

MAINE STATE LEGISLATURE

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M
R 88

L.D. 1899

DATE: 3.29.04

(Filing No. S-468)

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NATURAL RESOURCES

Reported by:

MINORITY

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STATE OF MAINE
SENATE
121ST LEGISLATURE
SECOND SPECIAL SESSION

COMMITTEE AMENDMENT "B" to S.P. 743, L.D. 1899, Bill, "An Act To Amend the Dissolved Oxygen Standard and the Bacteria Standard for Class C Waters"

Amend the bill by striking out the title and substituting the following:

'An Act To Amend the Dissolved Oxygen Standard for Class C Waters'

Further amend the bill by striking out everything after the enacting clause and before the summary and inserting in its place the following:

'Sec. 1. 38 MRSA §465, sub-§4, ¶B, as affected by PL 1989, c. 890, Pt. A, §40 and amended by Pt. B, §63, is further amended to read:

B. The dissolved oxygen content of Class C water may be not less than 5 parts per million or 60% of saturation, whichever is higher, and not less than 6.5 parts per million as a 30-day average whenever the daily water temperature is equal to or less than 24 degrees centigrade or the ambient temperature of the water body, whichever is lower, except that in identified salmonid spawning areas where water quality is sufficient to ensure spawning, egg incubation and survival of early life stages, that water quality sufficient for these purposes must be maintained. Between May 15th and September 30th, the number of Escherichia coli bacteria of human origin in these waters may not exceed a geometric mean of 142 per 100 milliliters or an instantaneous level of 949 per 100 milliliters. The board shall promulgate adopt rules

COMMITTEE AMENDMENT

2 governing the procedure for designation of spawning areas.
3 Those rules must include provision for periodic review of
4 designated spawning areas and consultation with affected
5 persons prior to designation of a stretch of water as a
6 spawning area.'

8 **SUMMARY**

10 This amendment is the minority report. The amendment
11 requires all Class C waters to meet a 6.5 parts per million
12 dissolved oxygen monthly average standard whenever the daily
13 water temperature is equal to or less than 24 degrees centigrade
14 or the ambient temperature of the water body, whichever is lower.