

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 1002

H.P. 698

House of Representatives, March 11, 1991

Received by the Clerk of the House on March 7, 1991. Referred to the Committee on Energy and Natural Resources and 1400 ordered printed pursuant to Joint Rule 14.

A handwritten signature in cursive script that reads "Ed Pert".

EDWIN H. PERT, Clerk

Presented by Representative HOGLUND of Portland.

Cosponsored by President PRAY of Penobscot, Representative ANDERSON of Woodland and Representative MARSH of West Gardiner.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

**An Act to Clarify the Water Quality Standards for Existing Hydroelectric
Facilities.**

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

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38 MRSa §464, sub-§4, ¶H is enacted to read:

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5 H. An existing impoundment satisfies the habitat and
6 aquatic life standards of section 465 if the chemical water
7 quality is sufficient to support the aquatic life that would
8 be present in the riverine environment and the impoundment
9 supports aquatic species that could be expected to exist in
10 an impoundment within the applicable classification. The
11 applicant satisfies the habitat and aquatic life standards
12 of section 465 if the applicant demonstrates that the
13 habitat and aquatic life standards are met above and below
14 the impoundment.

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STATEMENT OF FACT

This bill establishes the standards necessary to protect water quality in impoundments while recognizing that existing impoundments may change water flow characteristics that result in some changes in species. This bill retains the requirement that existing impoundments not adversely affect the chemical aspects of water quality needed to support aquatic life within a river.