

MAINE STATE LEGISLATURE

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ONE HUNDRED AND THIRD LEGISLATURE

Legislative Document

No. 1626

S. P. 626

In Senate, May 3, 1967

Reported by Senator Viles of Somerset, from Committee on Natural Resources.
Printed under Joint Rule No. 18.

JERROLD B. SPEERS, Secretary

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-SEVEN

AN ACT Reclassifying Certain Inland Waters of the State.

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 waters captioned **Kennebec River, Cobbosseecontee Stream Drainage System**, is amended by adding a new subsection 2-A, to read as follows:

2-A. **Cobbosseecontee Stream, main stem, from its confluence with the Kennebec River to the dam at latitude 44°-13.3', longitude 69°-47.2' (approximately)—Class C.**

Sec. 2. R. S., T. 38, § 368, amended. Subsection 13 of that part of section 368 of Title 38 of the Revised Statutes which relates to waters captioned **Kennebec River, Cobbosseecontee Stream Drainage System**, is amended to read as follows:

13. **Wilson Stream (Monmouth), main stem, from outlet of Wilson Pond to the junction with the branch of Wilson Stream entering from the vicinity of Monmouth Village below the tracks of the Maine Central Railroad—Class C.**

Sec. 3. R. S., T. 38, § 368, amended. Subsection 4 of that part of section 368 of Title 38 of the Revised Statutes which relates to waters captioned **Kennebec River, Main Stem**, is amended to read as follows:

4. **From a point 0.5 mile above the southerly boundary of Fairfield and Benton to a line across the Kennebec River Tidal Estuary drawn due west from the southerly extension of Green Point on the easterly shore of the Kennebec River across the channel east of Swan Island to the island, along the easterly**

shore of Swan Island to southernmost point of the island, thence due west to the westerly shore of the river—Class D C .

Sec. 4. R. S., T. 38, § 368, amended. Subsection 3 and 5 of that part of section 368 of Title 38 of the Revised Statutes which relates to waters captioned **Kennebec River, Messalonskee Stream Drainage System**, are amended to read as follows:

3. Messalonskee Stream, main stem, from outlet of Messalonskee Lake to Rice's Rips Dam—Class D C .

5. Messalonskee Stream, main stem, from Union Dam to junction with Kennebec River—Class D C .

Sec. 5. R. S., T. 38, § 368, amended. Subsections 5 and 18 of that part of section 368 of Title 38 of the Revised Statutes, which relates to waters captioned **Kennebec River, Minor Tributaries below Wyman Dam in Moscow**, are amended to read as follows:

5. Bond Brook and its tributaries below the crossing of Route 11 prior to the reconstruction of this route in 1955—Class D C .

18. Unnamed tributary of Cathance River in Bowdoinham which enters the tidal portion of the West Branch of the Cathance River approximately 0.7 mile above the bridge in Bowdoinham from a northwesterly direction—Class D C .

Sec. 6. R. S., T. 38, § 368, amended. Subsection 9, 13 and 15 of that part of section 368 of Title 38 of the Revised Statutes, which relates to waters captioned **Kennebec River, Sandy River**, are amended to read as follows:

9. Sandy River, main stem, from Route 4 Bridge in Farmington to the entrance of Beales Brook—Class D C .

13. Unnamed stream, below canning factory in New Sharon Village—Class D C .

15. Wilson Stream, main stem, from outlet of Wilson Pond to the Route 133 crossing—Class D C .

Sec. 7. R. S., T. 38, § 368, amended. Subsections 5, 7, 8 and 10 of that part of section 368 of Title 38 of the Revised Statutes, which relates to waters captioned **Kennebec River, Sebesticook River, Main Stem**, are amended to read as follows:

5. East Branch from outlet of Sebesticook Lake to Eelweir Bridge—Class D C .

7. West Branch from Route 43 Bridge in Hartford to its junction with the East Branch—Class D C .

8. Main Stem from Eelweir Bridge to Pittsfield-Burnham town line—Class D C .

10. Main Stem below dam of the Central Maine Power Company at Winslow—Unclassified Class C.

Sec. 8. R. S., T. 38, § 368, amended. Subsections 1, 3, 5, 7, 12, 15 and 16 of that part of section 368 of Title 38 of the Revised Statutes which relates to waters captioned **Kennebec River, Tributaries of the Sebasticook River Drainage System**, are amended to read as follows :

1. All portions and segments of waterways of the Sebasticook River Drainage ~~above the dam of the Central Maine Power Company at Winslow~~ not otherwise specified or classified—Class B-2.

3. Brackett Brook (Palmyra and Newport)—Class D C .

5. China Lake Outlet, main stem, from crossing of East Vassalboro to North Vassalboro road to junction with main stem Sebasticook River—Class D C .

7. Farnham Brook below Route 100—Class D C .

12. Mill Stream from immediately above crossing of Albion-Benton Road to junction with Fifteenmile Stream—Class D C .

15. Sandy Stream, main stem, from its junction with Bacon Brook to a point $\frac{1}{2}$ mile above the entrance of Mussey Brook—Class D C .

16. Sandy Stream, main stem, from outlet of Sandy Pond to its junction with Halfmoon Stream—Class D C .

Sec. 9. R. S., T. 38, § 368, amended. Subsection 19 of that part of section 368 of Title 38 of the Revised Statutes which relates to waters captioned **Androscoggin River Basin, Little Androscoggin River Drainage** is amended to read as follows :

19. Pennesseewassee Lake Outlet (Norway)—Class D C .

Sec. 10. R. S., T. 38, § 368, amended. Subsections 5 and 29 of that part of section 368 of Title 38 of the Revised Statutes which relates to waters captioned **Aroostook River Basin, Tributaries** is amended to read as follows :

5. Bryant Brook, Fort Fairfield from Fisher Street to the Aroostook River confluence—Class D C .

29. Salmon Brook, Washburn, from the dam immediately above the village to its junction with the Aroostook River—Class D C .

Sec. 11. R. S., T. 38, § 368, amended. Subsection 8 of that part of section 368 of Title 38 of the Revised Statutes which relates to waters captioned **Meduxnekeag River Basin** is amended to read as follows :

8. Pearce Brook tributary in Houlton—Class D C .

Sec. 12. R. S., T. 38, § 368, amended. Subsections 5, 11 and 13 of that part of section 368 of Title 38 of the Revised Statutes which relates to waters captioned **Penobscot River Basin, Mattawamkeag River Drainage System** is amended to read as follows :

5. Fish Stream, main stem only, from its confluence with Crystal Stream tributary to a point $\frac{1}{4}$ mile upstream of the Route 11 Bridge in Patten—Class D C .

11. Mattawamkeag River, West Branch, main stem, from its outlet to upper Mattawamkeag Lake to a point 100 feet upstream of the railroad bridge at Island Falls—Class D C .

13. Webb Brook and its tributaries in the Town of Patten—Class D C .

Sec. 13. R. S., T. 38, § 368, amended. Subsections 10 and 17 of that part of section 368 of Title 38 of the Revised Statutes which relates to waters captioned **Penobscot River Basin, Penobscot River, Minor Tributaries** is amended to read as follows:

10. Kenduskeag Stream and tributaries below the Bullseye Bridge (Bangor)—Class D C .

17. Mattanawcook Stream, Lincoln, below outlet of Mattanawcook Pond—Class D C .

Sec. 14. R. S., T. 38, § 368, amended. Subsection 12 of that part of section 368 of Title 38 of the Revised Statutes which relates to waters captioned **Penobscot River Basin, Piscataquis River Drainage System** is amended to read as follows:

12. Piscataquis River, main stem, from Abbott-Guilford town line to the railroad bridge at ~~East Dover~~ approximately 1 mile east of Merrill Brook Confluence—Class D C .

Sec. 15, R. S., T. 38, § 368, amended. That part of section 368 of Title 38 of the Revised Statutes which relates to waters captioned **Penobscot River Basin, Piscataquis River Drainage System** is amended by adding a new subsection 19, to read as follows:

19. Piscataquis River, main stem, from the railroad bridge approximately 1 mile east of Merrill Brook confluence to the bridge at East Dover—Class D.

Sec. 16. R. S., T. 38, § 368, amended. Subsection 9 of that part of section 368 of Title 38 of the Revised Statutes which relates to waters captioned **Presumpscot River Basin** is amended to read as follows:

9. Stevens Brook, Bridgton—Class D C .

Sec. 17. R. S., T. 38, § 368, amended. Subsection 4 of that part of section 368 of Title 38 of the Revised Statutes which relates to waters captioned **St. John River Basin, Fish River Drainage Area** is amended to read as follows:

4. Fish River, main stem, from bridge at Fort Kent Mills to confluence with St. John River—Class D C .

Sec. 18. R. S., T. 38, § 368, amended. Subsection 9 of that part of section 368 of Title 38 of the Revised Statutes which relates to waters captioned **St. John River Basin, Tributaries** is amended to read as follows:

9. Thibodeau Brook, Grand Isle, from Route 1 to the St. John River—Class D C .

Sec. 19. R. S., T. 38, § 369, amended. Paragraph B of subsection 8 of that part of section 369 of Title 38 of the Revised Statutes which relates to waters captioned **Cumberland County**, is amended to read as follows:

B. Phillips Brook—Class ~~D~~ **C**.

Sec. 20. R. S., T. 38, § 369, amended. Paragraphs C, D and F of subsection 2 of that part of section 369 of Title 38 of the Revised Statutes, which relates to waters captioned **Hancock County**, are amended to read as follows:

C. Unnamed stream at edge of Blue Hill Village entering tidewater near "Big Rock"—Class ~~D~~ **C**.

D. Unnamed Stream flowing from near "Old Cemetery" to the Town Wharf Class ~~D~~ **C**.

F. Unnamed Stream about 100 yards east of Mill Brook Stream—Class ~~D~~ **C**.

Sec. 21. R. S., T. 38, § 369, amended. Paragraph C of subsection 8 of that part of section 369 of Title 38 of the Revised Statutes which relates to waters captioned **Hancock County**, is amended to read as follows:

C. Winslow Stream, main stem, from tidewater to dam at the sawmill of S. C. Condon—Class ~~D~~ **C**.

Sec. 22. R. S., T. 38, § 369, amended. Paragraph A of subsection 14 of that part of section 369 of Title 38 of the Revised Statutes which relates to waters captioned **Lincoln County**, is amended to read as follows:

A. All coastal streams and segments thereof draining to tideswaters in the town of Westport—~~Unclassified~~ Class **C**.

Sec. 23. R. S., T. 38, § 369, amended. That part of section 369 of Title 38 of the Revised Statutes which relates to waters captioned **Sagadahoc County** is amended to read as follows:

Those streams above tidewater which drain to tidal waters of Sagadahoc County, directly or indirectly, not including that portion of Merrymeeting Bay north and west of the Chops at Bath or those streams draining to the Androscoggin River Estuary—Class **C**.

Sec. 24. R. S., T. 38, § 370, amended. Paragraph B of subsection 6 of that part of section 370 of Title 38 of the Revised Statutes which relates to waters captioned **Lincoln County**, is amended to read as follows:

B. Tidewaters from a point one mile above the Route 1 Bridge in Damariscotta to the point of land opposite the Damariscotta Hospital Latitude $44^{\circ}-2.7'$ (near present Route #1 Bridge) south to Latitude $44^{\circ}-1.6'$ (south of Day Cove)—Class ~~SC~~ **SB-2**.

Sec. 25. R. S., T. 38, § 370, amended. Paragraphs B, D, E and F of subsection 8 of that part of section 370 of Title 38 of the Revised Statutes which relates to waters captioned **Lincoln County**, is amended to read as follows:

B. Tidewater from head of tide at Damariscotta Mills in Newcastle south to the Railroad Bridge—Class ~~SC~~ **SB-2**.

D. Tidewaters from the Railroad Bridge at Damariscotta Mills south to a point ~~opposite the Old Folks Home~~ ~~Class SB-1~~ at Latitude $44^{\circ}-2.7'$ (near present Route #1 Bridge)—Class SB-1.

E. 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~~ from a point at Latitude $44^{\circ}-2.7'$ (near present Route #1 Bridge) to a point of land at Latitude $44^{\circ}-1.6'$ (about $\frac{1}{2}$ mile above Little Point)—Class SB-2.

F. Tidewaters of the Damariscotta River from a point ~~1,000 feet above the Route #1 Bridge~~ of land at Latitude $44^{\circ}-1.6'$ (about $\frac{1}{2}$ mile above Little Point) south of Little Point—Class SB-1.

Sec. 26. R. S., T. 38, § 370, amended. Paragraph A of subsection 9 of that part of section 370 of Title 38 of the Revised Statutes which relates to waters captioned **Lincoln County**, is amended to read as follows:

A. Head of tide at Damariscotta Mills in Nobleboro to Railroad Bridge—Class ~~SC~~ SB-2.