



**RULEMAKING PETITION  
TO AMEND 25 PA CODE §93.9d  
(Aquashicola Creek, Carbon and Monroe Counties)**

**SUBMITTED BY  
AQUASHICOLA/POHOPOCO WATERSHED CONSERVANCY**

**ENVIRONMENTAL QUALITY BOARD MEETING**

**DECEMBER 21, 2010**

# AQUASHICOLA/POHOPOCO

## WATERSHED CONSERVANCY

P.O. BOX 360 KRESGEVILLE PA 18333

(570) 992 5125 [www.apwc-pa.org](http://www.apwc-pa.org)

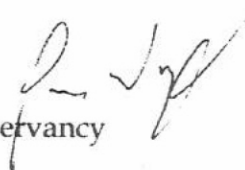
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September 21, 2019

To: Mr John Hanger  
Secretary, Department of Environmental Protection

Enclosed please find our Petition requesting a redesignation of the Aquashicola Creek from a High Quality Cold Water and Migratory Fishery to Exceptional Value. The current designation does not accurately reflect the quality of the watershed. Also enclosed are letters of support received so far. Additional letters will be sent as we receive them.

Thank you-  
Jim Vogt President  
Aquashicola- Pohopoco Watershed Conservancy  
570 992 5125



PROTECT YOUR DRINKING WATER-- PROTECT YOUR WATERSHED

RECEIVED

SEP 24 2019

ENVIRONMENTAL QUALITY BOARD

SECRETARY'S OFFICE

SEP 23 2019

DEPARTMENT OF  
ENVIRONMENTAL PROTECTION

# Aquashicola Creek Petition

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C. Describe the types of persons, businesses and organizations likely to be impacted by this proposal.

See supplemental information.

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D. Does the action requested in the petition concern a matter currently in litigation? If yes, please explain.

See supplemental information.

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E. For stream redesignation petitions, the following information must be included for the petition to be considered complete. Attach supporting material as necessary.

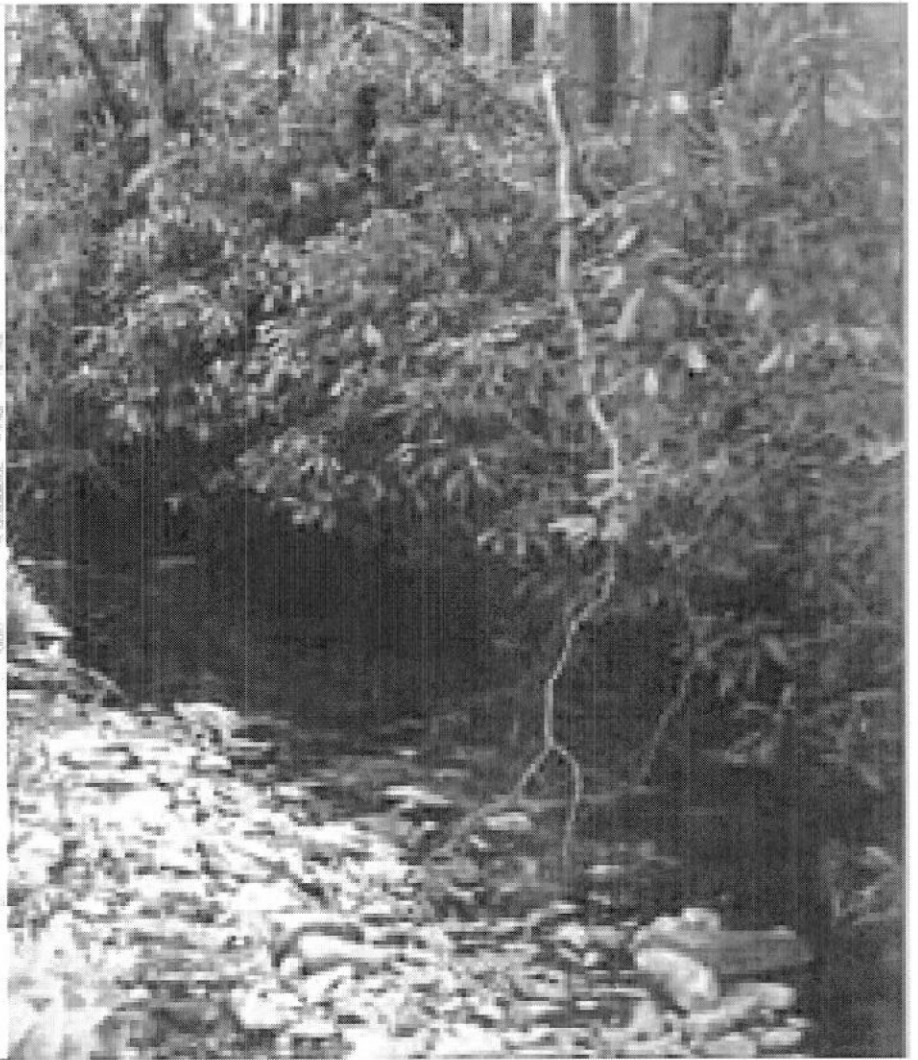
1. A clear delineation of the watershed or stream segment to be redesignated, both in narrative form and on a map.
2. The current designated use(s) of the watershed or segment.
3. The requested designated use(s) of the watershed or segment.
4. Available technical data on instream conditions for the following: water chemistry, the aquatic community (benthic macroinvertebrates and/or fishes), or instream habitat. If such data are not included, provide a description of the data sources investigated.
5. A description of existing and proposed point and nonpoint source discharges and their impact on water quality and/or the aquatic community. The names, locations, and permit numbers of point source discharges and a description of the types and locations of nonpoint source discharges should be listed.
6. Information regarding any of the qualifiers for designation as high quality waters (HQ) or exceptional value waters (EV) in §93.4b (relating to qualifying as High Quality or Exceptional Value waters) used as a basis for the requested designation.
7. A general description of land use and development patterns in the watershed. Examples include the amount or percentage of public lands (including ownership) and the amount or percentage of various land use types (such as residential, commercial, industrial, agricultural and the like).
8. The names of all municipalities through which the watershed or segment flows, including an official contact name and address.
9. Locational information relevant to items 4-8 (except for contact names and addresses) displayed on a map or maps, if possible.

**All petitions should be submitted to the  
Secretary of the Department of Environmental Protection  
P.O. Box 2063  
Harrisburg, PA 17105-2063**

# Petition for Stream Upgrade

Aquashicola - Pohopoco Watershed Conservancy

2010



The petitioner is requesting an amendment to the current designation of Aquashicola and Ross Common Creeks to Exceptional Value

AQUASHICOLA CREEK  
EXCEPTIONAL VALUE PETITION

SUPPLEMENTAL INFORMATION

**B. Why is the petitioner requesting this action from the Board?**

The petitioner is requesting an amendment to the regulation that designates the Aquashicola Creek and its tributaries, including Ross Common Creek, as a High Quality Cold Water (HQ-CWF) and Migratory Fishery (MF). This designation does not accurately represent the exceptional quality of the watershed. The current status does afford special protections; however, if permit applicants can provide a social or economic justification, permits may be issued which would allow for discharges to degrade the quality of the Creek. The redesignation of this watershed to Exceptional Value (EV) would allow only non-degrading discharges, without exception, to this pristine environment.

The Aquashicola Creek drains to the Lehigh River in Palmerton which drains to the Delaware River in Easton. The section of the Creek which is deserving of redesignation to EV is located upstream of the Buckwha Creek, including the Ross Common Creek and other smaller tributaries and wetlands which form the headwaters of the Aquashicola Creek. Many pressures to develop are present within this watershed and threaten to degrade water quality under the current designation. The upgrade in designated use to Exceptional Value will ensure that future development can occur without harm to the existing water quality for both aquatic life and people who depend on it.

The Aquashicola is a biologically outstanding watershed for various reasons. Many unique animal species inhabit the Aquashicola watershed. There are several species of importance. River otters, bobcat, and mink all fulfill their niche here. The Bog Turtle (*Clemmys muhlenbergii*) has been documented, along with EV wetlands. The Monroe County Natural Areas Inventory Update of 1999 lists six plant species of special concern, each of which resides within one of four habitat complexes in the watershed. **See Appendix A.** The USDA/NRCS Rapid Watershed Assessment for the Lehigh Watershed also highlights these County Natural Areas (in gold) as well as a locally significant Natural Heritage Inventory site (in orange) in Carbon County. This Assessment also references the 1<sup>st</sup> Pennsylvania Breeding Bird Atlas of 1992, which includes a confirmed breeding site for bobolinks in Eldred Township, within the watershed. **See Appendix B, p.11.**

The stream provides an excellent riparian corridor, connecting diverse habitats. The Kittatinny Ridge, also known as the Blue Mountain, and the Appalachian Trail border the watershed to the South. The Kittatinny Ridge is part of a major migratory corridor for birds, the Atlantic Flyway, and is also an Important Bird Area documented by the Audubon Society. **See Appendix B, p.12.** Waterfowl, raptors, and songbirds all use the Flyway and additionally use the nearby wetlands, forests, scrub-shrub and grasslands to nest in and forage en route.

The major source tributary to the Aquashicola Creek, Ross Common Creek, is located entirely within the boundary of the Cherry Valley National Wildlife Refuge. The Refuge boundary extends roughly eight miles downstream along the Ross Common and Aquashicola Creeks, nearly to Chicola Lake. **See Appendix C.** Almost half of the watershed area for which the petitioner is requesting redesignation is located within the bounds of the Refuge. The US Fish and Wildlife Service believes that biologically significant lands within these boundaries provide habitat for protected plants. One such site is a wetland, included in the US Fish and Wildlife Service's Regional Wetlands Concept Plan (1990). **See Appendix D.**

Many historic sites are located along or near the Aquashicola Creek. One such site, Ross Common Manor, is listed on the National Register of Historic Places. The Joint Comprehensive Plan for the CJER Region lists three other buildings in Ross Township as Historic Buildings. This Plan also lists seven historic buildings on the Aquashicola that comprise a potential Historic District. Included are the Smith Gap School and cluster of structures within the village. **See Appendix G, pp. 16-11 to 16-14, and Figure 16.2.** In addition to the historical information found for Ross and Eldred Townships in the Regional Comprehensive Plan, the History of the Aquashicola and Lower Towamensing Area report, prepared by a resident of Lower Towamensing Township, provides a history of the portion of the Aquashicola Creek watershed within Carbon County. A report on the geological and human history of the Upper Aquashicola Creek watershed, prepared by a watershed resident, can also be found in **Appendix E.**

In the Lehigh River Watershed Conservation Management Plan of 2003, the Wildlands Conservancy, a nonprofit land preservation organization, lists the categories for top priority lands for protection including: EV stream basins, unprotected wetlands, unprotected Natural Areas Inventory sites, and unprotected forest lands. This list in Appendix B-1 of the Plan references Maps 10-1 to 10-6 of the Plan. Map-4 highlights the unprotected Natural Areas Inventory sites within the watershed while Map 10-6 highlights the entire watershed area addressed by this petition, not including State Game Lands #168, as priority unprotected forest. Already mapped as priority for protection by the Wildlands Conservancy under these two categories, the watershed of the Aquashicola Creek would rank higher on the list for protection if it were to obtain Exceptional Value status. **See Appendix F.**

Municipal planning initiatives within the townships through which the Aquashicola Creek flows indicate that the local communities are making efforts to protect natural resources. Monroe County has led the effort through the adoption of a Comprehensive Plan and an Open Space Plan. The adoption of the Monroe 2020 Comprehensive Plan by Monroe County in 1999 provided opportunities for municipalities to engage in regional comprehensive planning. Eldred and Ross Townships participated in the development of the Joint Comprehensive Plan for the CJER Region of Monroe County. The Plan recommends that "all creeks in the Region be preserved as "Conservation Corridors" "to minimize disturbance of the land along the creek and to protect the water quality." **See Appendix G, p. 9-7.** The Plan also states the need to protect water supplies and groundwater resources, wetlands, and floodplains through Zoning Ordinances and partnerships. **See Appendix G.**

The Monroe County Open Space Plan, adopted in 2001, acts as a guidance for the County Open Space Advisory Board when implementing the acquisition of land and conservation easements with the use of a \$25 million open space bond passed by a voter referendum in 1998 and subsequent County funding in more recent years, all used as leverage funds to acquire state land preservation dollars. The County Open Space Plan utilized GIS mapping to combine various factors in order to identify important natural areas and potential conservation lands. Much of the watershed of the Aquashicola Creek is highlighted as an important natural area, and those sites listed in the previously mentioned Natural Areas Inventory are highlighted as potential conservation lands in the Open Space Plan. **See Appendix H Fig. 3.7 and 4.2.** Eldred and Ross Townships participated in the development of the West End Open Space and Recreation Plan through a process which allowed for public input and inter-municipal cooperation. The Plan addresses the importance of preserving open space to recharge groundwater supplies and to protect the water quality of creeks and the groundwater. The Plan states that the vast majority of the Blue Mountain from western Maryland to New Jersey is in public ownership recreation land, such as State Game Lands, with the exception of the Blue Mountain in Eldred and Ross Townships. The Plan calls for the preservation of these areas of the Blue Mountain through cooperative efforts or protection through appropriate development regulations. **See Appendix I.**

Through the process of adopting an update to a Stormwater Ordinance for an adjacent watershed's Act 167 Stormwater Management Plan, Ross Township's is considering the inclusion of riparian buffers for streams, lakes, ponds, and wetlands for all watersheds within the Township. For any new or expanded building, off-street parking area, or commercial or industrial storage area, Ross Township's Zoning Ordinance contains setbacks of 100 feet from the centerline of the Aquashicola Creek and 75 feet from the centerline of any other perennial stream in the watershed. Eldred Township's Zoning Ordinance contains buffer provisions including: buffer widths of 75 feet for streams, wetlands, and vernal pools, and a buffer of 50 feet in width for all water bodies including lakes and ponds. **See Appendix J.**

Act 24 of 2008, an amendment to the Appalachian Trail Act of 1978, now requires municipalities bordering the Appalachian Trail (AT) to use their zoning authority to preserve the AT and protect the natural, scenic, historic, and aesthetic resources along the trail. **See Appendix K.**

The Aquashicola and Ross Commons Creeks flow through a watershed of much value to the plants, animals, and people who reside in it. In order for the exceptional water quality to be maintained, the Aquashicola/Pohopoco Watershed Conservancy is requesting a redesignation of Exceptional Value.

**C. Types of persons, businesses, and organizations likely to be impacted by this proposal**

The Alpine Rose Resort is a large landowner in the Aquashicola Creek watershed with plans for commercial development. The Lehigh Portland Cement Company is currently inactive but this proposal could impact discharges resulting from future property developments. Chicola Lake residents will have protection from degradation of their lake helping to preserve their property values. The Kunkletown Rod and Gun Club will be ensured the protection of their fishing area.

**D. Does the action requested in the petition concern a matter currently in litigation?**

The Alpine Rose Resort development was issued an NPDES post-construction stormwater permit which was appealed and is under review by the Environmental Hearing Board.

**E. Supporting Material****1) Description of Aquashicola Creek Watershed (source to Buckwha Creek)**

The Aquashicola Creek watershed is located on USGS 7.5 minute Quadrangles for Kunkletown, Palmerton, Saylorsburg, Stroudsburg, and Wind Gap. The watershed spans parts of the following Townships: Eldred, Hamilton, Lower Towamensing, and Ross. The Aquashicola Creek is a tributary to the Lehigh River, which flows to the Delaware River in Easton.

The segment of the Aquashicola Creek, from the source downstream to the confluence with the Buckwha Creek, is approximately 15 miles in length. It begins just west of State Route 33 at an elevation of 800 feet above sea level and drops to 440 feet above sea level at the Buckwha Creek. This low gradient stream has an average slope of just 0.4%.

Ross Common Creek, a major tributary of approximately 5 miles in length, originates east of Route 33 and flows under Route 33 on its way to the Aquashicola Creek. Ross Common Creek, a high gradient stream, drops 900 feet in elevation from source to mouth, a 3% average slope.

The Aquashicola Creek watershed, for which the petitioners are requesting redesignation, includes the 15-mile stream segment from the source in Saylorsburg to its confluence with the Buckwha Creek and the 5-mile-long Ross Common Creek from its source to where it joins the Aquashicola Creek in the Ross Commons area of Saylorsburg. Both of these streams have a westerly direction of flow.

This long, narrow watershed has a drainage area of 23 square miles. It is bordered on the south by the Kittatinny Ridge (Blue Mountain) and the Appalachian Trail. The Chestnut Ridge makes up the northern border of the watershed. The Aquashicola watershed, located in Monroe and Carbon Counties, is mostly forested, but also contains agricultural and residential land uses. Within the bounds of this watershed, bog turtle habitat and sightings have been documented. A portion of this watershed, from Tittle Road in Ross Township down to Chicola Lake has been designated a Class A Wild Trout Stream by the PA Fish and Boat Commission. And, a portion of the watershed is located within the Cherry Valley National Wildlife Refuge.

*Map 1* is a topographic map with a clear delineation of the watershed and both creeks shown and labeled.

## 2) Current Designated Uses

The Aquashicola and Ross Common Creeks are listed on Drainage List D in 25 Pa. Code §93.9.d. The Aquashicola is designated as a High Quality Cold Water Fishery (HQ-CWF), Migratory Fishery from the source to the Buckwha Creek. This designation may allow degradation of the existing exceptional quality.

## 3) Requested Designated Uses

The requested designation for the Aquashicola Creek watershed, source to the Buckwha Creek, is Exceptional Value. This designation would protect the existing water quality and associated flora and fauna.

## 4) Available Technical Data

Three sources of technical water quality data are available within the watershed of the Aquashicola Creek. The Aquashicola/Pohopoco Watershed Conservancy has been conducting monthly chemical testing at several sampling stations along the Aquashicola since September 2005. The Monroe County Planning Commission has conducted physical, chemical and biological testing at a few sites on the Aquashicola and Ross Common Creeks for several years. And, biologists from the Pennsylvania Department of Environmental Protection had conducted benthic macroinvertebrate sampling and habitat assessments in 2008. See *Map 2* for test locations.

The monthly monitoring of water quality by the Aquashicola/Pohopoco Watershed Conservancy is conducted by volunteers utilizing meters to test for: stream and air temperature, water depth, conductivity, pH, and total dissolved solids. See **Appendix L**.

The Monroe County Planning Commission had utilized the EPA Rapid Bioassessment protocol to conduct biological sampling and habitat assessments on numerous streams throughout the County from 1995 to 2007. This Monroe County Annual Water Quality

Study includes sites on the Aquashicola Creek. The Monroe County Planning Commission and Conservation District believe that the stream has the potential to meet the requirements for redesignation from HQ to EV based on the Index of Biological Integrity metric trending scores from 1995 to 2007. The macroinvertebrate scoring for this stream is considered optimal if greater than or equal to 31, is considered moderately to slightly impaired if between 18 and 30, and is considered severely impaired if less than 18. Sampled all thirteen years, site AQUACR09 (located approximately 100 yards upstream of the Mountain Road Bridge, near the County border) received an optimal score of 31 to 35 in nine out of thirteen years. The remaining four years this site received a slightly impaired score of 27 or 29. Other sites located on the Aquashicola and Ross Common Creeks received six optimal scores ranging from 31 to 35, with just one suboptimal score of 29. **See Appendix M.**

In 2008, the Monroe County Water Quality Study switched to a modified version of the EPA Rapid Bioassessment Protocol for consistency with State protocols. Three sites (AQUACR 11, 12, and 13) were sampled in 2008 and 2009. In 2008, an August sampling of AQUACR11 resulted in an IBI score of 56 (56 using revised metrics), and AQUACR12 resulted in a score of 61 (55 using revised metrics). In 2009, a September sampling of AQUACR11 resulted in an IBI score of 43, and AQUACR13 resulted in a score of 78. In 2009, a November sampling of AQUACR11 resulted in an IBI score of 65, and AQUACR13 resulted in a score of 89. The macroinvertebrate, chemical, and physical results of the Monroe County Water Quality Study for 2008 and 2009 are included in **Appendix N.**

An April 2008 sampling of the Aquashicola Creek by PA DEP Biologists was conducted in two locations. Station 20080417-1100-mpulket is a glide-pool habitat resulting in an IBI score of 95.2. The habitat at this station was noted as containing riparian shrubs providing instream cover as well as very deep pools. Station 20080421-1610-tdaley is a riffle-run habitat resulting in an IBI score of 73.3, with good mayfly diversity and abundance. The habitat at this station was noted to contain riffles that were few and short; several brown trout were observed during sampling. **See appendix O.**

### **5) Description of Discharges (*Map 3*)**

This segment of the Aquashicola Creek watershed contains two point source discharges of wastewater effluent as listed on EPA's Envirofacts website (<http://www.epa.gov/enviro/html/pcs/index.html>):

- Blue Mountain Village on Chicola Lake, NPDES permit PA0062316
- Chestnut Ridge Mobile Home Park, NPDES permit PA0062472

There have been no observed or measured impacts of both discharges to water quality or the aquatic community. Additionally, the watershed contains a permit, which is under

litigation, for a point source discharge of stormwater:

- Alpine Rose Resorts. NPDES Permit Number PAS10S119

**NPDES Permit PAS10S119**, Stormwater, **Alpine Rose Resorts, Inc.**, 4626 Kathi Drive, Bethlehem, PA 18017-8701, has applied to discharge stormwater associated with a construction activity located in Eldred Township, Monroe County to Aquashicola Creek (HQ-CWF) and tributaries thereof. This notice addresses the Department's review and tentative approval of revised permit application documentation and plans submitted by Alpine Rose Resorts, Inc. in accordance with the September 7, 2006 EHB Order, and the Department's tentative determination to issue the permit. The Best Management Practices described in the revised plans submitted with the revised permit application documentation constitute the effluent limitations proposed for the project.

It should be noted that this approval is under appeal. September 27, 2010 has been set for a trial before the Environmental Hearing Board.

The current potential nonpoint sources of pollution include runoff from minor roadways and small agricultural operations. The potential also exists for failing septic systems to discharge untreated wastewater into the waters of this watershed. Haines and Kibblehouse, owners of the Chestnut Ridge Quarry possess mining permit # 45900301. This is another potential source of nonpoint source pollution that exists in the watershed.

## 6) EV Qualifiers

### **Biological Assessment Qualifier (Map 2)**

Macroinvertebrate samplings of the Aquashicola and Ross Common Creeks have demonstrated that these surface waters possess a high quality aquatic community as a basis for designation as special protection waters. The macroinvertebrate scoring resulting from the annual Monroe County Water Quality Study and the 2008 samplings by PA Department of Environmental Protection Biologists indicates a great potential for upgrade to exceptional value. The petitioner has not established a reference stream for comparison to the Aquashicola Creek. The data for both Monroe County and PA DEP can be found in **Appendices M, N, & O**.

### **Location in a National Wildlife Refuge (Map 4)**

The upper eight miles, approximately, of Ross Common and Aquashicola Creeks are located within the Cherry Valley National Wildlife Refuge Boundary. This 10 square-mile portion of the 23 square-mile watershed contains a portion of the Aquashicola Creek, the entire Ross Common Creek, other tributaries to the Aquashicola Creek, and various wetlands of ecological significance. **See Appendix C**.

### **Surface Water of Exceptional Ecological Significance**

If areas exist in the Aquashicola watershed where water quality data may not supply results sufficient to upgrade the designated use to exceptional value, the following attributes of this watershed should be taken into consideration:

#### ***Bog turtles (Map 5)***

The Pennsylvania Department of Environmental Protection, Fish and Boat Commission, and the United States Fish and Wildlife Service have determined that bog turtles, listed as endangered by Pennsylvania and threatened by the federal Endangered Species Act, inhabit the Aquashicola Creek watershed. In an effort to conceal the locations of this endangered species, documentation by qualified bog turtle surveyors of the positive identification of bog turtles in the watershed may be provided to DEP Biologists upon request. *Map 5* illustrates potential locations for bog turtles based on bog turtle habitat requirements as determined by Penn State's GAP Analysis Project (PA-GAP).

#### ***Exceptional Value Wetlands (Map 6)***

Under Pennsylvania Code, Title 25, §105.17, paragraph (1) and subparagraphs (i)-(iii), special protection is given to wetlands which serve as habitat for threatened and/or endangered fauna and flora. This includes hydrologically linked wetlands and wetlands located in or along the floodplain of the reach of a wild trout stream. Also included are wetlands located within ½ mile of wetlands serving as habitat for threatened or endangered flora or fauna, so long as the wetland also contains the habitat of the particular threatened or endangered species. The Aquashicola watershed, from the headwaters downstream to the confluence with the Buckwha Creek is listed by the PA Fish and Boat Commission as a Naturally Reproducing Trout Stream. Thus, all the wetlands within its floodplain are designated as Exceptional Value. The table listing the Naturally Reproducing Trout Streams can be found in **Appendix P**.

#### ***Class A Wild Trout Stream (Map 7)***

A 2.2 mile segment of the Aquashicola Creek from Chicola Lake upstream to the bridge at Tittle Road in Ross Township is designated as a Class A Wild Trout Stream by the Pennsylvania Fish and Boat Commission. The table listing the Class A Wild Trout Waters in Monroe County can be found in **Appendix P**.

#### ***State Game Lands (Map 4)***

The Pennsylvania Game Commission has recently acquired a 1,100-acre tract of land (formerly King's Manor) in Ross and Eldred Townships through which one half mile of the Aquashicola Creek flows. This parcel is adjacent to and is included as a part of State Game Lands 168.

## 7) Land Use and Development Patterns in the Watershed (Map 8)

The Aquashicola watershed, in the area pertaining to the requested amendment, is primarily forested and includes numerous wetlands. The watershed also contains residential and agricultural areas and little industry. According to USGS Stream Stats, the 22.8 square-mile watershed is 87.7% covered by forest and 0.8% covered by urban land uses (**Appendix Q**). The four townships containing land within the watershed have adopted zoning for residential, agricultural, commercial, and industrial land uses. The Blue Mountain, along the southeastern portion of the watershed, is forested, steeply sloped, and contains State Game Lands #168. The Appalachian Trail, used by hikers traveling along this 2,000-mile trail spanning from Maine to Georgia, traverses the Kittatinny Ridge. A portion of the watershed is contained within the bounds of the Cherry Valley National Wildlife Refuge.

The rate of growth in the Aquashicola Creek watershed is expected to increase due to the following factors:

- Monroe County is one of the fastest growing counties in the Commonwealth.
- The future development of the Alpine Rose property as well as plans for a water park at the Blue Mountain Ski Area (located just downstream of the stream reach) will attract year-round tourism and perhaps residential development as a result of job creation.

Protection of the existing water quality of the Aquashicola Creek, Ross Common Creek, other tributaries and wetlands is essential to the long-term sustainability of all current and future land uses within this watershed.

## 8) Municipalities in the Watershed (Map 9)

Eldred Township  
ATTN Sharon Solt, Secretary/Treasurer  
PO Box 600  
Kunkletown PA 18058  
610-381-4252 x-1  
[www.eldredtwp.org](http://www.eldredtwp.org)

Hamilton Township  
ATTN Dave Fenner, Secretary/Treasurer  
PO Box 285  
Sciota PA 18354  
570-992-7020  
[www.hamiltontwp.org](http://www.hamiltontwp.org)

Lower Towamensing Township  
ATTN Christine Wentz, Secretary  
595 Hahns Dairy Road  
Palmerton PA 18071  
610-826-2522  
[www.lowertowtwp.com](http://www.lowertowtwp.com)

Ross Township  
ATTN Doris Price, Sec./Treas.  
PO Box 276  
Saylorsburg PA 18353  
570-992-4990  
[www.rosstwp.com](http://www.rosstwp.com)

9) **Locational Information Relevant to items 4-8**

**Maps include:**

- 1 Watershed Delineation
- 2 Monroe County Water Quality Study, APWC, and PA DEP Test Sites
- 3 NPDES permitted discharges
- 4 Protected Property
- 5 PA GAP Potential Bog Turtle Habitat
- 6 National Wetlands Inventory
- 7 Class A Wild Trout Waters
- 8 PA MAP Land Use/Land Cover 2005
- 9 Municipal Boundaries

**Appendices**

Portions of some documents are included for ease of reference.

Full documents may be accessed via the enclosed CD or links in the Bibliography.

- A. A Natural Areas Inventory of Monroe County, Update 1999
- B. USDA/NRCS Rapid Watershed Assessment – Lehigh Watershed
- C. Cherry Valley National Wildlife Refuge Final Environmental Assessment, 2008
- D. Us Fish and Wildlife Service Regional Wetlands Concept Plan, 1990
- E. History of the Aquashicola Area
- F. Lehigh River Watershed Conservation Management Plan, 2003
- G. Joint Comprehensive Plan for the CJER Region, November 2006
- H. Monroe County Open Space Plan, June 2001
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- N. Monroe County Water Quality Study Results, 2008 to 2009
- O. DEP Water Quality Data, 2008
- P. Lists of Naturally Reproducing Trout Streams & Class A Wild Trout Waters
- Q. USGS Stream Stats Watershed Data
- R. Bibliography

PLEASE NOTE: Maps and appendices are available from the EQB upon request and are posted on the EQB website (see December 21, 2010, meeting).



# Wildlands Conservancy

APWC  
PO Box 360  
Kresgeville, Pa. 18333

Dear Mr. Vogt,

I am writing to express my support for the Aquashicola/Pohopoco Watershed Conservancy's petition to the Pennsylvania Department of Environmental Protection to designate the Aquashicola Creek as an *Exceptional Value* stream.

As you know Wildlands Conservancy is dedicated to the protection and restoration of the Lehigh River watershed's natural resources. The Aquashicola is a major tributary to the Lehigh River and it must be protected from future degradation. I believe *Exceptional Value* designation will provide an enhanced level of protection to the Creek and will help increase public appreciation of this priceless natural resource.

Please let me know if there is any additional way I can assist you and the Aquashicola/Pohopoco Watershed Conservancy in your efforts.

Abigail M. Pattishall, Ph.D.  
Director of Rivers Conservation





Dedicated to the conservation of the region's scenic beauty,  
wildlife, ecological and environmental resources, and rural character.

February 23, 2010

Mr. James Vogt  
Aquashicola/Pohopoco Watershed Conservancy  
PO Box 360  
Kresgeville, PA 18333

Dear Mr. Vogt,

It is with great pleasure that I write this letter of support, on behalf of Friends of Cherry Valley, for your application to the PA Department of Environmental Protection and the Environmental Quality Board to have the Aquashicola Creek, from the source to the confluence with Buckwa Creek, be given the designation as an Exceptional Value status.

Friends of Cherry Valley supports this application because part of the Aquashicola Creek is in Ross Township, which is within the boundaries of the Cherry Valley National Wildlife Refuge. The establishment of the refuge was one of the major goals of FOCV, which was recently designated in December 2008. Another goal of FOCV is to maintain or improve water quality throughout the (CV) watershed.

We all know how important clean water is to the sustainability of our environment, and we support the application of the Aquashicola/Pohopoco Watershed Conservancy for the Aquashicola Creek to be protected by DEP and receive the highest level of protection.

We wish you the best of luck in this important endeavor!

Sincerely,

Debra Schuler  
President, FOCV

PO Box 1047  
Stroudsburg, PA 18360

570-460-0463  
[www.cherryvalley.org](http://www.cherryvalley.org)

**MICHAEL B. CARROLL, MEMBER**  
118TH LEGISLATIVE DISTRICT

MUNICIPAL BUILDING  
42 CENTER STREET  
HUGHESTOWN, PENNSYLVANIA 18640  
(570) 655-4883  
1 (800) 894-0960  
FAX: (570) 655-9110

P.O. BOX 619, ROUTE 209  
GILBERT, PENNSYLVANIA 18331  
(610) 681-2940  
1 (866) 247-2776  
FAX: (610) 681-2943



**House of Representatives**  
COMMONWEALTH OF PENNSYLVANIA  
HARRISBURG

**COMMITTEES**

AGRICULTURE AND RURAL AFFAIRS  
EDUCATION  
ENVIRONMENTAL RESOURCES AND ENERGY  
STATE GOVERNMENT  
TRANSPORTATION

28A EAST WING  
P.O. BOX 202118  
HARRISBURG, PENNSYLVANIA 17120-2118  
(717) 787-3589  
FAX: (717) 780-4763

January 26, 2010

James Vogt  
Aquashicola / Pohopoco Watershed Conservancy  
P.O. Box 360  
Kresgeville, PA 18333

Dear Jim,

Thank you for bringing to my attention the efforts of the Aquashicola / Pohopoco Watershed Conservancy (APWC) to have the Aquashicola Creek designated as an Exceptional Value waterway. I appreciate the Conservancy's efforts in this matter and I'm pleased to extend my support to the application.

I share your view the Aquashicola Creek is a vital resource worthy of the EV designation. Considering the importance of this watershed to our region and all of its inhabitants, every effort must be made to ensure it continues to serve in its current capacity for the foreseeable future.

I'm thankful you took the time to contact me and I'm hopeful your efforts will prove successful. It is my pleasure to serve you in the Pennsylvania House of Representatives.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael B. Carroll".

Michael B. Carroll  
State Representative  
118<sup>th</sup> Legislative District



# LEHIGH GAP NATURE CENTER

(Wildlife Information Center)

P.O. Box 198 • Slatington, PA 18080  
610-760-8889 • [www.lgnc.org](http://www.lgnc.org) • [lgnc@ptd.net](mailto:lgnc@ptd.net)

January 28, 2010

Dear PA DEP and Environmental Quality Board:

The Aquashicola/Pohopoco Watershed Conservancy (APWC) has asked us to write a letter of support for their petition to PA Department of Environmental Protection and the Environmental Quality Board to request the designation of Exceptional Value (EV) status to the Aquashicola Creek from its source to the confluence with the Buckwa Creek.

The Lehigh Gap Nature Center strongly endorses this designation. This pristine creek on the north slope and in the valley adjacent to the Kittatinny Ridge is not only an extremely valuable resource in its own right, but also as part of the Kittatinny system. Currently, Lehigh Gap Nature Center is party to a petition to the Secretary of Interior of the United States to designate the Kittatinny and adjacent lands as the Kittatinny National Raptor Corridor. Such a federal designation would not change land ownership or protection, but would be a tool to help protect this important resource.

Designation of the Aquashicola Creek as an EV stream would give APWC a valuable tool to help them prevent any degradation of this stream. We strongly urge protection of this and other ecosystems in the Kittatinny Corridor to the greatest extent possible. Thank you for considering this petition to protect one of Pennsylvania's most pristine streams.

Your in Conservation,

Dan R. Kunkle  
Executive Director

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Executive Director: Dan R. Kunkle

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**BRODHEAD CHAPTER TROUT UNLIMITED 289**

P.O. Box 713

Bartonsville, PA 18321

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February 12, 2010

Aquashicola / Pohopoco Watershed Conservancy  
P. O. Box 360  
Kresgeville, PA 18333

Dear Sirs:

The Brodhead Chapter of Trout Unlimited supports your petition to the Department of Environmental Protection and the Environmental Quality Board to elevate the status of the Aquashicola Creek from a High Quality Cold Water Fishery to Exceptional Value status.

The designation of Exceptional Value status will not only insure that high quality water will be maintained in the Aquashicola Creek but at the same time protect the Pohopoco Creek into which it discharges.

For more than 40 years, through over 450 chapters Trout Unlimited has played the leading role in protecting one of America's last great American treasures: our nation's trout and salmon fisheries. The Brodhead Chapter represents over 200 local environmentally conscious men and women dedicated to the preservation of our cold water fisheries. We commend and whole heartedly endorse the efforts of APWC to maintain the quality of the Aquashicola / Pohopoco Watershed.

Very truly yours,

Thomas Battista, President

PHOTO COPY OF A LETTER  
STATE OF PA 18001-0334  
www.dhs.gov



March 2, 2010

James Vogt  
Aquashicola/Pohopoco Watershed Conservancy  
P.O. Box 360  
Kresgeville, PA 18333

Dear Mr. Vogt,

I am writing this letter on behalf of the Bushkill Stream Conservancy to express support for your Petition to the Pennsylvania Department of Environmental Protection and the Environmental Quality Board requesting that the Aquashicola Creek, from the source to the confluence with Buckwa Creek, be upgraded to Exceptional Value status.

The Stream Conservancy supports this petition based on three main points:

- Better protection of the wild aspects of the Appalachian trail.
- Better protection for the watershed as a regional resource including valuable habitat for endangered bog turtles and wild trout.
- Since the creek flows from the Cherry Valley National Wildlife Area, additional protection would enhance the entire habitat system of the Blue Mountain.

The Bushkill Stream Conservancy supports this petition. If we can be helpful to you in any other way, please don't hesitate to contact us.

Sincerely,

Kate Brandes  
President



Aquashicola/Pohopoco Watershed Conservancy  
P.O. Box 360  
Kresgeville, PA 18333

January 15, 2010

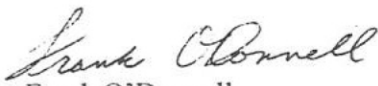
Dear Mr. James Vogt,

Blue Mountain Preservation Association and its members support your petition to upgrade the Aquashicola Creek from High Quality to Exceptional Value Status.

The Aquashicola is a very important creek to the Blue Mountain area watershed and the wild life it supports. It is so clean and clear and should be protected. By elevating the status would be a sure way to keep it that way. Protection of our watersheds is vital for now and the future.

Thank you.

Sincerely

  
Frank O'Donnell  
President

**Frank and Marion O'Donnell**  
**R.D. 1 Box 1592**  
**Saylorsburg, PA 18353**

Aquashicola/Pohopoco Watershed Conservancy  
P.O. Box 360  
Kresgeville, PA 18333

January 15, 2010

Dear Mr. Vogt,

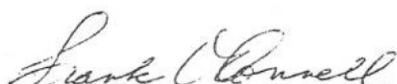
We would like our names to be included in your petition to support the upgrading of the Aquashicola Creek from High Quality to Exceptional Value.

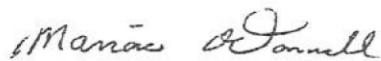
We have lived at the base of the Blue Mountain for over 30 years and seen many changes. The Aquashicola Creek is just across the street from our property and it's a beautiful clean flowing creek. The creek supports many forms of life for example brown Trout, Beavers, Otters, Fishing Cranes, Turtles to name a few. The change we would not like to see is debris and dirty water run off from unnecessary development.

Please lets keep a good waterway clean and clear for the future.

Thank you for the work you are doing.

Sincerely

  
Frank O'Donnell

  
Marion O'Donnell