

# Environmental Review and Permitting for Wild Trout

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**Wild Trout Summit**  
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*The mission of the Pennsylvania Fish and Boat Commission is to protect, conserve, and enhance the Commonwealth's aquatic resources and provide fishing and boating opportunities.*



**How are wild trout streams  
managed, regulated or  
protected?**

**Who manages wild trout  
streams?**



- US Army Corps of Engineers
- Environmental Protection Agency
- US Fish and Wildlife Service
- PA Department of Environmental Protection
- PA Fish and Boat Commission
- Conservation Districts



## PA Department of Environmental Protection

- Pennsylvania Code
  - Title 25. Environmental Protection
    - Chapter 105. Dam Safety and Waterway Management
    - Chapter 93. Water Quality Standards

## PA Fish and Boat Commission

- Pennsylvania Code
  - Title 58. Recreation
    - Chapter 57. Statements of Policy
- Pennsylvania Fish and Boat Code
  - Title 30. Chapter 25. Protection of Property and Waters



The Pennsylvania Department of Environmental Protection and the Pennsylvania Fish and Boat Commission share a cooperative role in wild trout stream management and protection!



We have heard about the:

- definition of a wild trout stream
- distribution of wild trout streams
- miles of wild trout streams
- biomass criteria of wild trout streams

Now let's talk about how that information provides protection through the permit process



# Chapter 93 Water Quality Standards



# Chapter 93 Water Quality Standards

Compilation of streams with assigned aquatic life use designations:

WWF	Warmwater Fishes
TSF	Trout Stocked Fishes
CWF	Coldwater Fishes
HQ	High Quality
EV	Exceptional Value



# Special Protection Waters

## High Quality Waters

Twelve chemical parameters better than levels necessary to support the propagation of fish...

Macroinvertebrate community score of  $\geq 83\%$  when compared to a reference stream

## Class A wild trout stream



# Special Protection Waters

## Exceptional Values Waters

Only discharges that produce a non-degrading effluent

Macroinvertebrate community score of  $\geq 92\%$  when compared to a reference stream

## Wilderness trout stream



# **Regulatory benefits of listing wild trout streams**

**Chapter 93.4b Exceptional Value**

**Wilderness trout stream designation by PFBC**

**Chapter 93.4b High Quality**

**Class A wild trout stream**



# Chapter 105 Dam Safety and Waterway Management



**PA DEP regulates water obstructions  
and encroachments involving  
streams, rivers, lakes and wetlands**

**Protect public health and safety  
and the environment**



# **Water obstruction**

**Anything located in, along or across or projecting into a watercourse, floodway or body of water**

**Examples: dike, bridge, culvert, wall, fill, pier and embankment**





# Encroachment

**Any structure or activity that changes the course, current or cross section of a body of water**

**Examples: channel relocation, dredging, gravel bar removal, wetland fill or excavation**





# DEP Dam Safety and Waterway Management Permit includes:

Legal authorizations and protections

Construction requirements and procedures

Operation, maintenance, and inspection guidance

Special conditions



# The role of the PFBC in the permitting process

Compliance by the dam, water obstruction or encroachment with applicable laws administered by the Department, the **Fish and Boat Commission** and river basin commissions created by interstate compact. 25 Pa. Code § 105.14 (b) (6).





PFBC does not issue Encroachment Permits

**PFBC reviews permit applications**

PFBC is a commenting agency

# PFBC concerns for wild trout

Population identification and critical life history protection

- Spawning
- Egg development
- Fry escapement

Habitat

Ecosystem connectivity

Recreation



# Wild trout protection mechanisms

## Instream Construction Restriction Periods

<b>Wild Trout</b>	<b>October 1 – December 31</b>
<b>Class A Wild Trout</b>	<b>October 1 – April 1</b>

**Fish passage**

**Box Culvert Designs**



# Fish Passage

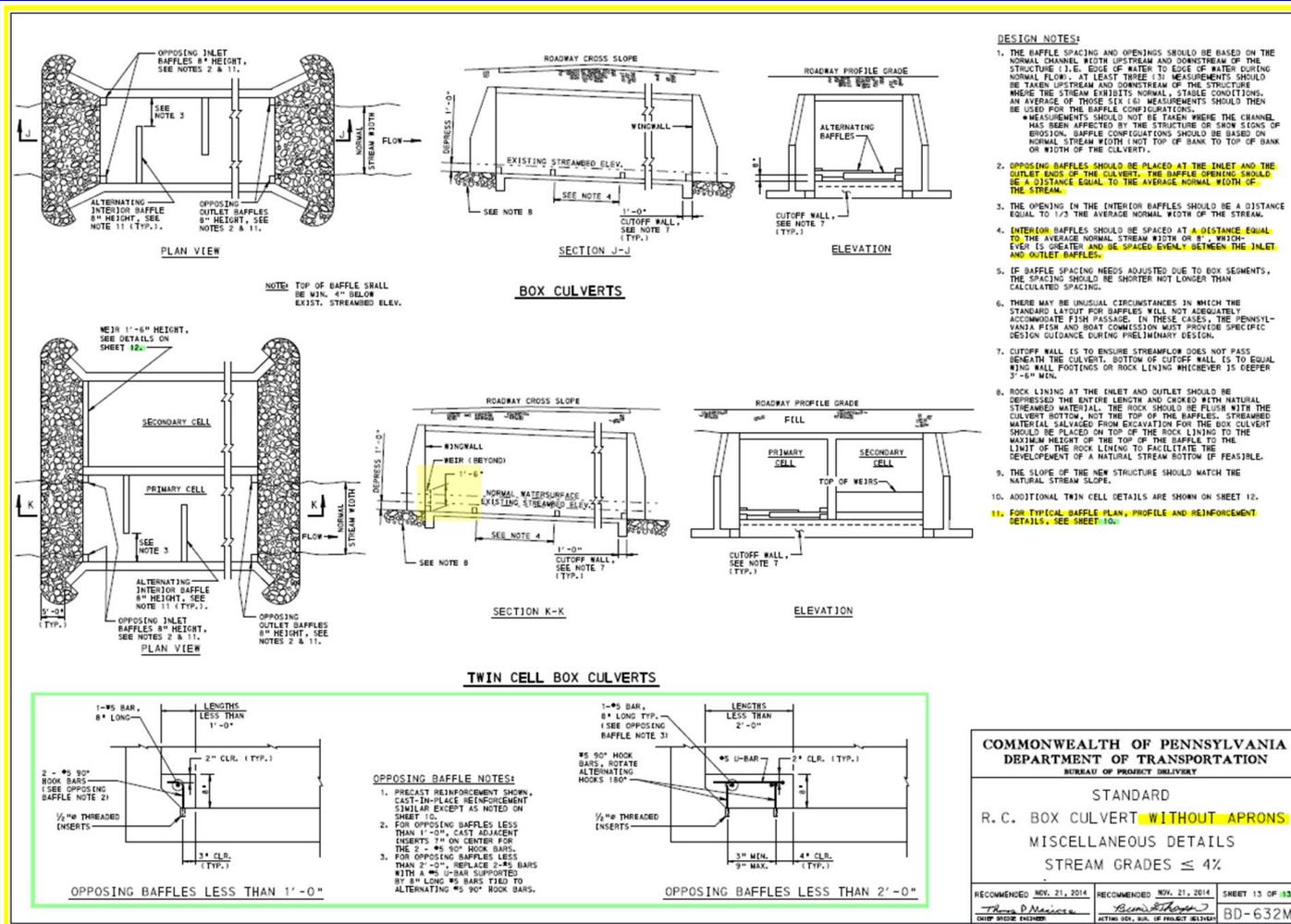
## Maintaining ecosystem connectivity





08/11/2009

# PennDOT Design Manual



# Standardized fish passage on a statewide scale



# Culvert design benefits

- Eliminates sheet flow to create a normal width channel at inlet/outlet with proper flow depth
- Helps bedload movement through structure minimizing future debris removal/maintenance
- Provides fish and aquatic life passage and supports ecosystem connectivity

# Maintaining pasture connectivity?



# Another regulatory benefit of wild trout stream listings

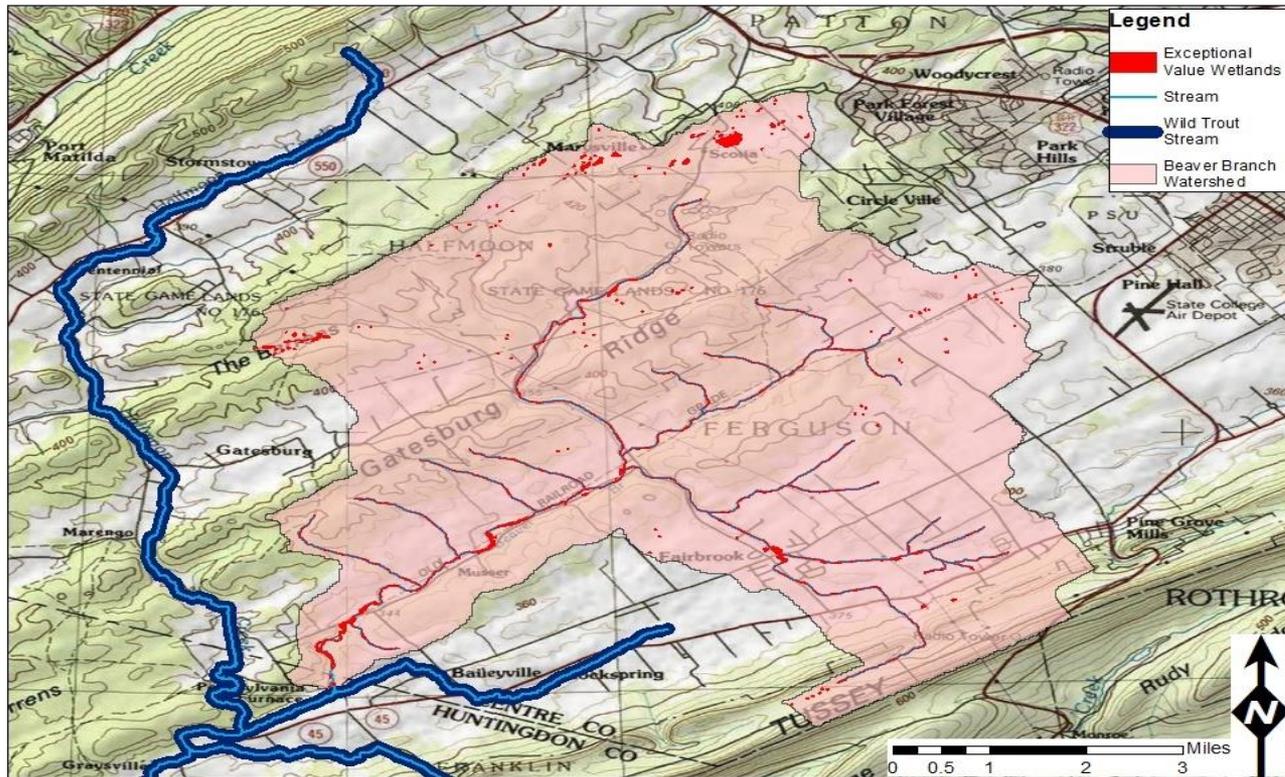
Title 25. Chapter 105 – **Wetlands**

Wetlands that are located in or along the floodplain of the reach of a **wild trout stream**, and the floodplain of streams tributary thereto. 25 Pa. Code § 105.17 (iii)

Exceptional Value Wetlands



# Exceptional Value Wetlands



# **Program Benefits**

## **Aquatic Resource Protection**

**Protect, Conserve, Enhance**



# Recreation





**Questions....**