Final Rulemaking:
Class A Stream Redesignations
(25 Pa. Code Chapter 93)

Environmental Quality Board Meeting
June 20, 2017

Tom Wolf, Governor
Patrick McDonnell, Secretary
§ 93.4b. Qualifying as High Quality or Exceptional Value Waters.

(a)(2)(ii) *Class A wild trout stream qualifier.* The surface water has been designated a Class A wild trout stream by the Pennsylvania Fish and Boat Commission (PFBC) following public notice and comment.
Class A Brook Trout Qualifying Criteria

A. Total wild brook trout biomass of at least 30 kg/ha (26.7 lbs/acre)

B. Total biomass of wild brook trout less than 15 centimeters (cm) or 5.9 inches in total length of at least 0.1 kg/ha (0.089 lbs/acre)

C. Wild brook trout biomass must comprise at least 75% of the total wild trout biomass
Affected Counties

50 stream segments totaling 207 stream miles in 23 counties
Affected Drainage Lists

• Delaware River Basin
  • § 93.9a = PA-NY State Border to Lackawaxen River
  • § 93.9c = Lackawaxen River to Lehigh River
  • § 93.9d = Lehigh River Basin
  • § 93.9e = Lehigh River to Schuylkill River
  • § 93.9f = Schuylkill River Basin

• Ohio River Basin
  • § 93.9p = Allegheny River Basin, PA-NY State Border to Tunungwant Creek.
  • § 93.9q = Allegheny River Basin, Tunungwant Creek to Clarion River.
  • § 93.9t = Kiskiminetas River Basin.

• Susquehanna River Basin
  • § 93.9h = Tioga River Basin
  • § 93.9i = PA-NY State Border to Lackawanna River
  • § 93.9k = Lackawanna River to West Branch
  • § 93.9l = West Branch Susquehanna River Basin
  • § 93.9n = Juniata River Basin
  • § 93.9o = Juniata River to PA-MD State Border
Correction: Pohopoco Creek (§93.9d)

Monroe County

This short segment between Middle Creek and SR 209 currently has 2 different designated uses.
Correction: Upper Nescopeck Creek (§93.9k)

Luzerne County

Approximate location of Route 309 bridge

Little Nescopeck Creek

Creasy Creek

Oley Creek
Implementation

National Pollutant Discharge Elimination System (NPDES)

- Requires effluent limitations that are protective of the Designated Use (DU)
- Candidate streams are all currently protected at their Existing Use (EU)(i.e. HQ-CWF), therefore no impact on existing treatment requirements
- New or expanding discharges may be subject to more stringent treatment requirements to meet DU and EU
Affected Parties

Opportunities for Public Participation Prior to Rulemaking

• PFBC published notice and requested comments on the Class A designation of these streams
• Notice of intent to assess the streams
• Availability of a draft evaluation report
Comments on Proposed Rulemaking

• Approved by EQB on November 17, 2015
• Published in PA Bulletin on March 5, 2016 (46 Pa.B. 1205)
• 45-day public comment period ended April 18, 2016
  • 307 supportive comments
  • IRRC requested amendments to the regulatory analysis form in the final rulemaking
Recommendation

DEP recommends the adoption of the Class A Stream Redesignations final-form rulemaking.
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