

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

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No. 774

H.P. 592

House of Representatives, February 13, 2007

**An Act To Coordinate the Implementation of the In-stream Flow
and Water Level Rules among the Department of Environmental
Protection, the Drinking Water Program of the Department of
Health and Human Services and the Public Utilities Commission**

Submitted by the Department of Environmental Protection pursuant to Joint Rule 204.
Reference to the Committee on Natural Resources suggested and ordered printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative KOFFMAN of Bar Harbor.
Cosponsored by Senator BARTLETT of Cumberland and
Representatives: BABBIDGE of Kennebunk, FLOOD of Winthrop.

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

2 **Sec. 1. 38 MRSA §470-H**, as enacted by PL 2005, c. 330, §12, is amended to
3 read:

4 **§470-H. Water use standards; rules**

5 The board shall adopt rules that establish water use standards for maintaining in-
6 stream flows and GPA lake or pond water levels that are protective of aquatic life and
7 other uses and that establish criteria for designating watersheds most at risk from
8 cumulative water use. Standards adopted under this section must be based on the natural
9 variation of flows and water levels, allowing variances if use will still be protective of
10 water quality within that classification. Rules adopted under this section are major
11 substantive rules as defined in Title 5, chapter 375, subchapter 2-A. A draft decision of
12 the department under these rules that affects a community water system must be reviewed
13 and approved by the drinking water program of the Department of Health and Human
14 Services and the Public Utilities Commission before being incorporated into a final
15 department decision.

16 **SUMMARY**

17 This bill provides that any requirements placed on public drinking water systems
18 must be done in joint agreement between the Department of Environmental Protection,
19 the drinking water program of the Department of Health and Human Services and the
20 Public Utilities Commission.