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Fisheries data in clean water protection



- Multiple pathways under the Clean Water Act to evaluate uses
- Trout populations are one method to achieve higher stream protections and antidegradation standards under the Clean Water Act
- Assessments of fisheries integrates aquatic life and recreational uses



Wild Trout Stream Designations - Pennsylvania

- ❖ **Wild Trout** = Cold Water Fishes (CWF); evidence of natural reproduction (young fish)
- ❖ **Class A** = High Quality – Cold Water Fishes (HQ-CWF); species and biomass
- ❖ **Wilderness Trout Streams** = Exceptional Value (EV); species and landscape factors
- ❖ Wetlands contiguous to all wild trout waters = EV
- ❖ NY, MD, WV, VA have similar links to Clean Water Act protections using fisheries communities



Why are designations important?



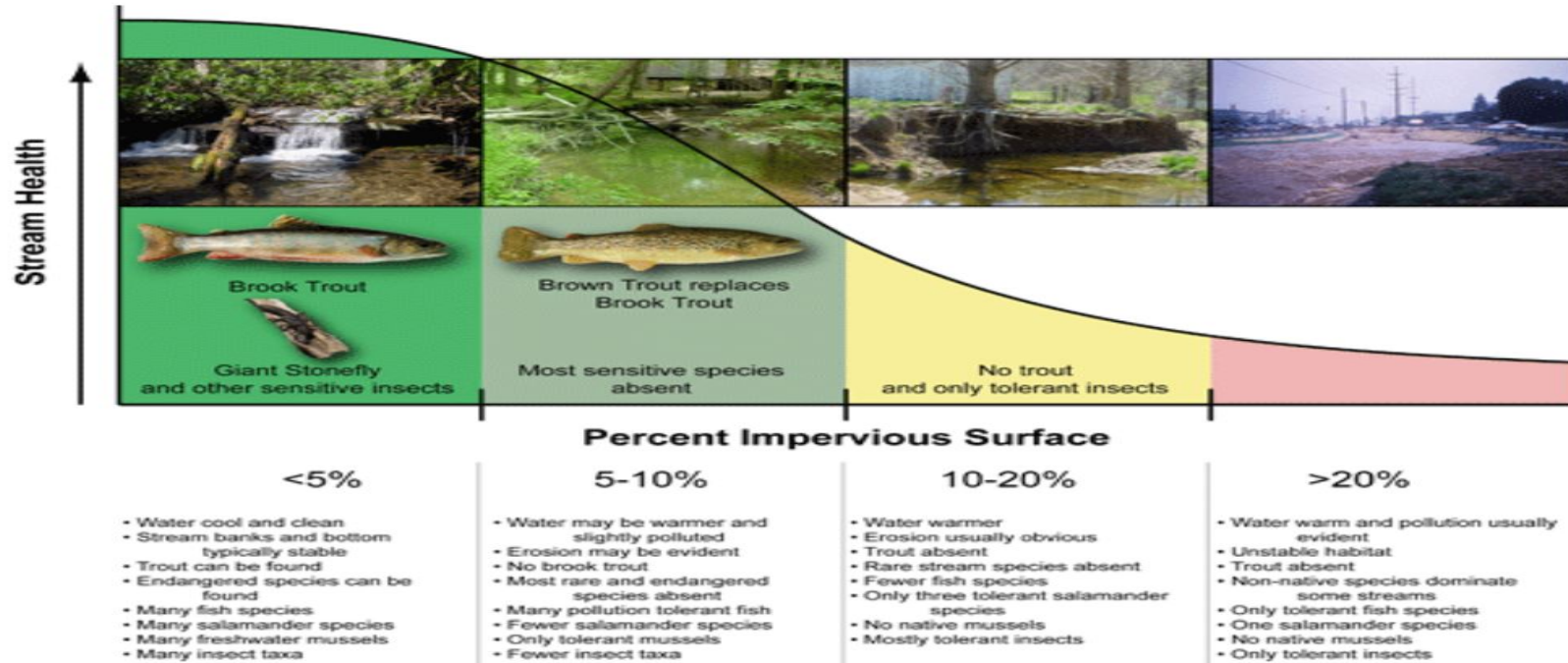
HQ/EV designation



- More stringent discharge limits
- Riparian buffer requirements (150 feet each side of stream)
- Enhanced BMPs

Also priority in restoration/protection and funding opportunities

Trout are canaries in the coal mine – impervious surfaces example



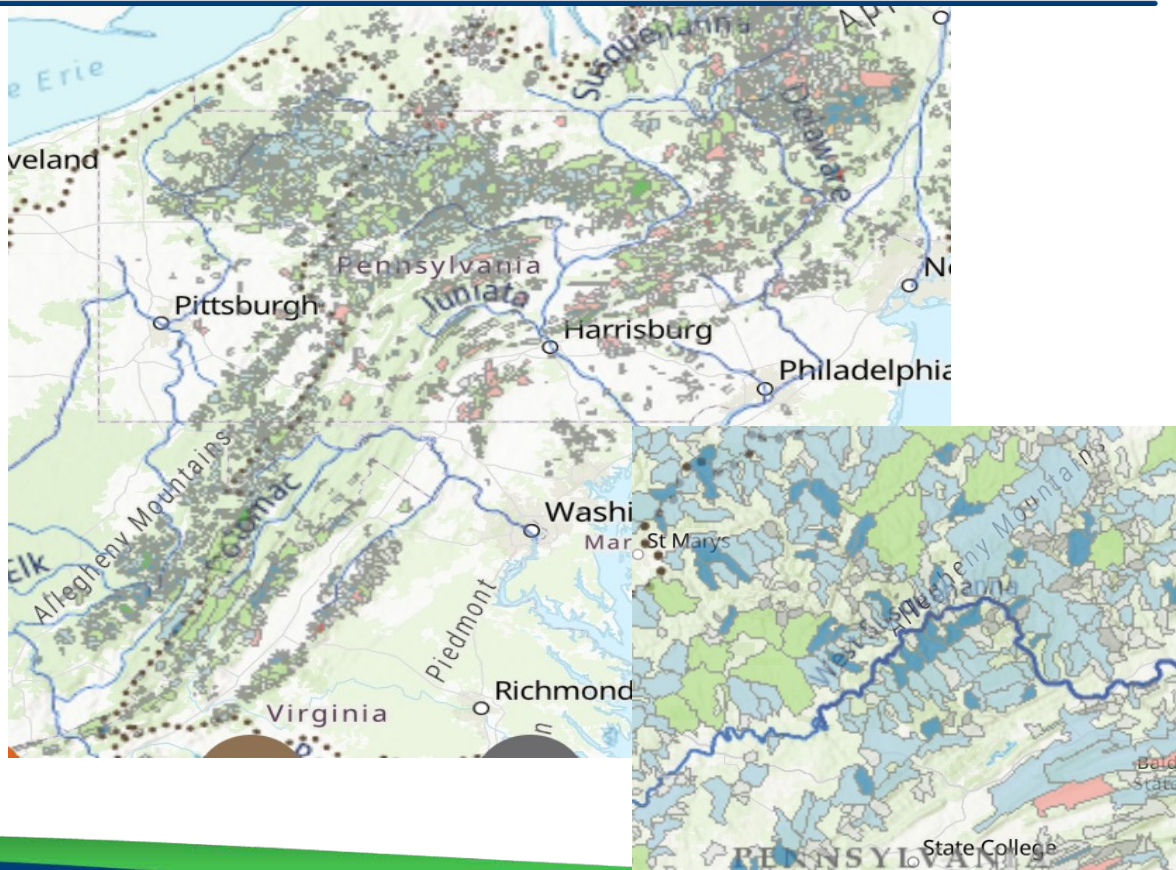
Source: Maryland Department of Natural Resources

Science/risk-based approach



- Eastern Brook Trout Portfolio
- Landscape tool that integrates spatial data to evaluate population metrics
- Temperature, habitat connectivity, fisheries communities
- Risk-based decisionmaking, including climate change

Conservation Portfolio -
Trout Unlimited

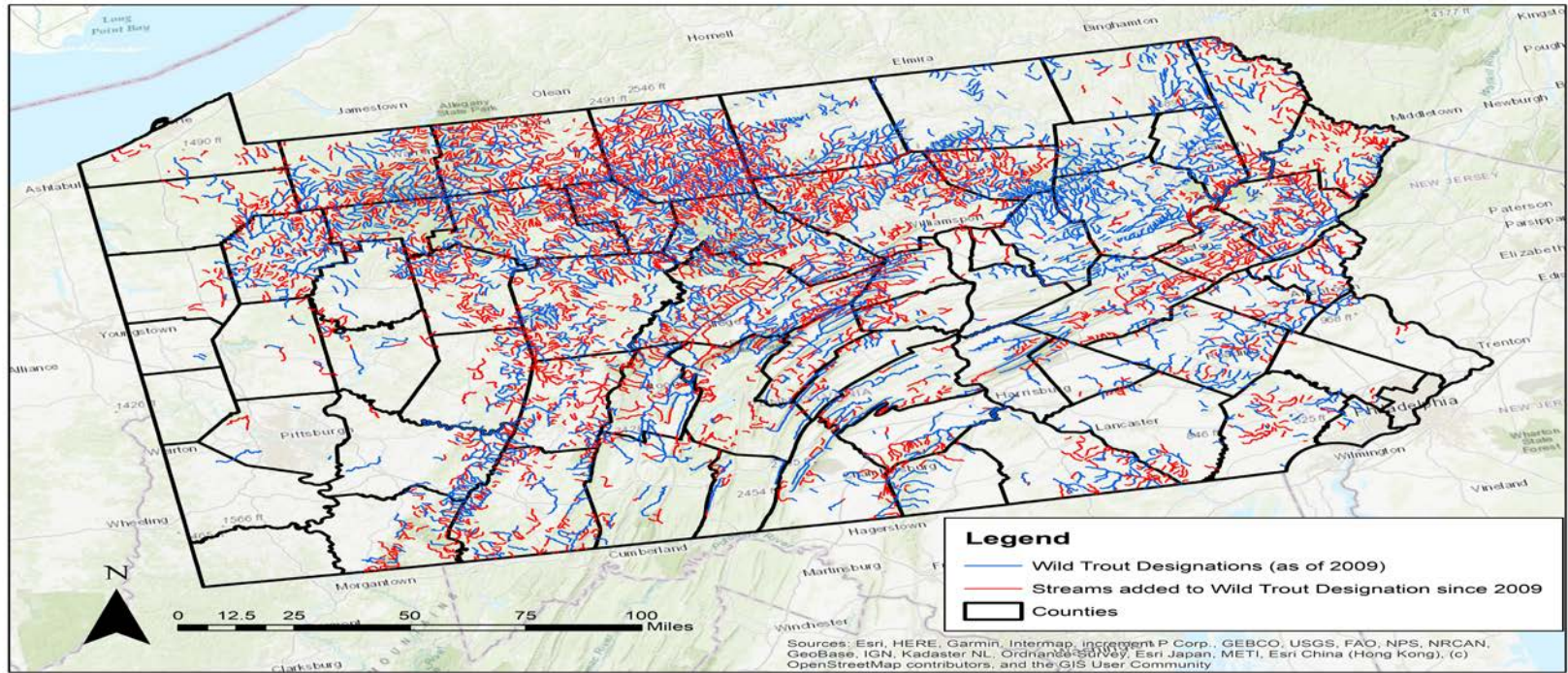


How do you do that exactly????

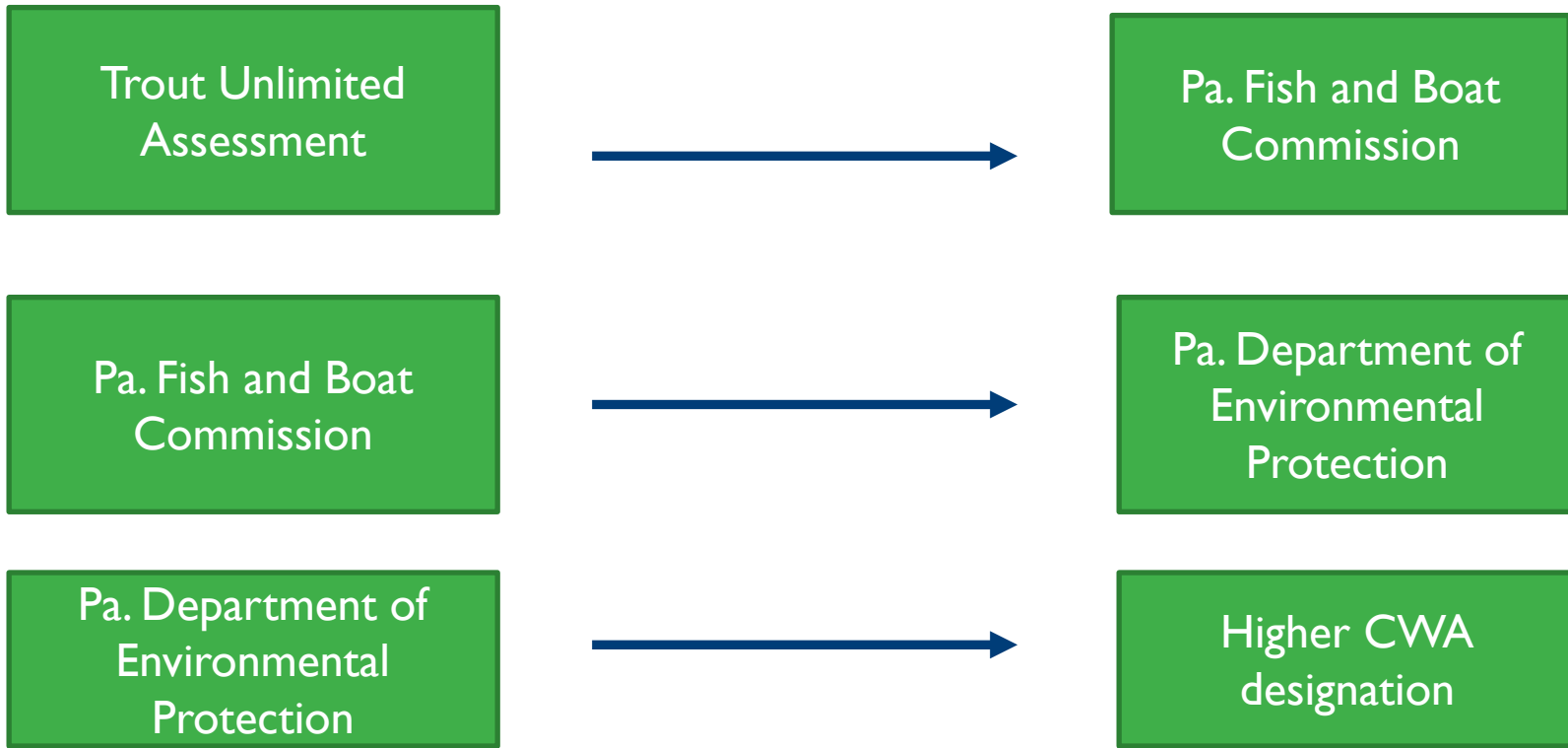


- TU has surveyed over 1500 streams since 2011; found wild trout populations average of 40% of the time, Class A 3-5% of the time
- Partner with PA Fish and Boat Commission's Unassessed Waters Initiative (TU entering 11th year)
- Cradle to grave process – assessments to higher Clean Water Act designations

Protection of Wild Trout Waters – 2009-2018



What is the use designation upgrade process?



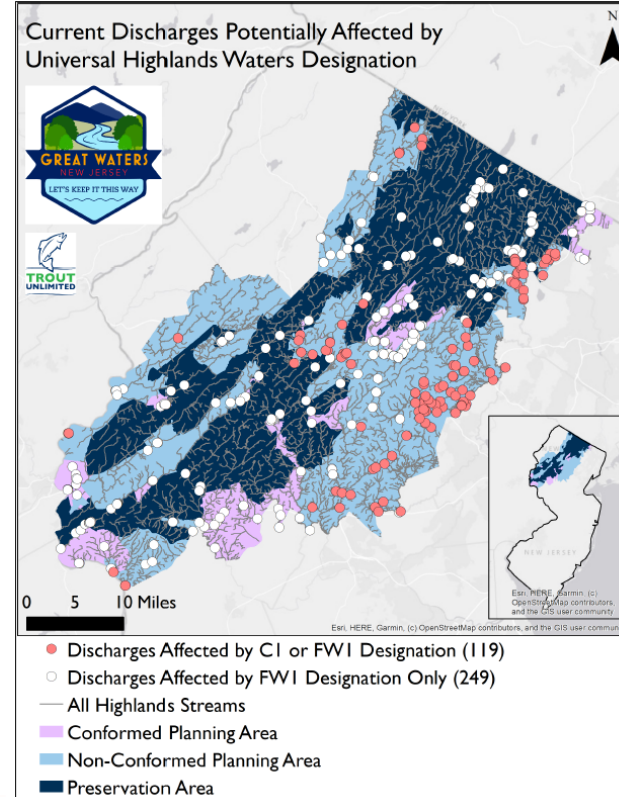
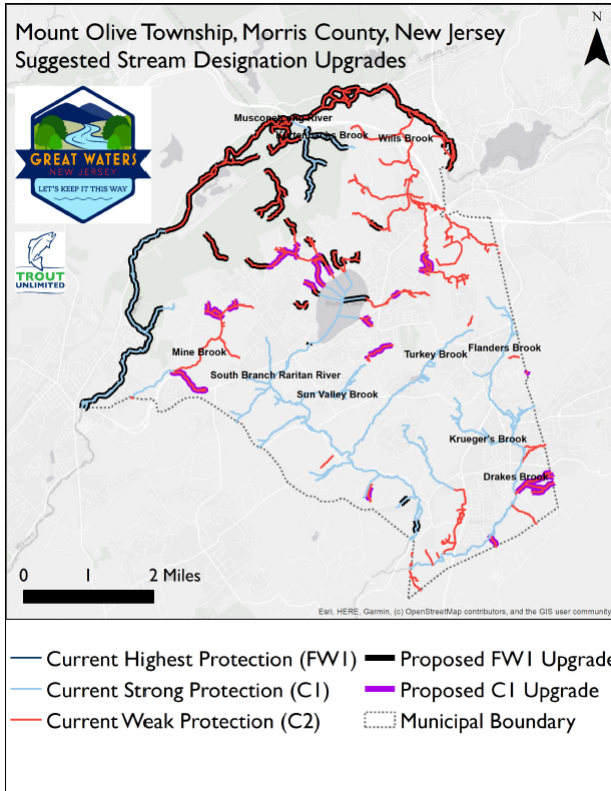
But challenges remain.....



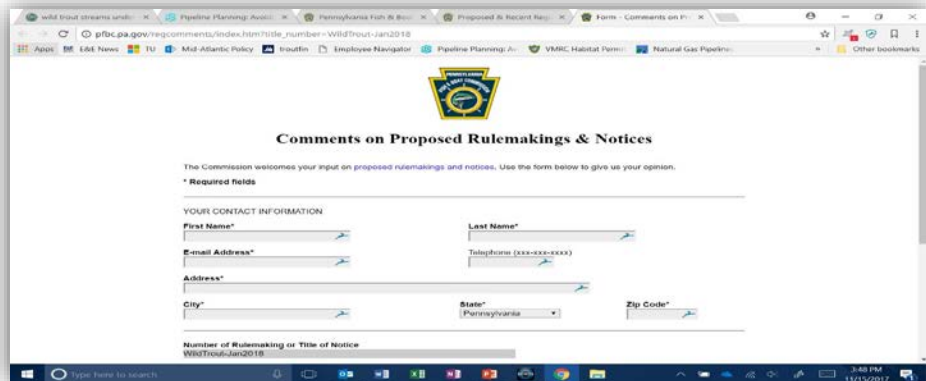
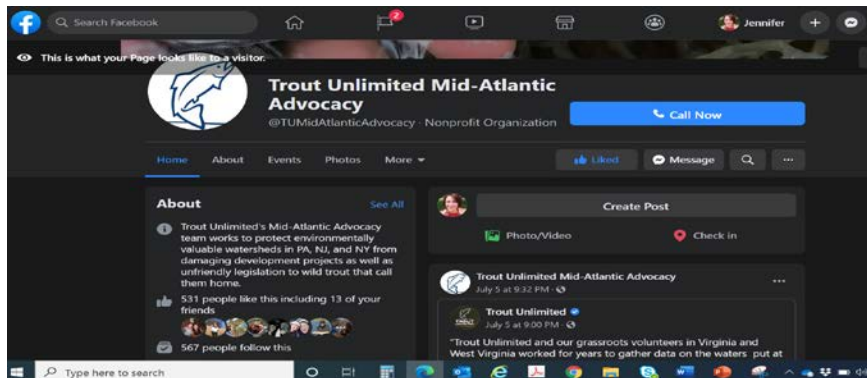
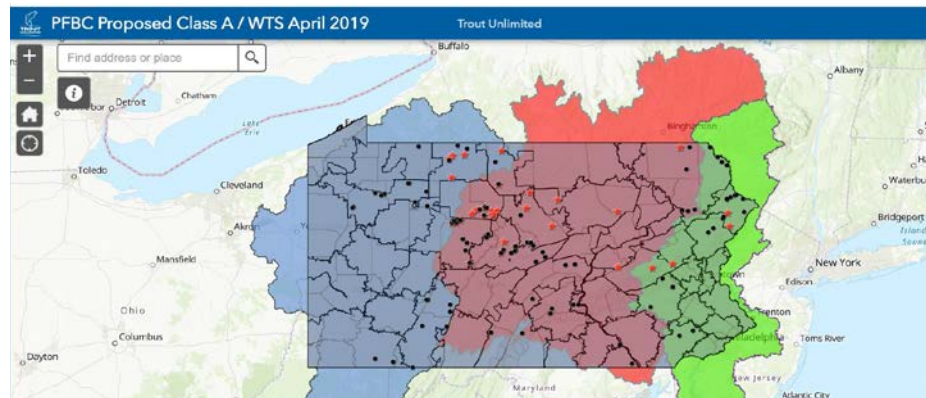
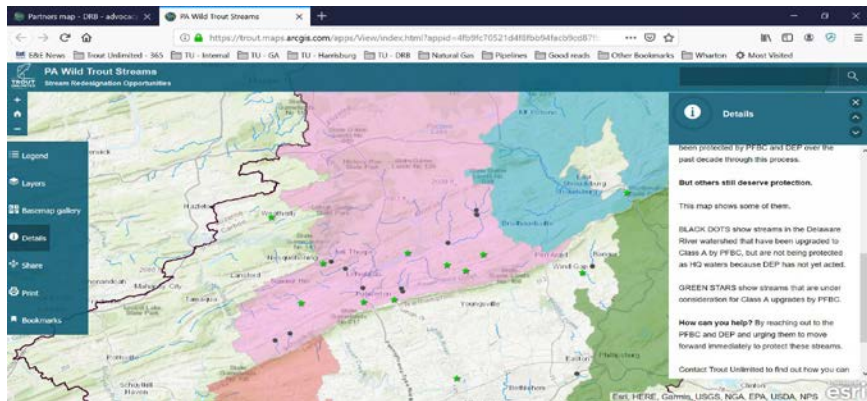
How it should work after Class A listing by PFBC

- ✎ PA Department of Environmental Protection (PADEP) lists streams as HQ on its **Existing Use** list; this ensures immediate protection until formal rulemaking
- ✎ Formal rulemaking to upgrade **Designated Use**

Policy Analysis/Policymaker Outreach



Public education and engagement



Pros and cons



Pros

- Surveys are quick (1.5 hours/site)
- Assessment costs much less than restoration costs per mile (\$156.25)
- Enhanced protections also include riparian areas and wetlands (in Pa.)
341 stream miles = 12,400 acres buffers, 19,102 acres wetlands
- Approach can be used in most Bay watershed jurisdictions

Cons

- Regulatory process of changing uses is slow (assessment to CWA designation in PA is about 5-8 years)
- How do we protect existing uses between Pa. Fish and Boat Commission listing and Pa. DEP CWA use change?
- Recreational stakeholders do not always appreciate the importance of initial designation by Pa. Fish and Boat Commission in CWA protections