



pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION



Office of Water Programs

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

Environmental Quality Board Meeting
June 20, 2017

Tom Wolf, Governor

Patrick McDonnell, Secretary

Class A Wild Trout Stream Qualifier

§ 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.

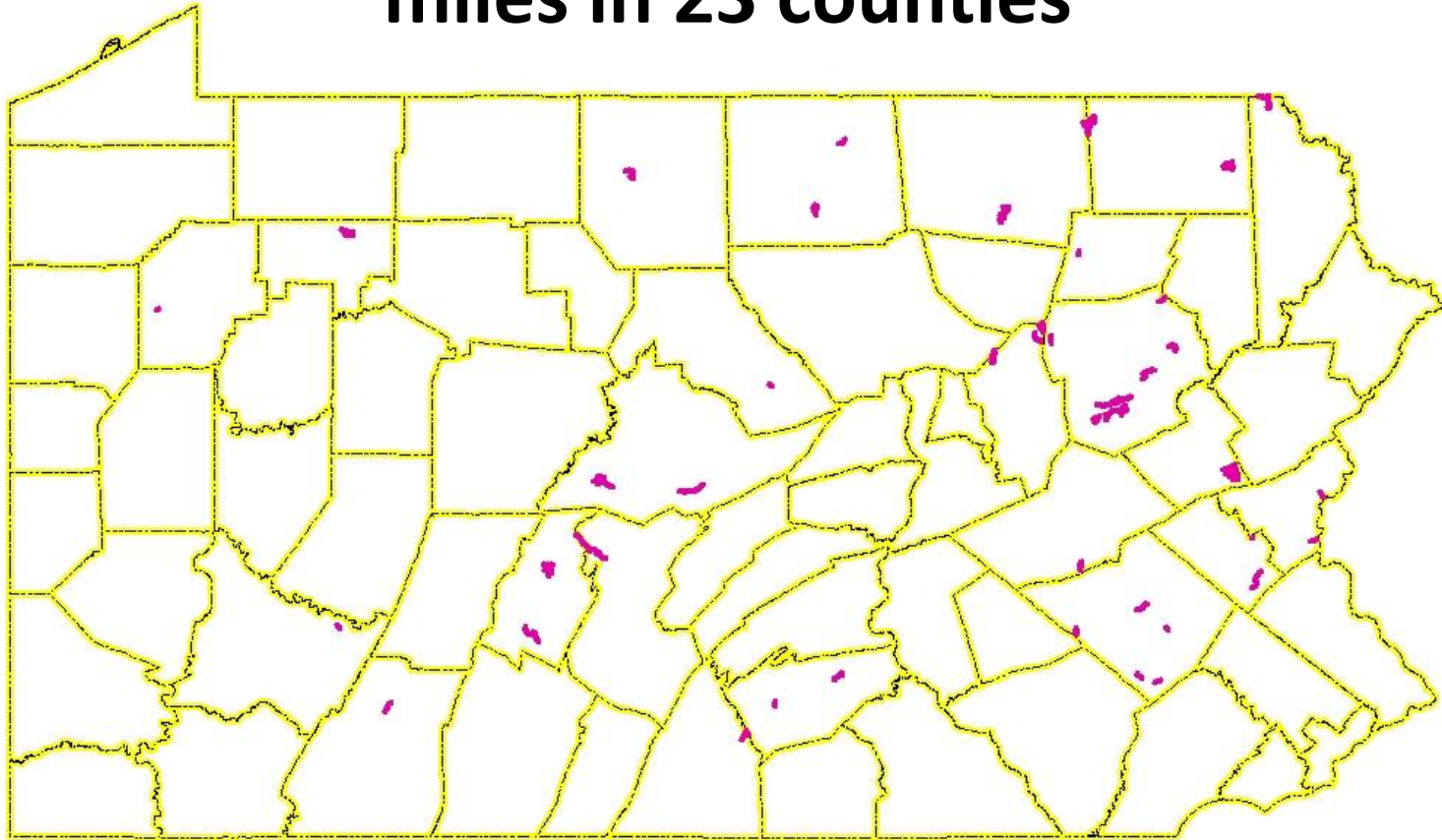
➤ Example Class A Wild Trout Stream Qualifier

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

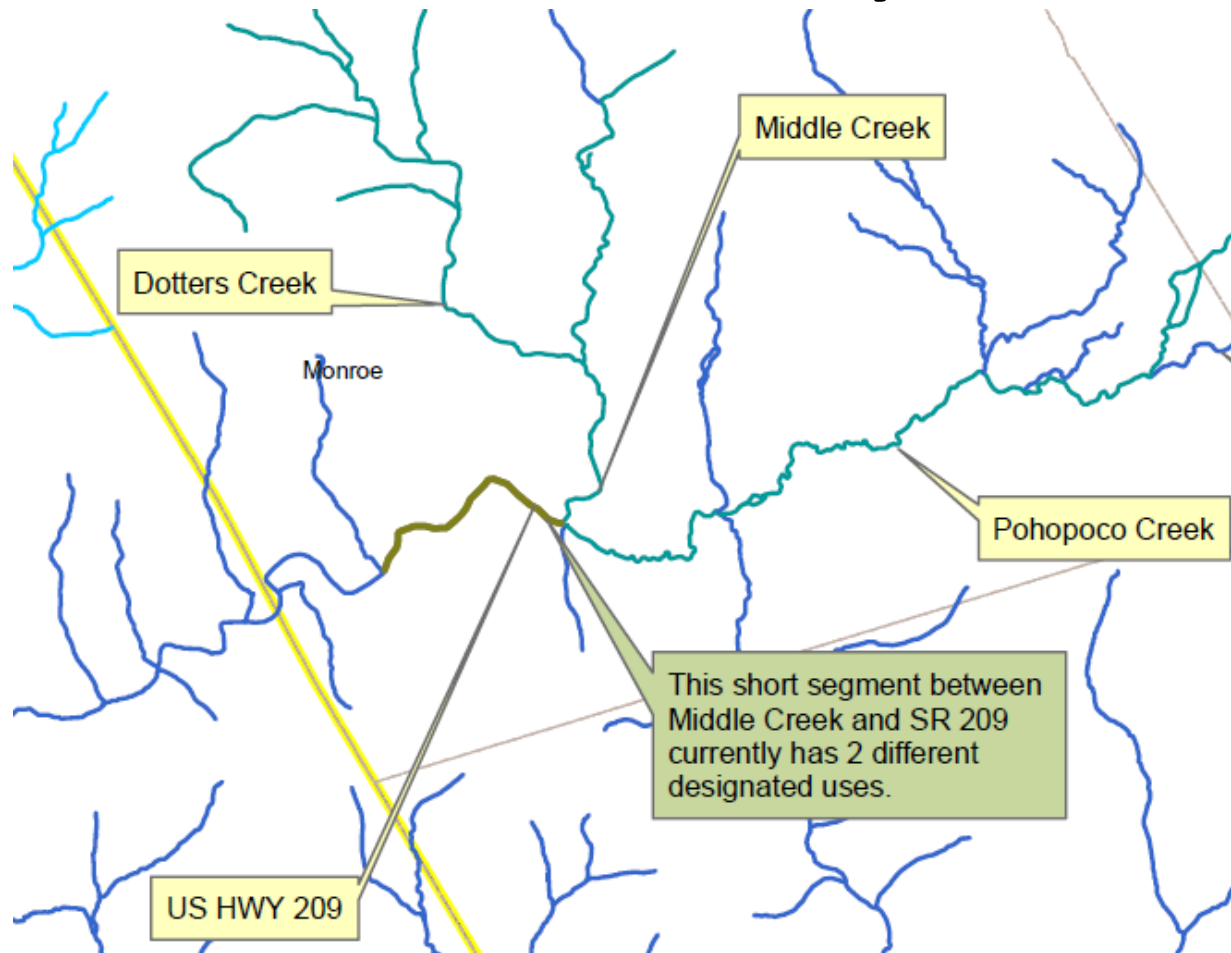
- § 93.9p = Allegheny River Basin, PA-NY State Border to Tunungwant Creek.
- § 93.9q = Allegheny River Basin, Tunungwant Creek to Clarion River.
- § 93.9t = Kiskiminetas River Basin.

• 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

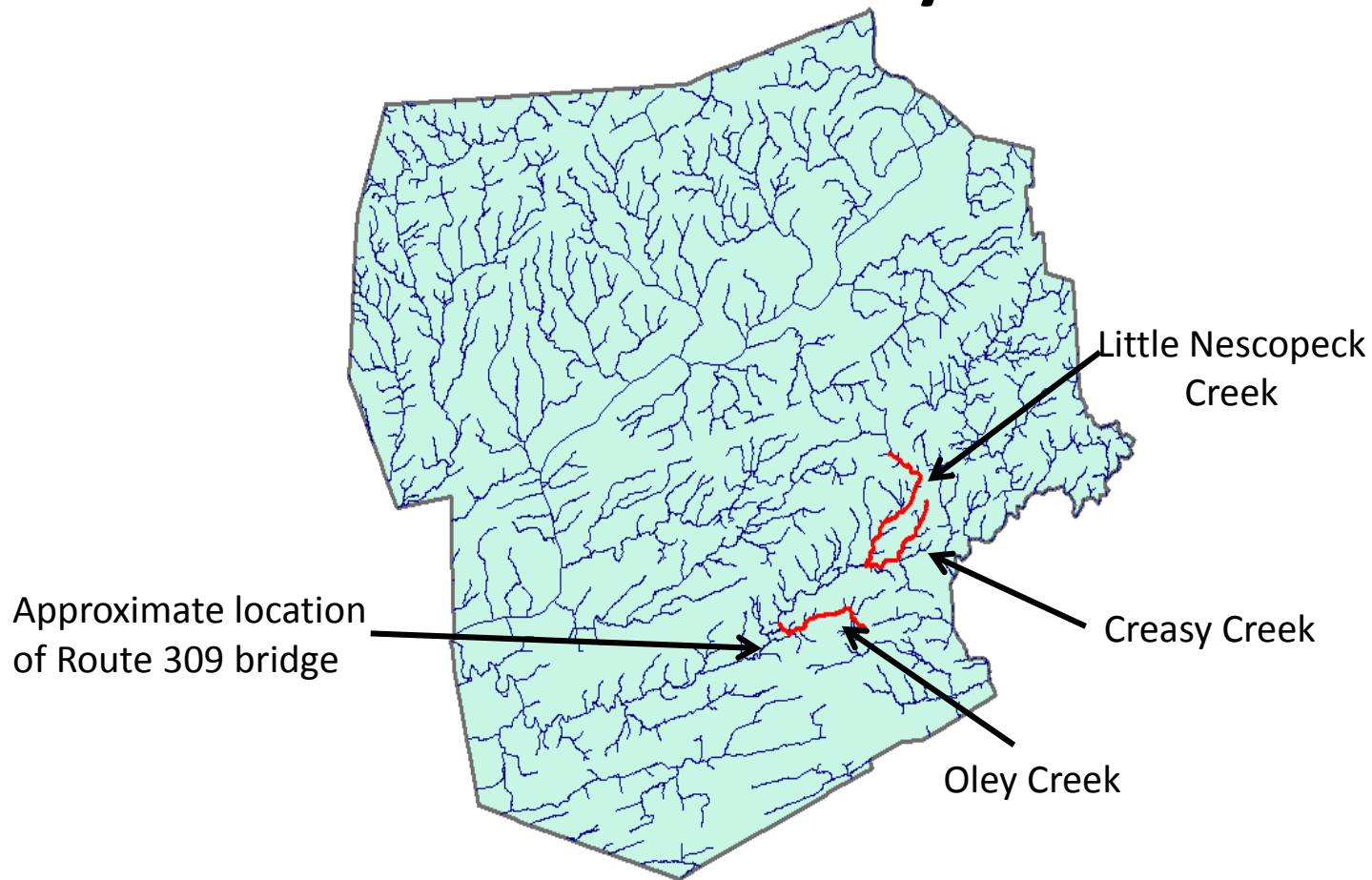
Correction: Pohopoco Creek (§93.9d)

Monroe County



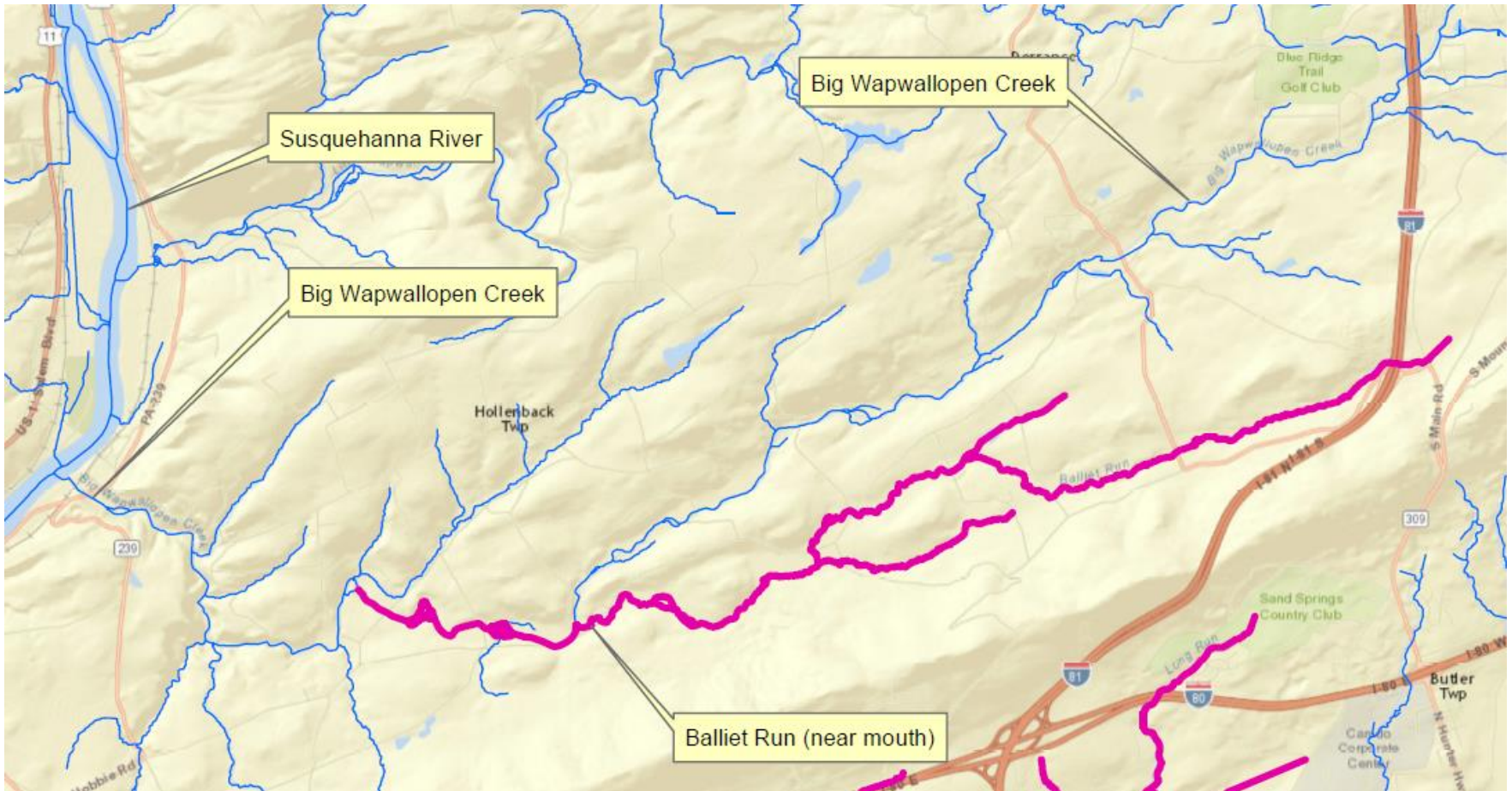
Correction: Upper Nescopeck Creek (\$93.9k)

Luzerne County



Correction: Stream Names (§93.9k)

Luzerne County



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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