

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

ONE HUNDRED AND SECOND LEGISLATURE

Legislative Document

No. 700

H. P. 526

House of Representatives, January 27, 1965

Referred to Committee on Natural Resources. Sent up for concurrence and ordered printed.

JEROME G. PLANTE, Clerk

Presented by Mr. Berry of Cape Elizabeth.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-FIVE

AN ACT Classifying Penobscot River and Segment of Millinocket Stream.

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

Sec. 1. R. S., T. 38, § 368, amended. That part of section 368 of Title 38 of the Revised Statutes which relates to **Main Stem**, under the caption "**Penobscot River Basin—East Branch Penobscot River Drainage System**," is amended to read as follows:

'**Main Stem**, that portion of the Penobscot River between the confluence of East and West Branches south to a line drawn due east from Fort Point on Cape Jellison.

1. The main stem of the West Branch of the Penobscot River from the outlets of Ferguson and Quakish Lakes in Millinocket to the highway bridge just above the junction of the East and West Branches in Medway which carries Routes 116 across the West Branch—Class D.

2. The main stem of the Penobscot River and the West Branch from the Route 116 highway bridge in Medway to a line extended in an east-west direction from the outlet of Reed Brook in the Village of Hampden Highlands to the Penobscot River—Class C.

Whereas the segment of the Penobscot River between the junction of the East and West Branches thereof and Weldon Dam is now heavily loaded with cumulative deposits of bacterial cellular and other materials exerting a significant oxygen demand over and above that created by the fermentation of current daily loads, and whereas some time will elapse before this source of oxygen demand is stabilized, no abatement action shall be taken by state regulatory agencies, if at that time current daily upstream loadings have been reduced to

a value which could reasonably be expected to result in conditions which will not foster cumulative deposits and will be compatible with the specifications of the segment classification.

3. The tidal estuary of the Penobscot River from a line extended in an east-west direction across the estuary from the mouth of Reed Brook in the Village of Hampden Highlands to a line extended in a westerly direction across from the southernmost tip of Verona Island to the westerly bank of the Penobscot Estuary and from the southernmost tip of Verona Island to the easterly bank of the Penobscot Estuary at the Bucksport-Penobscot town boundary—Class SC.'

Sec. 2. R. S., T. 38, § 368, amended. That part of section 368 of Title 38 of the Revised Statutes which relates to "West Branch Penobscot River Drainage System" is amended by adding at the end the following:

'5. Segments of Millinocket Stream (Millinocket) between the railroad bridge near the Millinocket-Indian Purchase town boundary and the Penobscot River—Class D.

Schedule of Completion Applicable to Certain Waters of the Penobscot River Basin.

1. The classification set forth as follows shall become effective on October 1, 1965:

A. Subsections 1, 2 and 3 under main stem;

B. Subsection 5 under West Branch Penobscot River Drainage System.

2. A municipality, sewer district, person, firm, corporation or other legal entity shall not be deemed in violation of these sections at any time or times prior to October 1, 1979 with respect to those classifications if by such time or times he or it with respect to any project necessary to achieve compliance with the applicable classification shall have completed all steps required to then be completed by the following schedule:

A. Preliminary plans and engineers' estimates involving municipal and other publicly owned projects shall be completed on or before October 1, 1968 and plans for required abatement steps by others shall be submitted and approved not later than October 1, 1969.

B. Arrangements for administration and financing shall be completed on or before October 1, 1972. In the case of municipal projects this period is to include definite scheduling of grants-in-aid.

C. Scheduling of carrying out all construction shall be prepared and approved not later than October 1, 1973.

D. All requirements are to be completed and in operation not later than October 1, 1980.'

Sec. 3. R. S., T. 38, § 370, amended. Subsection 4 of that part of section 370 of Title 38 of the Revised Statutes, under the caption "Hancock County" is amended by adding a new paragraph J, to read as follows:

'J. Tidal waters from a point of land just south of Lord's Cove at approximately N 44°24' by W 68°46.3' on the Bagaduce Estuary around Cape Rosier to Blake's Point—Class SB-1.'

Sec. 4. R. S., T. 38, § 370, amended. Subsection 5 of that part of section 370 of Title 38 of the Revised Statutes, under the caption "**Hancock County**" is amended by adding a new paragraph C, to read as follows:

'C. Tidal waters of Castine bordering the Penobscot River Estuary between the Penobscot-Castine boundary and a point of land at approximately N 44°27', W 68°47'—Class SB-1.'

Sec. 5. R. S., T. 38, § 370, amended. Subsection 13 of that part of section 370 of Title 38 of the Revised Statutes, under the caption "**Hancock County**" is amended by adding a new paragraph B, to read as follows:

'B. Tidal waters of Penobscot bordering the Penobscot River Estuary—Class SB-1.'

Sec. 6. R. S., T. 38, § 370, amended. Subsection 7 of that part of section 370 of Title 38 of the Revised Statutes, under the caption "**Waldo County**" is amended by adding a new paragraph B, to read as follows:

'B. From a point on the westerly bank of the Penobscot River Estuary at a point where a line drawn in a westerly direction through the southernmost point of Verona Island intersects this bank southerly to Fort Point on Cape Jellison—Class SB-1.'

Sec. 7. R. S., T. 38, § 370, amended. That part of section 370 of Title 38 of the Revised Statutes, under the caption "**Waldo County**" is amended by adding at the end a new subsection 8, as follows:

'8. Effective date.

A. The classifications set forth in subsection 7 shall become effective on October 1, 1965. A municipality, sewer district, person, firm, corporation or other legal entity shall not be deemed in violation of these sections at any time or times prior to October 1, 1979 with respect to those classifications if by such time or times he or it with respect to any project necessary to achieve compliance with the applicable classification shall have completed all steps required to then be completed by the following schedule:

(1) Preliminary plans and engineers' estimates involving municipal and other publicly owned projects shall be completed on or before October 1, 1968 and plans for required abatement steps by others shall be submitted and approved not later than October 1, 1969.

(2) Arrangements for administration and financing shall be completed on or before October 1, 1972. In the case of municipal projects this period is to include definite scheduling of grants-in-aid.

(3) Scheduling of carrying out all construction shall be prepared and approved not later than October 1, 1973.

(4) All requirements are to be completed and in operation not later than October 1, 1980.'