



## Madison Brame

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**From:** ecomment@pa.gov  
**Sent:** Friday, November 17, 2023 8:42 AM  
**To:** Environment-Committee@pasenate.com; environmentalcommittee@pahouse.net; regcomments@pa.gov; Osenbach, Matt; Glendon King; Franzese, Evan B.; Eyster, Emily; IRRC  
**Cc:** c-jflanaga@pa.gov  
**Subject:** Comment received - Proposed Rulemaking: Triennial Review of Water Quality Standards (#7-577)

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The enclosed comment was received as part of the following testimony:

**Testimony name:** Public Hearing - Triennial Review #7-577  
**Testimony date:** 11/14/2023 12:00:00 AM  
**Testimony location:** Virtual

### Re: eComment System

### The Environmental Quality Board has received the following comments on Proposed Rulemaking: Triennial Review of Water Quality Standards (#7-577).

Commenter Information:

Don Baugh  
 Upstream Alliance (captbaugh@gmail.com)  
 1867 Lindamoor Drive  
 Annapolis, MD 21401 US

Comments entered:

Please see attached testimony given at the November 14, 2023 public hearing.

These links provide access to the attachments provided as part of this comment.

Comments Attachment: [7-577 Triennial Testimony Upstream Alliance Baugh.docx](#)

Please contact me if you have any questions.

Sincerely,  
Ezra Thrush

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Ezra Thrush  
 Director, Office of Policy  
 PA Department of Environmental Protection  
 Rachel Carson State Office Building

P.O. Box 2063  
Harrisburg, PA 17105-2063  
Office: 717-783-8727  
Fax: 717-783-8926  
[ecomment@pa.gov](mailto:ecomment@pa.gov)

Don Baugh Testimony, PA Triennial Review  
November 14, 2023

I am Don Baugh, President of Upstream Alliance, and we are formally requesting that the PADEP designate the entire Delaware River for “primary contact recreation” in the agency’s finalized 2023 Triennial Review. This designation should include the only stretch currently not designated as such: the 27-mile stretch from north Philadelphia to Chester.

The Upstream Alliance is a non-profit organization dedicated to public access, clean water, and coastal resilience. Our hallmark lies in providing on-water experiences for officials responsible for these issues, collaborating with organizations that champion them. For eight years, we’ve maintained an office on Philadelphia’s waterfront, serving as a base for kayak expeditions and boat trips.

We spend every day on the water and have been heartened by the increasing number of people finding their way to the waterfront despite very limited access. On any summer evening, you’ll witness people congregating, fishing, swimming, and boating at the few existing access sites. A common thread among these sites is people’s desire to be near the water, to touch it, and often, to immerse themselves in it. At Frankford Arsenal, it serves as a swimming hole on hot summer evenings; at Penn’s Landing, the Independence Seaport Museum offers swan boats and kayak rentals to thousands every year. During Upstream Alliance’s free kayaking events, there are lines of people waiting an hour for a twenty-minute paddle. Many of these people are experiencing the water for the first time and immediately wanting to paddle again. They’re already coming because, as the saying goes, “if you build it, they will come.”

We are fortunate that the Delaware River stands as the nation’s model for a restored river, thanks to the Clean Water Act. However, the job is not entirely complete. A notable exception is this 27-mile stretch that has been written off as not appropriate for people to touch the water. How can this be? Particularly in an area where people of color reside, historically deprived of this opportunity. The Clean Water Act mandates designating areas where primary contact recreation is already occurring. When you get out on the river in this stretch, you will agree that primary contact recreation is happening wherever possible, and in many cases, even where it is not.

We strongly encourage PADEP to designate the entire Delaware River for water contact. It’s an environmental justice issue and it’s the law.