



pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION



Office of Water Programs

Proposed Rulemaking: Water Quality Standards – Class A Stream Redesignations 25 Pa. Code Chapter 93

Environmental Quality Board Meeting
December 18, 2018

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.*

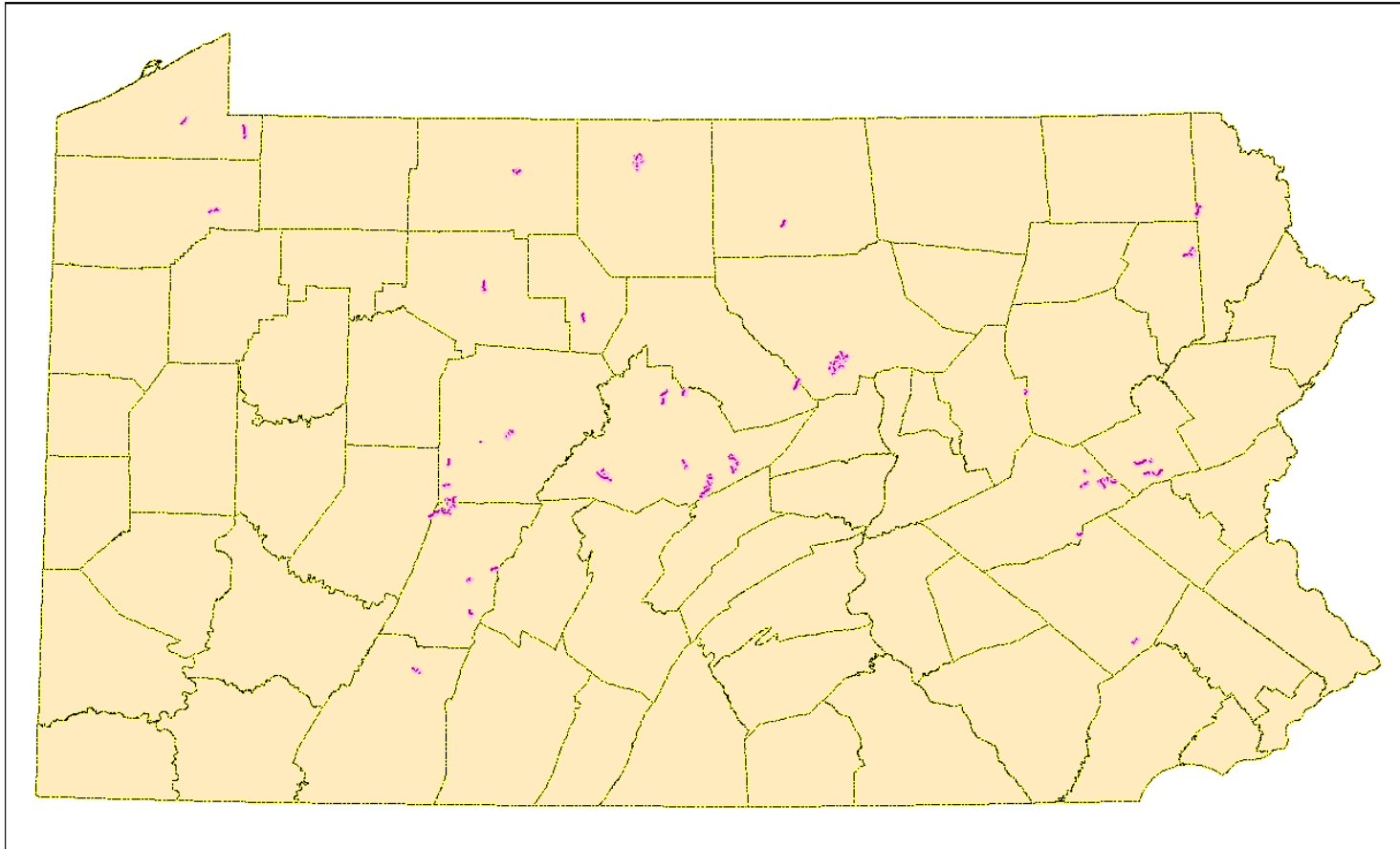
The surface water has been designated a Class A wild trout stream by the Pennsylvania Fish and Boat Commission (PFBC) following public notice and comment.

➤ Example Class A Wild Trout Stream Qualifier

- **Class A Brook Trout Qualifying Criteria** (*according to PFBC Class A biomass protocols*)
 - 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

42 stream segments totaling 204 stream miles



Affected Drainage Lists

Delaware River Basin

- § 93.9d = Lehigh River Basin
- § 93.9f = Schuylkill River Basin

Susquehanna River Basin

- § 93.9j = Lackawanna River Basin
- § 93.9k = Lackawanna River to West Branch
- § 93.9l = West Branch Susquehanna River Basin
- § 93.9m = West Branch to Juniata River

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.
- § 93.9r = Clarion River Basin
- § 93.9t = Kiskiminetas River Basin

Also included in this Proposed Rule:

- Reformat and consolidate portions of the drainage lists to maintain consistency with the NHD Flowline
- River Mile Indexes (RMI) are being converted to latitude and longitude
- Spelling correction for Huntington Creek

Implementation

- National Pollutant Discharge Elimination System (NPDES)
 - Requires effluent limitations that are protective of the Designated Use
 - Designated use changes should have no impact on existing discharges
 - 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 classification of these streams
 - DEP Notice of intent to assess the streams
 - DEP Notice and 45-day comment period on draft evaluation report

Notifications

DEP provides 4 post card notifications via USPS

- Prior to EQB meeting - proposed
- Beginning of comment period
- Prior to EQB meeting - final
- Final rule sent to IRRC/Committees

eNotice will be delivered at similar times

- Announcing the rulemaking is on EQB Meeting Agenda
- Announcing public comment periods
- Announcing the EQB has adopted the rulemaking

Notifications

Post cards are delivered to the following entities

- Municipalities
- County Planning Commissions
- County Conservation Districts
- Regional Planning Commissions
- Other Agencies (PFBC, PGC)
- USEPA Region 3
- Commentators on proposed rule (where possible)

eNotice will be delivered to anyone who subscribes

Recommendation

DEP recommends this Class A Stream Redesignations proposed rulemaking be adopted by the Board and published in the *Pennsylvania Bulletin* with a 45-day comment period and public hearing.



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