# MAINE STATE LEGISLATURE

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## 121st MAINE LEGISLATURE

### **SECOND SPECIAL SESSION-2004**

**Legislative Document** 

No. 1899

S.P. 743

In Senate, March 2, 2004

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

Reported by Senator MARTIN of Aroostook for the Joint Standing Committee on Natural Resources pursuant to Resolve 2003, chapter 39, section 2 and chapter 101, section 3.

Reference to the Committee on Natural Resources suggested and ordered printed under Joint Rule 218.

JOY J. O'BRIEN Secretary of the Senate

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

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:

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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 minimum daily water temperature is equal to or less than a temperature that is sufficient for the growth of salmonids excluding any days that exceed that temperature, 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 and domestic animal origin in these waters may not exceed a geometric mean of 142 126 per 100 milliliters or an instantaneous level of 949 236 per 100 milliliters. board shall premulgate adopt rules governing the procedure for designation of spawning areas. Those rules must include provision for periodic review of designated spawning areas and consultation with affected persons prior to designation of a stretch of water as a spawning area.

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#### **SUMMARY**

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This bill amends the dissolved oxygen standard and the bacteria standard for Class C waters.