



May 17, 2023

Independent Regulatory Review Commission
 Harrisburg, PA 17105-8477
 Submitted via: irrc@irrc.state.pa.us

RE: Support for Upgrades Within the Dunbar et. al. Stream Redesignation Proposed Rulemaking – Cranberry Creek

To Whom it May Concern:

Delaware Riverkeeper Network (DRN), representing over 25,000 members in 22,000 households, is writing in support of finalizing the stream upgrade bundle being considered as part of the Dunbar et. al. package that was posted in the July 31, 2021 Pennsylvania Bulletin with a 45-day public comment period after PADEP recommended the package and the EQB voted in favor of the bundle moving forward into the proposed rulemaking stage. The EQB voted 17-2 in favor at the April 2021 EQB meeting with the only dissenting votes originating from Rep. Daryl MetCalfe and Rep. Gene Yaw. We are grateful to see such broad support for this IRRC to approve this final rule making at this time. Some of these upgrades have been in process for over 20 years. Over the years DRN has followed this process and provided public testimony at the August 30, 2021 virtual public hearing as well as DRN's past comments submitted regarding the Cranberry Creek on Feb 5, 2015¹ and again in 2018 as the stream made its way through the lengthy review process.

In 2011, Delaware Riverkeeper Network and over 20 co-petitioners and 300 supporters, businesses, and landowners petitioned the PADEP to upgrade all tributaries flowing into the Upper and Middle Delaware River to Exceptional Value which included the Cranberry Creek in Monroe County. In 2014 the Brodhead Watershed Association submitted a petition with extensive data for Cranberry Creek to push for action and upgrade to EV of this important Pocono tributary. Community support for EV designation has only grown stronger in the Delaware River since this petition was filed but other interests are also at work to undermine the protections and stewardship provided by the community to date that has kept these Upper and Middle Delaware tributaries clean and healthy. It's critical that this upgrade for the Cranberry Creek and the other streams being considered for upgrades in the Dunbar bundle be finalized now.

When we protect our clean streams, we protect a vital economy, our health and our wellbeing. During the pandemic this has come abundantly clear as many people flocked to our regional EV and HQ streams and forests to enjoy healthy recreation. DRN's 2010 River Values Report highlighted many of the benefits

¹ DRN comment to DEP Re: Draft stream report, Feb 5, 2015.

<https://delawariverkeeper.org/sites/default/files/Letter%20to%20PA%20EQB%20for%20Support%20of%20Paradise%20Creek%20%282015-02-06%29.pdf>

Pennsylvanian's receive when we protect the River, the floodplain, riparian forests and the communities who live there. The Dunbar public notice further outlines various reports and research showing the tremendous economic benefits and recreational value to communities where clean streams still exist. At the same time, we are well aware that EV and HQ designation does not stop development it just puts the brakes on speculating developers who want to come in and run rough shod over our protections at the local, state, and regional level where communities are working hard to protect the very cleanest streams that remain. EV adds some specific restrictions to benefit the broader community while pushing developers to do better with their proposals and be more innovative. Antidegradation policy grounded in the Clean Water Act and in PA Exceptional Value (EV) and High Quality (HQ) designations are one way citizens and communities who call PA home are able to have just a little more leverage and a few more tools to insist on better projects that are more sustainable, more wise, and more conservation oriented.

Its critical that the IRRC finalize this rule-making a this time. There are still many pending petitions and streams that are deserving of EV and HQ designation. Every year and month we wait to put these protections into place, we sacrifice more of Penn's woods and streams that deserve protection now.

Thank you for your time and taking on this important work for the benefit of clean water and we appreciate your time and attention.

Sincerely,

A handwritten signature in blue ink that reads "Maya K. van Rossum". The signature is written in a cursive, flowing style.

Maya K. van Rossum
the Delaware Riverkeeper