

NEWS RELEASE

From the Brodhead Watershed Association

FOR IMMEDIATE RELEASE

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PennFuture and Brodhead Watershed Association earn legal victory for Exceptional Value streams in Poconos

Mount Pocono, Pa. – Today, PennFuture and the Brodhead Watershed Association (BWA) won a battle for clean streams in the Poconos when a challenge to the “Exceptional Value” of four streams was dismissed by the Environmental Hearing Board (EHB).

The case was brought by a coalition of Monroe County developers and businesses, spuriously calling themselves the Monroe County Clean Streams Coalition, who challenged the Pennsylvania Department of Environmental Protection’s (DEP) independent analyses and conclusions that four streams in Monroe County had an existing use of “Exceptional Value,” which affords those streams the highest protections from degradation.

“Today, clean water advocates and businesses that rely on clean water for their existence – the true protectors of Pocono’s streams – prevailed,” said Jacquelyn Bonomo, PennFuture president and CEO. “PennFuture knows that clean streams are important to our environment, our health, and our economy. We will continue to stand up against those who threaten our most pristine Pennsylvania resources.”

Intervenors PennFuture and BWA joined DEP’s motion to dismiss the legal challenge, arguing that merely putting a waterbody on DEP’s “Existing Use List” does not amount to a final agency action for which the EHB has jurisdiction. The EHB agreed and dismissed the coalition’s case in its entirety.

“In the Brodhead watershed, we are blessed with exceptional streams, which are known to our residents and visitors to this region. Even more importantly, protections for these streams are provided through DEP’s existing use process after rigorous scientific evaluation. Those that deny such things must now recognize this, and we can and will have smart economic growth in step with environmental protections,” said Bob Heil, executive director of Brodhead Watershed Association.

“With this decision, we protected not only exceptional streams in Monroe County, but waylaid an attack that could have jeopardized the very procedures in place to protect our waters throughout Pennsylvania,” PennFuture Staff Attorney Abigail M. Jones added. “PennFuture and BWA will remain vigilant to ensure that these streams – and many others in the headwaters of the Delaware – remain ‘exceptional.’”

Brodhead Watershed Association is a nonprofit environmental organization formed in 1989. BWA is dedicated to protecting and preserving water resources and the environment of the Brodhead watershed, and the water quality of the Brodhead, Cherry, Marshalls, McMichael, Paradise and Pocono creeks and their tributaries. BWA assists municipalities, residents, businesses and groups with protecting natural resources through education, workshops, seminars, public programs and stream monitoring. For information: info@brodheadwatershed.org or 570-839-1120.