

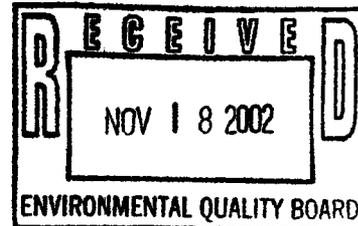
Original: 2295



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

NOV 14 2002

Environmental Quality Board
P. O. Box 8477
Harrisburg, PA 17105-8477



Dear Sir or Madam:

The U. S. Environmental Protection Agency (EPA) has reviewed the proposed rulemaking package which will redesignate the East Branch Codorus Creek from the tail waters of Lake Redman to the mouth of the East Branch Codorus Creek, including Lake Williams. This amendment to the Commonwealth's water quality standards regulation will redesignate this portion of the East Branch Codorus Creek as a warm water fishery. Its present designation is cold water fishery.

The Department of Environmental Protection (DEP) has documented to EPA's satisfaction that this redesignation is appropriate. In accordance with Federal regulation at 40 CFR 131.10(g), DEP has demonstrated that attaining the cold water fisheries designated use is not feasible because dams, diversions or other types of hydrologic modifications preclude the attainment of the use, and it is not feasible to restore the water body to its original condition or to operate such modification in a way that would result in the attainment of the use. Therefore, EPA has no objection to this proposed modification.

EPA notes that "cold water fishery" was never the appropriate designation for Lake Redman and Lake Williams. Generally, lakes in Pennsylvania do not by nature support cold water characteristics or habitat. These two waterbodies, along with a number of other lakes and reservoirs in the Commonwealth presently classified as cold water fisheries, are warm water fisheries, and to avoid the appearance of nonattainment, should be designated as such. We commend DEP on this effort, and would support further corrections to designations.

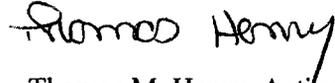
EPA will be providing a copy of this package to the U. S. Fish and Wildlife Service (FWS) so that they may identify any issues with this action. We will notify DEP of any issues raised. This coordination with the FWS will fulfill EPA's obligations under the Endangered Species Act, and facilitate EPA's Clean Water Act 303(c) action once this rulemaking is finalized and submitted to EPA for review.



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Customer Service Hotline: 1-800-438-2474*

If you have any questions concerning this matter, please contact Denise Hakowski at (215)814-5726.

Sincerely,

A handwritten signature in black ink that reads "Thomas M. Henry". The signature is written in a cursive style with a large, prominent "H".

Thomas M. Henry, Acting Chief
PA/DE Branch
Office of Watersheds

cc: Edward Brezina (PADEP)
David Densmore (US FWS)