

MAINE STATE LEGISLATURE

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ONE HUNDRED AND FIRST LEGISLATURE

Legislative Document

No. 1500

S. P. 558

In Senate, April 2, 1963

Reported by Senator Cole of Waldo from Committee on Natural Resources.
Printed under Joint Rules No. 10.

CHESTER T. WINSLOW, Secretary

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-THREE

AN ACT to Provide Marine or Tidal Water Classifications.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. R. S., c. 79, § 2, amended. The first paragraph of section 2 of chapter 79 of the Revised Statutes is amended to read as follows:

'The commission shall have 4 standards for the classification of **fresh** surface waters ~~and tidal flats.~~'

Sec. 2. R. S., c. 79, § 2-A, additional. Chapter 79 of the Revised Statutes is amended by adding a new section 2-A, to read as follows:

'**Sec. 2-A. Standards of classification of tidal or marine waters.** The commission shall have 4 standards for the classification of tidal or marine waters as follows:

Marine waters shall include the waters of the Atlantic Ocean, its bays, inlets, etc. to mean high tide within 3 nautical miles from the coast line and all other tidal waters within the State except that in the case of tidal effect estuaries the upstream limits of tidal waters shall be that point where at mean high tide the average of 3 samples taken at the bed, at mid-depth and at the surface shall show a salinity of 5,000 parts per million or greater, or where the tidal limit for purposes of pollution control statutes is specifically defined.

The commission shall have 4 standards for classification of waters in the tidal area.

Class SA, all clean water usages. There shall be no floating solids, settleable solids, oil or sludge deposits attributable to sewage, industrial wastes or other

wastes and no deposit of garbage, cinders, ashes, oils, sludge or other refuse. There shall be no discharge of sewage which has not received a minimum of primary treatment and effective disinfection.

Waters of the SA classification shall contain not less than 6.0 parts per million of dissolved oxygen at all times. There shall be no toxic wastes, deleterious substances, colored or other wastes or heated liquids discharged to waters of this classification either singly or in combination with other substances or wastes in such amounts or at such temperatures as to be injurious to edible fish or shellfish or to the culture or propagation thereof, or which in any manner shall adversely affect the flavor, color, odor or sanitary condition thereof or impair the waters for any other best usage as determined for the specific waters assigned to this class.

The median MPN value in any series of samples representative of waters in the shellfish growing area shall not be in excess of 70 per 100 milliliters or the approximate equivalent by other methods of expression.

Class SB-1, best usage; bathing and other clean water usages. There shall be no floating solids, settleable solids, oil or sludge deposits attributable to sewage, industrial wastes or other wastes and no deposit of garbage, cinders, ashes, oils, sludge or other refuse. There shall be no discharge of sewage which has not received a minimum of primary treatment and disinfection.

Waters of the SB classification shall contain not less than 6.0 parts per million of dissolved oxygen at all times. There shall be no toxic wastes, deleterious substances, colored or other wastes or heated liquids discharged to waters of this classification either singly or in combination with other substances or wastes in such amounts or at such temperatures as to be injurious to edible fish or shellfish or to the culture or propagation thereof, or which in any manner shall adversely affect the flavor, color, odor or sanitary condition thereof; and otherwise none in sufficient amounts to make the waters unsafe or unsuitable for bathing or impair the waters for any other best usage as determined for the specific waters which are assigned to this class.

The median MPN value in any series of samples representatives of waters in the shellfish growing area shall not be in excess of 240 per 100 milliliters or the equivalent by other methods of expression.

Class SB-2, best usage; recreational usages, except bathing; and fisheries. There shall be no floating solids, settleable solids, oil or sludge deposits attributable to sewage, industrial wastes or other wastes and no deposit of garbage, cinders, ashes, oils, sludge or other refuse. There shall be no discharge of sewage which has not received a minimum of primary treatment and disinfection.

Waters of the SB-2 classification shall contain not less than 6.0 parts per million of dissolved oxygen at all times. There shall be no toxic wastes, deleterious substances, colored or other wastes or heated liquids discharged to waters of this classification either singly or in combination with other substances or wastes in such amounts or at such temperatures as to be injurious to edible fish or to the culture or propagation thereof, or which in any manner shall adversely affect the flavor, color or odor thereof; and otherwise none in sufficient amounts to

make the waters unsafe or unsuitable for any other best usage as determined for the specific waters which are assigned to this class.

The median MPN value in any series of samples representatives of waters in this classification shall not be in excess of 1,000 per 100 milliliters or the equivalent by other methods of expression.

Class SC, best usage; sport and other fisheries and any other usages except bathing. There shall be no floating solids, settleable solids, oils or sludge deposits readily visible and attributable to sewage, industrial wastes or other wastes or which deleteriously increase the amounts of these wastes in receiving waters after opportunity for reasonable dilution and mixture with the wastes discharged thereto. There shall be no deposit of garbage, cinders, ashes, oils, sludge or other refuse in waters of this classification.

Waters of the SC classification shall contain not less than 5.0 parts per million of dissolved oxygen. There shall be no toxic wastes, deleterious substances, colored or other wastes or heated liquids discharged to waters of this classification either singly or in combination with other substances or wastes in such amounts or at such temperatures as to be injurious to edible fish or shellfish or the culture and propagation thereof, or which in any manner shall adversely affect the flavor, color, odor or sanitary condition thereof or impair the waters for any other best usage as determined for the specific waters which are assigned to this class.

Class SD, best usage; any usage except fishing or bathing. There shall be no floating solids, settleable solids, oils or sludge deposits readily visible and attributable to sewage, industrial wastes or other wastes or which deleteriously increase the amounts of these constituents in receiving waters after opportunity for reasonable dilution and mixture with the wastes discharged thereto. There shall be no deposit of garbage, cinders, ashes, oils, sludge or other refuse in waters of this classification.

Waters of the SD classification shall contain dissolved oxygen at all times in quantities adequate to prevent odor nuisances due to anaerobic decomposition.

There shall be no toxic wastes, oil, deleterious substances, colored or other wastes singly or in combination with other substances or wastes in such amounts as will impair the waters for any other best usage as determined for the specific waters assigned to this class.'

Sec. 3. R. S., c. 79, § 15, amended. That part of section 15 of chapter 79 of the Revised Statutes, as amended, which relates to classification definitions of Tidal Waters in the several counties is repealed and the following enacted in place thereof:

'Cumberland County

All tidal waters of Cumberland County with the exception of those in or bordering on the tidal estuary of the Androscoggin River and Merrymeeting Bay.

Tidal waters of the Town of Brunswick except those in or bordering on the tidal estuary of the Androscoggin — Class SB-1.

Cape Elizabeth

I. All tidal waters of Cape Elizabeth not otherwise specified — Class SB-2.

II. From a point where longitude $70^{\circ}-16'-40''$ (just north of Higgins Beach) crosses the Scarborough mainland to a point where longitude $70^{\circ}-16'-14''$ (about one mile south of the mouth of the Spurwink River estuary) crosses the Cape Elizabeth mainland, including the Spurwink River estuary to head of tide and tidal tributaries thereof — Class SC.

III. Waters surrounding Richmond Island — Class SB-1.

IV. From the southernmost point of land at Mackenney Point to the easternmost point of land on the Cape Elizabeth mainland — Class SA.

V. From a point directly west of Chimney Rock to the Cape Elizabeth-South Portland line — Class SC.

Cumberland

I. From Cumberland-Falmouth town line to Cumberland-Yarmouth town line — Class SB-2.

II. Waters of Great Chebeague Island not specifically designated — Class SA.

III. Waters of Great Chebeague Island from the northernmost point of land southeast to latitude $43^{\circ}-45'$ (approximately $\frac{1}{2}$ mile of shoreline) — Class SB-1.

IV. Waters of Great Chebeague Island in Coleman Cove east of longitude $70^{\circ}-07'-37''$ — Class SB-2.

V. Waters surrounding islands in the Town of Cumberland not specifically designated — Class SA.

Falmouth

I. Presumpscot River estuary from head of tide to Route 9 crossing — Class SD.

II. Presumpscot River estuary from the Route 9 crossing to the Route 1 crossing — Class SC.

III. From the Route 1 crossing northeast to a point where longitude $70^{\circ}-13'-40''$ (9 about 1 mile north of Mackworth Point) crosses the Falmouth mainland — Class SC.

IV. Waters surrounding Mackworth Island — Class SC.

V. All other waters of Falmouth not otherwise designated — Class SB-2.

Freeport

I. All waters in the Town of Freeport — Class SB-2.

Harpswell

I. All waters in the Town of Harpswell — Class SB-1.

Portland

- I. All tidal waters within the City of Portland not otherwise specified — Class SC.
- II. All tidal waters east of longitude $70^{\circ}-10'$ not otherwise specified — Class SA.
- III. Northerly shore line of Fore River and Portland Harbor from the Vaughn Bridge crossing to the most easterly point of land on the Portland mainland — Class SD.
- IV. All waters west of Tukey Bridge which includes Back Cove — Class SD.
- V. Presumpscot River estuary from head of tide to Route 9 bridge — Class SD.
- VI. Waters of Peaks Island from the most northerly point of land on the island to a point where latitude $43^{\circ}-39'-52''$ crosses the easterly shoreline (approximately 1 mile of shoreline) — Class SB-2.
- VII. Waters of Peaks Island from a point where latitude $43^{\circ}-39'-52''$ crosses the easterly shore line to the southernmost point of land on the island — Class SB-1.
- VIII. Waters on the easterly shore of Little Diamond Island from the southernmost point of land to the northernmost point of land on the island — Class SB-2.
- IX. From the most westerly point of land on Long Island to the most northerly land formation on the island — Class SB-2.
- X. From the most northerly land formation on Long Island to the most westerly point of land on the island in a southeasterly direction with the exception of Harbor Grace north of latitude $43^{\circ}-41'-21''$ — Class SB-1.
- XI. Waters of Harbor Grace north of latitude $43^{\circ}-41'-21''$ on Long Island — Class SB-2.
- XII. Waters on the easterly shore line of Cushing Island from the northernmost point of land to the southernmost point of land on the island — Class SB-2.

Scarboro

- I. All tidal waters in the Town of Scarboro not otherwise designated — Class SB-2.
- II. Nonesuch River estuary from head of tide to the B. & M. (Dover line) railroad crossing — Class SC.
- III. Little River estuary from head of tide to its confluence with the Scarboro River and tidal tributaries thereof — Class SC.
- IV. Dunstan River estuary from head of tide to its confluence with the Scarboro River, and tidal tributaries thereof — Class SC.

V. Libby River estuary from head of tide to a point where longitude $70^{\circ}-19'$ (about $1\frac{1}{2}$ miles below the Route 207 crossing) crosses the estuary, and tidal tributaries thereof — Class SC.

VI. From a point directly west of the most northerly point of land on Shooting Rock Island to a point where longitude $70^{\circ}-16'-40''$ crosses the Scarborough mainland (just north of Higgins Beach) — Class SB-1.

VII. From a point where longitude $70^{\circ}-16'-40''$ crosses the Scarborough mainland to a point where longitude $70^{\circ}-16'-14''$ (a point about a mile south of the confluence of the Spurwink River estuary) crosses the Cape Elizabeth mainland including the Spurwink River estuary to head of tide and tidal tributaries thereof — Class SC.

Yarmouth

I. All tidal waters of the Town of Yarmouth not otherwise designated — Class SB-2.

II. Waters of Little John Island from the northernmost point of land on the island southeast to a point where longitude $70^{\circ}-07'-32''$ intersects the shore line — Class SB-1.

Hancock County

Brooksville

I. Tidewaters forming the estuary known as Bagaduce River in the Town of Brooksville and east of a point of land at approximately N. $44^{\circ}-24'$ by W. $68^{\circ}-46.3'$ (just south of Lords Cove) — Class SA.

Castine

I. Tidewaters between a point on Dice Head due south of the lighthouse to the point of land at approximately N. $44^{\circ}-24'$, W. $68^{\circ}-47'$ — Class SB-2.

II. Tidewaters of the estuary known as Bagaduce River bordering on Castine east of a point of land at approximately N. $44^{\circ}-24'$ — Class SA.

Penobscot

I. Tidewaters of the estuary known as Bagaduce River bordering on Penobscot — Class SA.

Sedgwick

I. Tidewaters of the estuary known as Bagaduce River bordering on Sedgwick — Class SA.

Knox County

General Classification — Tidewaters of Knox County not otherwise specifically designated — Class SA. (Includes: Cushing, Warren, Thomaston)

Camden

I. Tidewater bordering Camden from Northeast Point to Ogier Point except that assigned to Class "C" — Class SB-1.

II. Tidewater bordering Camden from Metcalf Point to Eaton Point — Class SC.**Friendship**

I. Tidewaters of Friendship Harbor north of a line drawn from the point of land opposite the northerly tip of Garrison Island to Jameson Point — Class SC.

North Haven

I. Shore line of North Haven for $\frac{1}{2}$ mile east of the point of land on the eastern side of Brown's Cove — Class SB-2.

Owls Head

I. Tidewaters from the point of land immediately southwest of Crescent Beach to the Owls Head-Rockland town line — Class SC.

Rockland

I. All tidewaters in the City of Rockland — Class SC.

Rockport

I. Rockport Harbor north of a line extended due east from end of Sea Street, near Harkness Brook — Class SC.

II. Tidewater from Rockland Town Line to the next point of land to the north — Class SC.

III. Clam Cove in Rockport from Brewster Point to Pine Hill — Class SB-2.

IV. Rockport Harbor north of a line due west of Beauchamp Point except that portion assigned to Class "C" — Class SB-1.

St. George

I. Tidewaters between a point 100 yards south of the cannery at Port Clyde and the point of land west of Fish Cove — Class SC.

II. Tenants Harbor west of a North-South line at the harbor entrance (approximately longitude $69^{\circ}-12'$ W.) — Class SC.

III. Small Cove just northeast of Tenants Harbor, north of a line drawn due west from point of land forming east side of cove — Class SB-1.

IV. Tidewaters between Marshall Point and Hooper Point not assigned to Class "C" — Class SB-1.

South Thomaston

I. Northerly cove of Seal Harbor near Sprucehead — Class SB-1.

II. Shore line St. George River south of Hospital Point — Class SB-1.

III. Weskeag River north of a line due west from Hayden Point — Class SB-1.

Vinalhaven

I. Tidewaters of Carvers Harbor and Sand Cove from the point on the south side of Sand Cove to the bridge to Lane Island — Class SB-2.

Warren

I. Tidewaters of Oyster River — Class SB-1.

Lincoln County**Alna**

Boothbay — All tidewaters within the Town of Boothbay — Class SB-1.

Boothbay Harbor

I. Tidal waters bordering the Town of Boothbay Harbor northerly of a line drawn due east from the point of land off Commercial Street nearest McFarland Island — Class SB-2.

II. Tidal waters not otherwise classified within the Town of Boothbay Harbor — Class SB-1.

Bremen — All tidewaters within the Town of Bremen — Class SA.

Bristol

I. All tidewaters not otherwise described or classified within the Town of Bristol — Class SA.

II. Pemaquid Harbor and New Harbor, including back cove in Bristol from Fish Point to a point 100 yards east of Gilbert's Wharf — Class SC.

III. Tidewaters in the Town of Bristol from Fish Point to the point of land east of Johns River, except that segment assigned to Class SC, and Round Pond Harbor inside the closest points on north and south — Class SB-2.

IV. Tidewater of Long Cove north of a line drawn due west from the point of land extending southward on the east side of the cove — Class SB-1.

Damariscotta

I. All tidal waters not otherwise described or classified — Class SB-1.

II. Tidewaters from a point one mile above the Route 1 Bridge in Damariscotta to the point of land opposite the Damariscotta Hospital — Class SC.

Edgecomb

I. All tidal waters bordering the easterly shore line of Edgecomb — Class SA.

Newcastle

I. Tidal waters not otherwise classified or described within the Town of Newcastle on its easterly shoreline — Class SA.

II. Tidewater from head of tide at Damariscotta Mills in Newcastle south to the Railroad Bridge — Class SC.

III. Tidewaters from the Railroad Bridge at Damariscotta Mills south to a point opposite the Old Folks Home — Class SB-1.

IV. Tidewaters on either side of Route 1 Bridge from a point opposite the Old Folks Home to a point 1,000 feet above the Bridge — Class SC.

V. Tidewaters of the Damariscotta River from a point 1,000 feet above the Route 1 Bridge south to Little Point — Class SB-1.

Nobleboro

I. Head of tide at Damariscotta Mills in Nobleboro to railroad bridge — Class SC.

II. Tidewaters in Nobleboro not otherwise classified or described — Class SB-1.

South Bristol

I. All tidewaters within the Town of South Bristol not otherwise classified or described — Class SA.

II. Tidewaters south of a line drawn due east from Jones Point except waters around Inner Heron Island and Thrumcap Island — Class SC.

Waldoboro

I. All tidewaters within the Town of Waldoboro not otherwise classified or described — Class SA.

II. Tidewater from the head of tide on the Medomak River to the first narrowing of the river at approximately latitude 44°-05' N. — Class SC.

III. Tidewaters north of a line drawn from Haffses Pt. to Waltz Pt. except that designated as Class SC — Class SB-1.

Westport

Wiscasset

Sagadahoc County

General Classification: All tidal waters of Sagadahoc County not otherwise classified or described, with the exception of Merrymeeting Bay north and west of the Chops and the Kennebec River, Tidal Estuary, from the Chops, so called, southerly to a line drawn between the most easterly point of land at the southerly end of Popham Beach in Phippsburg and the southernmost extension of Bay Point in Georgetown — Class SB-1.

Other Category

I. Tidal waters of the Sasanoa River bordering the Town of Arrowsic, between the Kennebec River and Upper Hell Gate — Class SB-2.

II. Tidal waters bordering the Town of Woolwich between the junction of the so-called Sasanoa River and the Kennebec River and Upper Hell Gate on the Sasanoa River — Class SB-2.

Waldo County

Belfast

- I. Tidewaters from the Northport-Belfast town line to "The Battery" in Belfast — Class SB-1.
- II. Tidewaters between "The Battery" and a point opposite the swimming pool at the city park — Class SB-2.
- III. Tidewaters between a point opposite the swimming pool at city park and the mouth of Goose River, except for portions otherwise classified or described — Class SD.
- IV. The portion of the tidal estuary of the Passagassawakeag River upstream at the site of a bridge about one mile upstream of the Route 1 bridge at Belfast — Class SB-2.
- V. Tidewaters between Goose River and the Searsport-Belfast town line — Class SB-1.

Frankfort

Islesboro

- I. Tidewaters within the Town of Islesboro not otherwise designated or classified — Class SA.
- II. Tidewaters from Marshall Pt. to Coombs Pt. — Class SB-1.
- III. Dark Harbor inside the tidal dam — Class SB-1.
- IV. Segment of coast between Grindel Pt. and the point of land to the east of Broad Cove — Class SB-1.

Lincolntonville

- I. Tidewaters within the Town of Lincolntonville not otherwise described or classified — Class SA.
- II. Tidewater creek or estuary of small stream which rises near Carver's Corner — Class SC.
- III. Tidewaters between the Islesboro Ferry wharf, Lincolntonville, and a point 1,000 feet north of the tidewater creek at Lincolntonville Beach, or estuary of small stream, which rises near Carver's Corner except for the waters of this tidal creek — Class SB-2.
- IV. Tidewater at the mouth of Ducktrap River from the head of tide to a point approximately 1,000 feet southeasterly of Route 1 — Class SB-1.

Northport

- I. All tidewaters within the Town of Northport not otherwise described or classified — Class SA.
- II. Tidewaters between Saturday Cove and the Northport-Belfast town line — Class SB-1.

Searsport

- I. All tidewaters within the Town of Searsport not otherwise described or classified — Class SA.
- II. Tidewater from Belfast-Searsport town line and the point of land in Searsport Harbor which is formed by the landing or wharf at the end of Steamboat Avenue — Class SB-1.
- III. From the wharf at the end of Steamboat Avenue in Searsport to a point opposite the site of the Searsport Railroad Station — Class SB-2.
- IV. Tidewaters between a point opposite the site of the Searsport Railroad Station and a point 100 yards east of the wharf at Summers Fertilizer Company — Class SB-1.

Stockton Springs

- I. Tidewater from Ft. Point westerly to the Stockton Springs-Searsport town line — Class SB-1.

Washington County**Addison**

- I. All tidewaters of Addison not otherwise described or classified — Class SA.
- II. Tidewaters between a line extending due east from Whites Pt. to the east side shore and the Columbia Falls-Addison town boundary — Class SB-1.
- III. Tidewaters in Addison north of a line across the estuary of Indian River 100 yards below the Route 187 Bridge at Indian River Village — Class SB 2.

Beals

- I. Tidewaters of Beals not otherwise classified — Class SA.
- II. Tidewaters around the northern end of Beals Island between Indian Pt. and the point of land on Beals Island nearest French House Island — Class SB-2.

Calais

- I. Tidewaters from the Calais-Robbinston town line to a point of land immediately upstream of Devils Head in Calais — Class SB-2.
- II. Tidewaters of the St. Croix River estuary from the point of land immediately upstream of Devils Head in Calais to the head of tide also in Calais — Class SC.

Cherryfield: Tidewaters of Narraguagus River estuary — Class SC.

Columbia: Tidewaters of West Brook estuary above the Columbia-Addison town boundary — Class SB-2.

Columbia Falls: Tidewater portions of the Pleasant River above the Columbia Falls-Addison town boundary — Class SC.

Cutler

- I. Tidewaters within the Town of Cutler not otherwise classified — Class SA.
- II. Tidewaters of Cutler Harbor inside a line running northeast from the point of land approximately at N. $44^{\circ}-39.3'$ and W. $67^{\circ}-12.4'$ — Class SB-2.
- III. Tidewaters of Money Cove inside the tidal falls — Class SB-1.

Dennysville

- I. Tidewaters within the Town of Dennysville not otherwise classified — Class SB-1.
- II. Tidewaters of Dennys Bay and River west of Hinckley Pt. — Class SC.
- Each Machias: All tidewaters within the Town of Each Machias — Class SC.

Eastport

- I. Tidewaters of Eastport not otherwise classified or described — Class SA.
- II. Tidewaters of Bar Harbor in Eastport from the fill between northwesterly point of Moose Island and Carlow Island and the old highway bridge from the mainland to Moose Island — Class SB-2.
- III. Tidewaters of Carryingplace Cove, east of a line drawn from the point of land at approximately N. $44^{\circ}-55.3'$, W. $67^{\circ}-01.7'$ to the point of land at approximately N. $44^{\circ}-55.3'$, W. $67^{\circ}-01.7'$ — Class SB-1.
- IV. Tidewaters of Prince Cove west of a line extending from Estes Head to the most southerly extension of the point of land on which Country Road, so called, is located — Class SB-2.
- V. Tidal waters not otherwise classified between Shackford Head and the point of land near Dog Island in Eastport — Class C.

Edmunds

- I. Tidewaters of Edmunds not otherwise classified or described — Class SA.
- II. Orange River estuary and Whiting Bay from a line drawn across the bay in a northwesterly and southwesterly direction through Wilbur Pt. and the easterly boundary of Whiting — Class SB-1.
- III. Tidewaters of Dennys River in Edmunds west of a line drawn due south from Hinckley Point in Dennysville — Class SC.
- IV. Tidewaters of Dennys River Estuary and Bay east of a line drawn due south from Hinckley Pt. in Dennysville to a point of land at approximately N. $44^{\circ}-54.5'$, W. $67^{\circ}-11.7'$ — Class SB-1.

Harrington

- I. All tidewaters of Harrington not otherwise described or classified — Class SA.
- II. Tidewaters of Mill River and Cole Creek Estuary northwesterly of Oak Pt. in Harrington — Class SB-1.

III. Tidewaters bordering Harrington west and south of a line across the Harrington River at a point 1,000 feet downriver of the canning factory in Harrington — Class SC.

IV. Tidewaters west and north of a line across the Harrington River drawn due east from Oliver Lord Pt., except those west and north of a line across the Harrington River at a point 1,000 feet downriver of the canning factory at Harrington — Class SB-2.

Jonesboro

I. All tidewaters of Jonesboro not otherwise described or classified — Class SA.

II. Tidewaters of the Chandler River in Jonesboro upstream of a line drawn normal to the stream at a point 2/10ths miles below the Route 1 Bridge at Jonesboro Village — Class SC.

III. Tidewaters along the Chandler River in Jonesboro between a line normal to the stream at a point 2/10ths miles below the Route 1 Bridge at Jonesboro Village and a line drawn from Carlton Point to Deep Hole Point — Class SB-1.

Jonesport

I. All tidewaters of Jonesport not otherwise described or classified — Class SA.

II. Tidewaters in Jonesport north of a line across the estuary of Indian River 100 yards below the Route 187 bridge at Indian River Village — Class SB-2.

III. Tidewaters between Hopkins Pt. and Indian Pt. — Class SC.

Lubec

I. All tidewaters of Lubec not otherwise described or classified — Class SA.

II. Tidewaters of Bailey's Mistake west of a line drawn due north from Balch Head in the Town of Trescott — Class SB-1.

III. Tidewaters between a point 1,000 yards westerly of Leadurney Pt. and a point 100 yards south of the creek entering tidewater approximately 2/10ths miles south of Woodward Pt. — Class SB-1.

IV. Tidewaters between Leadurney Pt. and a point 1,000 yards westerly along the shore — Class SB-2.

V. Tidewaters between Leadurney Pt. and a point of land approximately N. 44°-51.2' and W. 67°-00.3' — Class SC.

VI. Tidewaters between the site of the North Lubec ferry landing and a point of land at approximately N. 44°-51.2' and W. 67°-00.3' — Class SB-1.

Machias

I. All tidewaters within the Town of Machias not otherwise specified or classified — Class SC.

II. All tidewaters of Little Kennebec Bay — Class SA.**Machiasport**

I. All tidewaters not otherwise described or classified — Class SA.

II. Tidewaters of Machias and East Machias Rivers north of a line drawn from Ft. O'Brien Pt. to Randall Pt. in Machiasport — Class SC.

Milbridge

I. All tidewaters of Milbridge not otherwise described or classified — Class SA.

II. Tidewaters north and west of a line from Fish Pt. to the point of land approximately N. 44° -31.8' by W. 67° -52.5' — Class SC.

III. Tidewaters of Wyman Cove from Mitchell Pt. to a wharf location approximately 0.4 mile northerly from Mitchell Pt. — Class SB-2.

IV. Tidewaters north and west of a line from Timmy Pt. to Fickett Pt., except those defined as Class "SC" — Class SB-1.

V. Tidewaters of the Mill River and Cole Creek estuary southwesterly, westerly, and northerly of Blasket Pt. — Class SB-1.

Pembroke

I. Tidewaters of Pembroke not otherwise described or classified — Class SA.

II. Tidewater estuaries of Cobscook River and Wilson Stream in Pembroke lying north and west of a line drawn from the point of land at approximately N. 44° -54.5', W. 67° -11.7' in Edmunds, due northeasterly to the Pembroke shore except those portions in Dennysville described as lying west of a line drawn due south from Hinckley Pt. — Class SB-1.

III. Tidewaters of Pennamaquam River and Meadow Brook estuaries in Pembroke north and west of a line drawn due east and west through a point of land at N. 44° -56.5', W. 67° -10' — Class SC.

IV. All waters of Hersey Cove and tidewaters of the Pennamaquam River north and west of a line drawn due south from the headland forming the easterly side of the entrance to Hersey Cove to Leighton Neck — Class SB-1.

Perry

I. All tidewaters of Perry not otherwise described or classified — Class SA.

II. Tidewaters of small cove, the first cove westerly of Eastport Branch of Maine Central Railroad, southwest of the Pleasant Point school at Pleasant Pt. — Class SB-1.

III. Tidewaters of Little River above the Route 1 bridge — Class SB-2.

Robbinston

I. Tidewaters from Liberty Pt. north to Calais — Robbinston town line — Class SB-2.

II. Tidewaters from Liberty Pt. south to Robbinston-Perry town line — Class SB-1.

Roque Bluffs: All tidewaters within the Town of Roque Bluffs — Class SA.

Steuben: All tidewaters within the Town of Steuben — Class SA.

Trescott

I. All tidewaters not otherwise described or classified within the Town of Trescott — Class SA.

II. Tidewaters of Bailey's Mistake in the Town of Trescott west of a line drawn due north from Balch Head in Trescott — Class SB-1.

III. Tidewaters of Whiting Bay, between a line drawn across the bay northwesterly and southeasterly through Wilbur Pt. and the easterly boundary of Whiting.

Whiting

I. Tidewaters of Whiting not otherwise described or classified — Class SA.

II. Tidewaters southwesterly of the easterly boundary of Whiting — Class SB-2.

III. Tidewaters of Holmes Bay for a distance of 100 yards around the canning factory — Class SB-2.

York County

Biddeford

I. Tidewaters of Biddeford not otherwise defined or classified — Class SB-2.

II. Estuary of Little River north of latitude $43^{\circ}-24'-04''$ to head of tide, including tidal tributaries thereof — Class SC.

III. From the southernmost point of land on the Biddeford mainland to a point where latitude $43^{\circ}-25'-07''$ crosses the mainland — Class SA.

IV. From a point where latitude $43^{\circ}-25'-33''$ crosses the mainland to a point where latitude $43^{\circ}-26'-05''$ crosses the mainland — Class SB-1.

V. From a point where latitude $43^{\circ}-26'-05''$ crosses the mainland to a point directly north of the Coast Guard Station at Fletcher Neck — Class SA.

VI. From the most easterly point of land on the Biddeford mainland to a point directly west of the most northerly point of land on Basket Island, including tidewaters of "The Pool" — Class SC.

VII. Tidewaters from a point directly west of the most northerly point of land on Basket Island to head of tide on the Saco River estuary — Class SD.

Eliot: Tidewaters within the Town of Eliot — Class SB-1.

Kennebunk

I. Tidal waters of Kennebunk not otherwise classified or described — Class SB-2.

II. Estuary of Mousam River from head of tide to Route 9 bridge crossing, and tidal tributaries thereof — Class SC.

III. Kennebunk River estuary from head of tide to the Route 9 crossing and tidal tributaries thereof — Class SC.

Kennebunkport

I. Tidewaters of Kennebunkport not otherwise classified or described — Class SB-2.

II. Kennebunk River estuary from head of tide to the Route 9 crossing and tidal tributaries thereof — Class SC.

III. Tidewater from a point where longitude $70^{\circ}-27'-37''$ crosses the Kennebunkport mainland to a point where longitude $70^{\circ}-26'-48''$ crosses the mainland of Kennebunkport — Class SA.

IV. Tidewater from a point directly west of the most northerly point of Vaughn Island to a point directly west of the most northerly point of land on Redin Island — Class SC.

V. Estuaries of Smith Brook and Batson River north of latitude $43^{\circ}-23'-22''$ and tidal tributaries thereof — Class SC.

VI. Tidewater from the mainland of Kennebunkport at latitude $43^{\circ}-23'-22''$ north to a point where longitude $70^{\circ}-24'-33''$ cross the mainland — Class SB-1.

VII. Tidewater from a point where longitude $70^{\circ}-24'-33''$ crosses the mainland north to a point where longitude $70^{\circ}-24'-05''$ crosses the mainland — Class SA.

VIII. Estuary of Little River north of latitude $43^{\circ}-24'-04''$ to head of tide, including tidal tributaries thereof — Class SC.

Kittery

I. Tidewaters of Kittery not otherwise specified or classified — Class SB-1.

II. Tidewaters from Sister's Point to Kittery-York town boundary, with the exception of Brave Boat Harbor — Class SA.

Old Orchard Beach: All tidewaters of Old Orchard Beach — Class SB-2.

Saco

I. Tidewaters of Saco not otherwise described or classified — Class SB-2.

II. Saco River estuary from head of tide to the Camp Ellis breakwater — Class SD.

South Berwick: All tidewaters of South Berwick — Class SB-1.

Wells

I. Tidewaters of Wells not otherwise described or classified — Class SB-2.

- II. From Wells-York town line to a point of land at longitude $70^{\circ}-35'-35''$ and latitude $43^{\circ}-14'-44''$ — Class SC.
- III. Tidewater from a point where latitude $43^{\circ}-16'-15''$ crosses Moody Beach to a point where latitude $43^{\circ}-19'-04''$ crosses Wells Beach — Class SA.
- IV. Estuary of Webhannet River from head of tide to a point at longitude $70^{\circ}-34'-32''$, latitude $43^{\circ}-17'-48''$ — Class SC.
- V. Estuary of Webhannet River from the most easterly bridge crossing at latitude $43^{\circ}-18'-15''$ to its ocean confluence at latitude $43^{\circ}-19'-14''$ — Class SB-1.
- VI. Estuary of Merriland River and tidal tributaries thereof from head of tide to its ocean confluence at latitude $43^{\circ}-20'-10''$ — Class SC.

York

- I. Tidelwaters of York not otherwise described or classified — Class SB-2.
- II. Tidelwaters from Kittery-York town line to point of land known as Argo Pt. — Class SA.
- III. Tidal estuary of York River from Route 1 crossing to head of tide, including tidal tributaries thereof — Class SC.
- IV. Tidelwaters from East Pt. to the northernmost point of land at Concordville at longitude $70^{\circ}-36'-11''$ — Class SB-1.
- V. Estuary of Cape Neddick River from head of tide to point where longitude $70^{\circ}-36'-46''$ crosses — Class SC.
- VI. Tidelwaters from Weare Pt. to a point where longitude $70^{\circ}-36'-46''$ crosses the mainland of York — Class SB-1.
- VII. Tidelwaters from a point where longitude $70^{\circ}-35'$ crosses the mainland of York to York-Wells town line — Class SA.

Sec. 4. R. S., c. 79, § 15, amended. Subsection CCII and CCIII of that part of section 15 of chapter 79 of the Revised Statutes, as enacted by chapter 330 of the public laws of 1961, under the caption "Kennebec River Basin and Adjacent Coastal Areas", are repealed and the following subsections enacted in place thereof:

'CCII. Kennebec River Tidal Estuary, and including tidal portions of tributaries not otherwise classified:

- A. From a line drawn across the tidal estuary of the Kennebec River, due east from Abagadasset Point, and bounded by a line across the southwesterly arm of Merrymeeting Bay formed by an extension of the Brunswick-West Bath town line across the bay in a northwesterly direction to the westerly shore of Merrymeeting Bay and to a line drawn from Chop Point in Woolwich to West Chop Point in Bath — Class B-2.
- B. From a line drawn from Chop Point in Woolwich to West Chop Point

in Bath to a line across the Kennebec River bearing due west from Bluff Head in the Town of Arrowsic — Class SB-2.

CCIII. Kennebec River, Tidal Estuary, and including tidal portions of tributaries not otherwise classified from a line extending due west from Bluff Head in the Town of Arrowsic to a line drawn between the most easterly point of land at the southerly end of Popham Beach in Phippsburg and the southernmost extension of Bay Point in Georgetown — Class SB-1.'