



September 14, 2021

Environmental Quality Board  
 P.O. Box 8477  
 Harrisburg, PA 17105-8477  
 Submitted via [RegComments@pa.gov](mailto:RegComments@pa.gov)  
<http://www.ahs.dep.pa.gov/eComment>

**Re: Dunbar et. al. Stream Bundle – Specific Emphasis on Cranberry Creek in the Delaware River Watershed**

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 bundle of deserving streams moving through the lengthy scientific and regulatory process and urge the EQB and the DEP to promptly finalize these important upgrades – some of which have been in process for over 20 years. This comment is in addition to DRN’s 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, 2015<sup>1</sup> 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 be finalized now.

<sup>1</sup> 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>

Cranberry Creek is a relatively small, cold and shallow third-order tributary to Paradise Creek at River Mile Index (RMI) 3.16 located in Barrett and Paradise Townships, Monroe County and drains 6.85 square miles with a total of 13.32 stream miles. GIS analysis by DEP determined land use to be 90% forested, 8.8 % developed land, and 0.2% wetlands. In the case of Cranberry Creek, PADEP is proposing all of Cranberry Creek receive EV designation with the exception of the upper east tributary that has DEP station 1CC near the confluence. This current change in designation DEP proposed would add 10.25 miles of EV streams to Chapter 93 and partially reflects the EV designation sought in the petitions submitted by Brodhead Watershed Association in 2014 and the Upper Regional Upgrade Delaware petition submitted in 2011. If DEP were to expand to include all of Cranberry Creek, it would add an additional 3.07 miles of EV. DRN requests that DEP re-examine that excluded section of Cranberry in the future after this specific bundle is fully approved. DRN's reasons for further review of the excluded headwater are outlined in our 2018 comment on the DEP Cranberry stream report.

When we protect our clean streams, we protect a vital economy, our health and our wellbeing. During COVID this has come abundantly clear with many people flocking to our regional EV and HQ streams and forests to enjoy healthy recreation. DRN's 2010 River Values Report highlighted many of the benefits 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 DEP and the EQB move this stream bundle package and all languishing petitions forward for the benefit of clean streams and clean water. 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. DRN would also finally like to echo EPA's August comments regarding the requirement of a Use Attainability Analysis (UAA) for any proposed downgrades being considered.

Thank you for your time and taking on this important work for the benefit of clean water and we appreciate and are delighted this bundle of streams is finally almost through the lengthy regulatory process.

Sincerely,



Maya K. van Rossum  
the Delaware Riverkeeper