

Pennsylvania's Stream Redesignation Process and Chester Creek et al. Proposed Rulemaking

Bureau of Clean Water
April 10, 2025



Authority

Federal Clean Water Act

- Federal law
- Requires states to adopt water quality standards, including designating uses, criteria to protect uses and an antidegradation policy

Pennsylvania Clean Streams Law

- State law
- Policy is to prevent further pollution and reclaim and restore streams to an unpolluted condition
- Regulations should consider the present and future uses of waters

Designated Uses

- Protected uses specified in § § 93.4(a) and 93.9a—93.9z
- Specified for each waterbody or segment
- Specified whether or not they are being attained

Designated Uses

- **Aquatic Life**
 - Warm Water Fishes (WWF)
 - Trout Stocking (TSF)
 - Cold Water Fishes (CWF)
 - Migratory Fishes (MF)
- **Water Supply** *(all waters, except where noted)*
 - Potable Water Supply (PWS)
 - Industrial Water Supply (IWS)
 - Livestock Water Supply (LWS)
 - Wildlife Water Supply (AWS)
 - Irrigation (IRS)
- **Recreation and Fish Consumption** *(all waters, except where noted)*
 - Boating (B)
 - Fishing (F)
 - Water Contact (WC)
 - Esthetics (E)
- **Special Protection**
 - High Quality Waters (HQ)
 - Exceptional Value Waters (EV)



Pennsylvania
Department of
Environmental Protection





Pennsylvania
Department of
Environmental Protection



Qualifying as High Quality Waters

Chemistry

- Long-term water quality exceeds specific water quality criteria 99% of the time

Biology

- High quality benthic macroinvertebrate community
- Class A Wild Trout



Qualifying as Exceptional Value Waters

Biology

- Higher quality benthic macroinvertebrate community
- Wilderness Trout Stream

Locational

- State Park or State Forest Natural Area
- National Wildlife Refuge

Resource Management Plan – Protected by a resources management plan

Exceptional Ecological Significance – Areas of statewide or local ecological significance based on:

- Rarity of community types
- Connected to riverine surface waters
- Water quality dependent
- Dominated by aquatic plants



Stream Redesignation Process and Timeline

Evaluations are conducted when:

- A petition requesting redesignation is accepted by the Environmental Quality Board (EQB)
- A request is received by another agency (PFBC, ACOE) or regional program
- Routine aquatic life use surveys indicate that the stream may qualify for a use that is different than the designated use

Persons may sign up for [eNotice](#) to stay informed of a stream redesignation evaluations.

Stream Redesignation Process and Timeline

Notice of Evaluation

- Prepared by Department
- Submit technical data to the Department within 30 days to assist the Department with its evaluation
- Publication:
 - *Pennsylvania Bulletin* (recent examples: [55 Pa.B. 148](#) and [54 Pa.B. 2694](#))
 - Department's website
 - Municipalities and county planning commissions
 - Department's [eNotice](#) for stream redesignations

Stream Redesignation Process and Timeline

The Report

- Department drafts stream reports based on evaluations of data received as a result of the notice of assessment and data available.
- Reports include recommendations on whether redesignation of a stream is appropriate based on qualifiers.
- Department forwards draft report to petitioner, municipal officials, and county planning commissions for 30-day review and comment period.
- Draft reports are also posted on Department's website and a notice is distributed through eNotice and the Pennsylvania Bulletin (recent examples: [54 Pa.B. 2168](#) and [53 Pa.B. 5066](#))

Stream Redesignation Process and Timeline

Rulemaking Notifications

1. Prior to Proposed Rulemaking
2. Proposed Rulemaking
3. Public Meeting Notification
4. Final Rulemaking

Chester Creek et al. Rulemaking Summary

Stream	County	Reason for Evaluation	Current Use	Recommended Use
Reynolds Run	Lancaster	Reevaluation due to EPA disapproval	HQ-TSF	HQ-CWF
Chester Creek	Chester	Reevaluation due to EPA disapproval	TSF and WWF	TSF
UNT 32599 to North Fork Dunkard Fork	Greene	Routine stream monitoring	TSF	EV
UNT 64027 to Sixpenny Creek	Berks	Request by Nature Conservancy	HQ-CWF	EV
Bermudian Creek	Adams	Routine stream monitoring	WWF	CWF and TSF
Logan Spring Run	Huntingdon/Blair	Permit writer's request with an NPDES permit renewal	WWF	CWF
UNT 03181 to Tohickon Creek	Bucks	Permit writer's request with an NPDES permit renewal	TSF	EV



Pennsylvania
Department of
Environmental Protection

Chester Creek et al. Rulemaking Summary

Stream	County	Reason for Evaluation	Current Use	Recommended Use
Bear Creek (04123)	Carbon	Routine stream monitoring	HQ-CWF	EV
Jeans Run	Carbon	Routine stream monitoring	HQ-CWF	EV
Broad Run	Carbon	Routine stream monitoring	HQ-CWF	EV
Dennison Run	Carbon	Routine stream monitoring	HQ-CWF	EV
Bear Creek (04115)	Carbon	Routine stream monitoring	HQ-CWF	EV
Grassy Meadow Run	Carbon	Routine stream monitoring	HQ-CWF	EV
Stewart Creek	Carbon	Routine stream monitoring	CWF	HQ-CWF and EV
UNT 04055 to Mahoning Creek	Carbon	Routine stream monitoring	CWF	EV
UNT 04060 to Mahoning Creek	Carbon	Routine stream monitoring	CWF	EV



Chester Creek et al. Rulemaking Timeline

Step in the process	Tentative timeline
Agricultural Advisory Board, draft proposed	April 10, 2025
Environmental Quality Board, proposed	Q3 2025
Public comment period	Q4 2025
Virtual public hearing	Q4 2025
Agricultural Advisory Board, draft final	Q1 2026
Environmental Quality Board, final	Q2 2026



Pennsylvania
**Department of
Environmental Protection**

Kristen Schlauderaff
Bureau of Clean Water
kschlauder@pa.gov

The Department of Environmental Protection's mission is to protect Pennsylvania's air, land and water resources and to provide for the health and safety of its residents and visitors, consistent with the rights and duties established under the Environmental Rights Amendment (Article 1, Section 27 of the Pennsylvania Constitution).