dam and Reservoir Project which are embraced under the control of the Department of the Army, Corps of Engineers, to wit:

a. All of the land and water areas of the Indian Rock Dam and Reservoir Project are and shall continue to be under the primary control of the Department of the Army, Corps of Engineers, in order to carry out the purposes of the Flood Control Act of Congress approved June 28, 1938 (52 Stat. 1215).

b. The Pennsylvania Game Commission for and on behalf of the Commonwealth of Pennsylvania shall have the use, for purposes of wildlife conservation and management, of certain land and water areas of the said Indian Rock Dam and Reservoir Project within the approximate limits outlined in red boundary on map Exhibit "A" hereof, in accordance with and subject to the terms and conditions of a license, covering such use, proposed to be granted by the Secretary of the Army to the said Pennsylvania Game Commission.

c. The use of the said land and water areas of the Indian Rock Dam and Reservoir Project by the Pennsylvania Game Commission for the aforesaid purposes shall at all times be so exercised by it as not to interfere with the exercise of the primary administration of the said areas by the Corps of Engineers.

IN WITNESS WHEREOF the parties hereto have affixed their signatures and date thereof on triplicate copies hereof, as follows:

DATE May 1, 1957

/s/ Wilber M. Brucker  
Secretary of the Army

DATE May 24, 1957

/s/ Felix E. Wormser  
Asst. Secretary of the Interior

DATE February 18, 1957

/s/ Logan J. Bennett  
Executive Director, Pennsylvania  
Game Commission

SUSQUEHANNA RIVER BASIN  
I N D I A N   R O C K   R E S E R V O I R  
CODORUS CREEK, PENNSYLVANIA

DESIGN MEMORANDUM NO. 1

MASTER PLAN

APPENDIX B

LICENSE TO PENNSYLVANIA GAME COMMISSION

(Exhibit A to this plan is not included.  
Area covered is shown on plate 2 of this  
memorandum.)



DEPARTMENT OF THE ARMY  
LICENSE  
FOR WILDLIFE CONSERVATION AND MANAGEMENT PURPOSES

THE SECRETARY OF THE ARMY, under authority of Section 3 of the Act of Congress approved 14 August 1946 (60 Stat. 1080, 16 U.S.C. 661), as amended, and in accordance with the General Plan for Wildlife Conservation and Management within the INDIAN ROCK DAM AND RESERVOIR PROJECT, situated in York County, Pennsylvania, which plan was approved and signed by the Secretary of the Army, the Secretary of the Interior and the Executive Director, Pennsylvania Game Commission, hereby grants to the Commonwealth of Pennsylvania, Pennsylvania Game Commission, a license for a period of twenty-five (25) years, commencing on 1 July 1958 and ending on 30 June 1983, to use and occupy for purposes of wildlife conservation and management, with the exception of fish, together with rights of ingress and egress thereto, approximately 1,539 acres of land and water areas under the primary jurisdiction of the Department of the Army in the Indian Rock Dam and Reservoir Project, as outlined in red on Exhibit "A" attached hereto and made a part hereof.

THIS LICENSE is granted subject to the following provisions and conditions:

1. That the licensee, in the exercise of the privileges hereby granted, shall conform to such rules and regulations as may be prescribed by the Secretary of the Army to govern the public use of said project area and with the provisions of the above-referenced General Plan and above-cited Act of Congress.
2. That all notices to be given pursuant to this license shall be addressed, if to the licensee, to the Commonwealth of Pennsylvania, Pennsylvania Game Commission, Harrisburg, Pennsylvania, and, if to the Government, to the District Engineer, U. S. Army Engineer District, Washington, 1st and Douglas Streets, N. W., Washington 25, D. C., hereinafter referred to as the "said officer."
3. That all control and utilization of wildlife and game resources within and upon the said land and water areas will be subject to applicable Federal and State laws and regulations, and will not conflict with other provisions of law concerning, but not hereby limited to, such matters as the abatement of pollution, public health and public safety and sanitation.
4. That the use of the said land and water areas by the licensee shall be without interference with, and subject to the primary use thereof for the purposes for which acquired, and it is therefore understood and agreed that operations of the Indian Rock Dam for its primary

purpose may in time of flood or emergency cause fluctuations in the elevation of the pool, or other disturbances which may affect nesting areas, food supplies or other items of the conservation program, and that the licensee does hereby release the United States from claims for damages to property or personnel arising therefrom.

5. That, subject to the prior written consent of the said officer, the licensee may construct and maintain upon the said lands such buildings, fences, signs and other structures as may be necessary for the purposes of this license and for the administration of such purposes provided, however, that no building or structure shall be located below the 435-foot contour, and may perform maintenance, improvement or construction with respect to roads located on the said lands and provide appropriate markings, and may plant such seeds, shrubs, plants and trees as it may desire for the development of the said lands for the aforesaid purposes, and may remove interfering natural growth from and around apple, thornapple, dogwood and other natural game-food-producing trees, shrubs and vines and, where necessary, may prune fruit trees for the benefit of wildlife.

6. That the licensee may take, trap, remove, stock, or otherwise control all forms of wildlife upon the said land and water areas, and shall have the right to close the areas or any part or parts thereof to hunting and/or trapping, provided that the closing of any area to such use shall be consistent with the State laws for the protection of wildlife.

7. That the said land and water areas, or any portion thereof, shall not be further licensed, transferred or assigned by the licensee without first securing the written approval of the said officer.

8. That the licensee shall protect the said land and property of the United States thereon, from fire, vandalism and soil erosion and shall, within the limits of available funds, proceed immediately with the development of the said land and water areas for the purposes of this license.

9. That the right is hereby expressly reserved to the United States, its officers, agents and employees to enter upon the said land and water areas at any time and for any purpose necessary or convenient in connection with flood control work, and to remove therefrom sand, gravel, or other material required or necessary for such work, to manipulate the levels of the reservoir in any manner whatsoever, to draw down the reservoir to any extent at any time, and to flood the said premises when necessary, and the licensee shall have no claim for damages of any character on account thereof against the United States or any agent, officer or employee thereof.

10. That the said officer will give advance notice to the licensee of proposed removal from the said land and water areas of sand, gravel or other material, and of any lease, easement or other rights proposed to be granted which will affect the said land and water areas, in order that the licensee may take necessary action to preserve the wildlife thereon.

11. That this license shall be subject to any easement or other rights to which the said land and water areas were subject when acquired by the United States, and to all existing and future leases, easements or other rights granted or to be granted by the United States within the said land and water areas.

12. That any property of the United States damaged or destroyed by the licensee incident to the exercise of the privileges herein granted shall be promptly repaired or replaced by the licensee to the satisfaction of the said officer.

13. That the United States shall not be responsible for damages to property or injuries to persons which may arise from or be incident to the exercise of the privileges herein granted, or for damages to the property of the licensee, or for damages to the property or injuries to the person of the licensee's officers, agents, servants, or employees or others who may be on said premises at their invitation or the invitation of any one of them, arising from or incident to the flooding of said lands by the Government or flooding from any other cause, or arising from or incident to any other Governmental activities on the said premises.

14. That no Member of or Delegate to Congress or Resident Commissioner shall be admitted to any share or part of this license or to any benefits to arise therefrom. Nothing, however, herein contained shall be construed to extend to the general benefits available to a corporation or company or to the general public.

15. That in the event it becomes necessary in the future to modify the General plan for Wildlife Conservation and Management within the Indian Rock Dam and Reservoir project to exclude therefrom any certain project lands included therein, for use by the Department of the Army in connection with project purposes, or for use by others or for other purposes found paramount to the conservation of wildlife, the determination and findings of the Department of the Army to that effect shall be communicated to the licensee and this license shall be deemed thereupon modified to the extent of such exclusion.

16. That this license may be relinquished by the licensee at any time by giving to the Secretary of the Army, through the said officer, at least thirty (30) days' notice in writing.



17. That this license may be revoked by the Secretary of the Army in the event the licensee violates any of the terms and conditions of this license and continues and persists therein for a period of thirty (30) days after notice thereof in writing by the said officer.

18. That, on or before the date of expiration of this license or its relinquishment by the licensee, the licensee shall vacate the said land and water areas, remove all property of the licensee therefrom, and restore the premises to a condition satisfactory to the said officer. If, however, this license is revoked, the licensee shall vacate the said land and water areas, remove said property therefrom, and restore the premises as aforesaid within such time as the Secretary of the Army may designate. In either event, if the licensee shall fail or neglect to remove said property and so restore the premises, then said property shall become the property of the United States without compensation therefor, and no claim for damages against the United States or its officers or agents shall be created by or made on account thereof.

IN WITNESS WHEREOF, I have hereunto set my hand this 3rd  
day of September, 1958, by direction of the Secretary of the  
Army.

/s/ Edward A. Bacon  
Edward A. Bacon  
Deputy Assistant Secretary  
of the Army

The above instrument, together with the provisions and conditions thereof, is hereby accepted this 30th day of September  
1958

COMMONWEALTH OF PENNSYLVANIA  
PENNSYLVANIA GAME COMMISSION

By /s/ M. J. Golden  
Title Executive Director

APPROVED:

By C. Elwood Huffman  
President

