



# University of Pittsburgh

Book  
SI  
McDonnell

*School of Law*  
*Environmental Law Clinic*

(Use this address for U.S. Mail)  
P.O. Box 7226  
Pittsburgh, PA 15213-0221

Sennott Square, Room 5207  
210 South Bouquet Street  
Pittsburgh, PA 15260  
412-648-1300  
Fax: 412-648-1992

December 12, 2013

*Sent via Certified U.S. Mail, return receipt requested*

E. Christopher Abruzzo, Acting Secretary  
Department of Environmental Protection  
Commonwealth of Pennsylvania  
P.O. Box 2063  
Harrisburg, PA 17105-2063

Re: Petition to redesignate the Stony Run watershed

Dear Acting Secretary Abruzzo:

On behalf of the Mountain Watershed Association, we are submitting the enclosed petition that seeks the redesignation of the Stony Run watershed from Cold Water Fishes to Exceptional Value. The Stony Run watershed is located in Springfield Township, Fayette County. The watershed is a pristine area with abundant vegetation and wildlife. The petition will ensure the necessary protection of the existing uses and quality of Stony Run. Redesignating Stony Run will also be a positive step by the Department of Environmental Protection to maintain the precious natural resources of the Commonwealth.

Please let us know if you have any questions.

Sincerely,

Emily A. Collins, Esq.  
Supervising Attorney

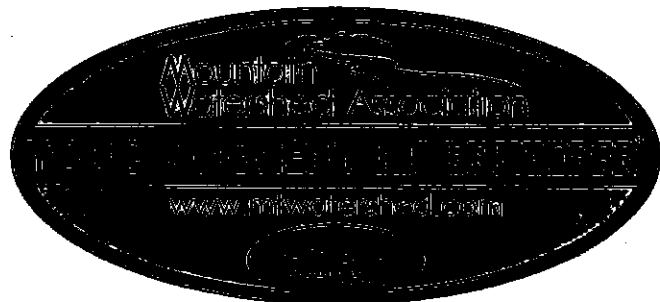
Oday Salim, Esq.  
Staff Attorney

Enclosures

Petition To Redesignate The Stony Run Watershed  
Located In Springfield Township, Fayette County  
From Cold Water Fishes To Exceptional Value



Submitted by the Environmental Law Clinic at the University of Pittsburgh School of Law on behalf of:



## **Contents**

- Completed petition form (No. 0120-FM-PY0004)
- Suggested regulatory language, responsive to Section II.A. of the petition form
- Supporting material, responsive to Sections II.B. - E. of the petition form
- Biological Assessment
- Political map of Springfield Township
- Topographic map of Springfield Township
- Map of undermined areas in Springfield Township
- Letters of support



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

See attached petition.

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

To petitioner's knowledge, no.

For section E, below, see attached petition

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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

**Suggested regulatory language where request is to amend a regulation**

The current regulation, 25 Pa. Code § 93.9v (“Drainage List V.”), currently contains the following text relating to the designation of Stony Run:

**Ohio River Basin in Pennsylvania  
Monongahela River**

<b>Stream</b>	<b>Zone</b>	<b>County</b>	<b>Water Uses Protected</b>	<b>Exceptions To Specific Criteria</b>
[omitted]	[omitted]	[omitted]	[omitted]	[omitted]
5—Stony Run	Basin	Fayette	CWF	None
[omitted]	[omitted]	[omitted]	[omitted]	[omitted]

After redesignation, the suggested regulatory language is as follows:

**Ohio River Basin in Pennsylvania  
Monongahela River**

<b>Stream</b>	<b>Zone</b>	<b>County</b>	<b>Water Uses Protected</b>	<b>Exceptions To Specific Criteria</b>
[omitted]	[omitted]	[omitted]	[omitted]	[omitted]
5—Stony Run	Basin	Fayette	EV	None
[omitted]	[omitted]	[omitted]	[omitted]	[omitted]

The only amended language refers to the protected water use, which should be changed from CWF to EV.