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July 8, 2019

Mark Brickner, DEP Division of Water Quality  
Department of Environmental Protection, Water Quality Standards  
Rachel Carson State Office Building  
400 Market Street  
Harrisburg, PA 17105-8774

RE: Exceptional Value status for the Lower Tohickon Creek

Dear Mr. Brickner,

On behalf of the Bucks County Planning Commission and its Board, I am writing to urge the Pennsylvania Department of Environmental Protection (PADEP) to recommend an upgrade of the Lower Tohickon Creek to Exceptional Value (EV), and to reject PADEP's recommendation to downgrade and weaken protections for the Lower Tohickon Creek by re-designating it from its current Cold Water Fishery, Migratory Fishery status to Trout Stocked Fishery. Further, it is premature to consider a downgrade without further evaluation of adverse water quality impacts from the water-release management from Nockamixon Dam.

Since 1995, the petitioners along with many local, regional and government representatives and agencies, EAC's, non-profit organizations and hundreds of community members have submitted significant feedback and data in support of an EV designation. Many local, regional, and national conservation and protection measures have been put in place. Various studies, volunteer monitoring efforts, conservation plans, and supplements have been undertaken. Riparian and open space lands have been protected. Lake Nockamixon's dam release valve has been repaired. All of these efforts have been shared with the PADEP to advance this EV petition for the Lower Tohickon Creek to secure the additional state protections it deserves.

The Lower Tohickon Creek deserves the state's EV protection for many reasons including:

- The Lower Tohickon Creek is designated as a Critical Treasure of the Appalachian Highlands, a federally designated area of national conservation importance (Highlands Conservation Act, 2004) for its high-priority natural areas and diversity of rare habitats.
- The Lower Tohickon Creek is recognized as part of the Wild & Scenic Rivers complex and an integral tributary to the Lower Delaware National Wild and Scenic River that was designated in 2000. The Tohickon Creek meets all five Outstandingly Remarkable Values (ORV's) –those characteristics that make a river worthy of special protection, including hydrological, cultural, ecological, recreational and scenic values. In order to be assessed as outstandingly remarkable, a river-related value must be a unique, rare, or exemplary feature that is significant at a comparative regional or national scale. The Lower Tohickon Creek's OVR scores were higher than some existing EV streams included in the report.



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- Tincum, Bedminster, Nockamixon and Plumstead Townships and Bucks County Planning Commission have identified Lower Tohickon Creek for Priority Open Space Protection, with surface water quality requirements and special zoning districts.
- All townships have adopted protective planning, zoning, and legislation to include protected public parklands and open space, buffer zones, stream setbacks, low-density development, erosion and sedimentation controls, on-lot sewage restrictions, and stormwater management.
- All these protective measures, already in place in Tincum, Bedminster, Nockamixon and Plumstead Townships, enhance water quality protection and are coupled with an interest in real estate, including permanently protected fee owned, conservation easements, park lands and natural areas.

The state's protection is essential considering the growing threats we face from increasing development and discharge pressure, climate change causing warming stream temperatures, and more frequent flooding and drought extremes. A downgraded designation would allow warmer water and potentially polluting discharges to the Tohickon Creek, degrading its exceptional recreational, drinking water, ecological and scenic qualities forever. For these reasons, we strongly support a re-designation of the Lower Tohickon Creek to Exceptional Value status.

Thank you for your time and consideration.

Sincerely,

**Bucks County Planning Commission**

A handwritten signature in black ink, appearing to read "Evan J. Stone". The signature is stylized and cursive.

Evan J. Stone, PLA  
Executive Director