

Summary of Notice and Comment Opportunities During the Stream Assessment and Redesignation Process

Notice of Assessment

- ◆ DEP publishes notice of its intent to assess a water body in the *Pennsylvania Bulletin* and in a local newspaper of general circulation and notifies affected municipal officials and county planning commissions. The notice asks that any available technical data be submitted to the Department within 30 days to assist in developing a draft stream evaluation report.

Development of Draft Stream Evaluation Report

- ◆ DEP develops draft stream evaluation report based on its assessment of the stream and any data received as a result of the notice of assessment. The report includes a recommendation on whether redesignation of the stream is warranted. DEP forwards the draft report to the petitioner (where applicable) and to municipal officials and county planning commissions for a 30-day review and comment period.

Rulemaking Phase

- ◆ Development of Proposed Rulemaking – If DEP recommends redesignation of a water body, the recommendation is forwarded to the EQB in the form of a proposed rulemaking. If adopted by the EQB, the proposed rulemaking is published in the *Pennsylvania Bulletin* with a public comment period of at least 45 days.
- ◆ Development of Final Rulemaking – Following the close of the public comment period, DEP develops a final rulemaking and responds to all comments received. The final rulemaking is forwarded to the EQB and, if adopted, sent to the [House Environmental Resources and Energy Committee \(EREC\)](#), the [Senate EREC](#), and the [Independent Regulatory Review Commission](#) for further consideration at which time they will accept comments from interested parties. If approved by these entities, the final rulemaking will be published in the *Pennsylvania Bulletin* and the designated use of the water body officially changed to match the existing use.