

PENNSYLVANIA CAMPAIGN FOR CLEAN WATER

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May 18, 2023

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

EMBARGOED MATERIAL

**RE: Support for Upgrades Within the Dunbar et. al. Stream Redesignation
 Proposed Rulemaking**

To whom it may concern:

On behalf of the broad coalition of Pennsylvania Campaign for Clean Water's Exceptional Value Workgroup (EV Team), we are writing to express our support of the stream upgrade designations put forth by the Pennsylvania Dept. of Environmental Protection's (PADEP) and the watershed community and local watershed groups including Brodhead Creek Watershed Association, Ken Sink Chapter of Trout Unlimited, and the regional petition submitted by Delaware Riverkeeper Network that encompasses Cranberry Creek that are part of the Dunbar et.al. bundle before the IRRC at its May 18, 2023 meeting.

This final step is a much needed essential step in the right direction to recognize the importance of our freshwater streams and the communities that hold these clean streams dear and that have been under review in some cases as early as 2000. CCWEV has followed the petitions and submitted comments for Cranberry Creek redesignation and the larger Dunbar stream bundle throughout the process. We attended the August 30, 2021 virtual hearing and testified in support of these stream upgrades and reviewed PADEP draft reports.

The proposed redesignations are the result of stream evaluations conducted by the Department in response to: petitions (Bear Run, Cranberry Creek, Two Lick Creek); a request from the Pennsylvania Fish and Boat Commission (PFBC) (Dunbar Creek); the Department's ongoing Statewide monitoring activities (UNT 08187 to South Branch Codus Creek and Clyde Run). The stream redesignations rely on the special protection qualifiers found at § 93.4b(a)(2)(i)(A) and (ii), (b)(1)(iii) and (v) and (b)(2) (relating to qualifying as High Quality or Exceptional Value Waters). The redesignations also include evaluation of the protected water uses specified in § 93.3 (relating to protected water uses) (UNT 08187 to South Branch Codus Creek).

Stream Name	Pennsylvania Bulletin	Publication Date
Bear Run	37 Pa.B. 4490	August 11, 2007
	46 Pa.B. 3328	June 25, 2016
Clyde Run	40 Pa.B. 5643	October 2, 2010

Cranberry Creek	44 Pa.B. 6149	September 27, 2014
	48 Pa.B. 5924	September 22, 2018
Dunbar Creek	30 Pa.B. 2071	April 22, 2000
Two Lick Creek	34 Pa.B. 1520	March 13, 2004
UNT 08187 to South Branch Codorus Creek	42 Pa.B. 2539	May 12, 2012

We believe the stronger EV protection for these streams are long overdue and are in keeping with the protections afforded under Article 1 Section 27 of Pennsylvania's Environmental Rights Amendment of the Pennsylvania Constitution, articulated "*the people of Pennsylvania have a right to clean air, pure water, and to the preservation of the natural, scenic, historic, and esthetic values of the environment. Pennsylvania's public natural resources are the common property of all the people, including generations yet to come. As trustee of these resources, the Commonwealth shall conserve and maintain them for the benefit of all the people now and in the future.*"

Thank you in advance for we hope your approval for this bundle of stream upgrade petitions at this time – this step is long overdue and we appreciate the time and effort put into the redesignations over many years.

The Pennsylvania Campaign for Clean Water (Campaign) is a coalition of over 180 environmental, conservation, sporting, and religious groups from all corners of the state that speaks in one voice in support of federal and state policies to protect and restore Pennsylvania's water resources. The Exceptional Value workgroup focuses on protection of the Commonwealth's highest quality streams.

Sincerely,



Faith Zerbe
CCW EV Team Co-Chair
Delaware Rivekeeper Network



Eric Harder
CCW EV Team Co-Chair
Youghiogheny Riverkeeper