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CHAPTER 3

PROTECTION AND IMPROVEMENT OF WATERS

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SUBCHAPTER I

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ARTICLE 1. ORGANIZATION AND GENERAL PROVISIONS

§ 361. Organization; compensation; meetings; duties

The Water Improvement Commission, as heretofore established and hereinafter in this subchapter called the "commission," shall consist of the Commissioner of Health and Welfare who shall serve during his term of office and 8 members appointed by the Governor with the advice and consent of the Council, 2 of whom shall represent manufacturing interests of the State, 2 of whom shall be representatives of municipalities, 2 of whom shall represent the public generally and 2 of whom shall represent the conservation interests in the State. The members appointed by the Governor shall be appointed for a term of 3 years and until their successors are appointed and duly qualified.

The members appointed by the Governor shall receive \$10 per day for their services at meetings or hearings and all members shall receive necessary traveling expenses for attending any meetings of the commission or for any other travel in connection with the official business of the commission and under the specific authority of the commission, which traveling expenses shall be paid out of the General Fund.

Meetings of the commission shall be held at such time and place as shall be determined by the commission but not less than 2 meetings per year shall be held. The commission shall organize in October of each year by electing one of its members as chairman but in his absence any other member of the commission shall be elected to act as chairman. The commission shall at the same time elect a secretary who need not be chosen from among the members of the commission. Five members of the commission shall constitute a quorum.

The commission may employ, subject to the Personnel Law, and prescribe the powers and duties of such employees and obtain the services of consultants on a contractual basis or otherwise as may be necessary to carry out this subchapter. Technical services shall be performed in so far as practicable by personnel of the Department of Health and Welfare and by other state departments, agencies and offices.

It shall be the duty of the commission to study, investigate and from time to time recommend to the persons responsible for the conditions, ways and means, so far as practicable and consistent with the public interest, of controlling the pollution of the rivers, waters and coastal flats of the State by the deposit there-

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in or thereon of municipal sewage, industrial waste and other substances and materials in so far as the same are detrimental to the public health or to animal, fish or aquatic life, or to the practicable and beneficial use of said rivers, waters and coastal flats. The commission shall make recommendations to each subsequent Legislature with respect to the classification of the rivers, waters and coastal flats and sections thereof within the State, based upon reasonable standards of quality and use.

The commission shall make recommendations to each Legislature with respect to abatement of pollution of the rivers, waters and coastal flats and sections thereof within the State for the purpose of raising the classifications thereof to the highest possible classification so far as economically feasible, such recommendations to relate to methods, costs and the setting of time limits for compliance.

The commission shall consult with and advise the authorities of municipalities, persons and businesses having, or about to have, systems of drainage or sewerage except purely storm water systems, as to the best methods of disposing of the drainage or sewage with reference to the existing and future needs of the municipality, other municipalities, persons or businesses which may be affected thereby. It may consult with and advise with persons or corporations engaged or intending to engage in any manufacturing or other business whose drainage or sewage may tend to pollute any waters under the jurisdiction of the commission, as to the best methods of preventing such pollution, and it may conduct experiments to determine the best methods of the purification or disposal of drainage or sewage. Municipalities and sewer districts shall submit to said commission for its advice and approval the plans and specifications for any proposed new system of drainage, sewage disposal or sewage treatment, except purely storm water systems and any alterations in existing facilities. The commission shall establish and enforce reasonable standards for the operation and maintenance of municipal treatment facilities.

R.S.1954, c. 79, § 1; 1955, c. 425, §§ 1-3; 1957, c. 365; 1959, c. 295, § 1; 1961, c. 305, §§ 1, 2.

§ 362. Authority to accept federal funds

The commission is designated the public agency of the State of Maine for the purpose of accepting federal funds in relation to water pollution control and water resources. The commission is authorized, subject to the approval of the Governor and Council,

to accept federal funds available for water pollution control and water resources and meet such requirements with respect to the administration of such funds, not inconsistent with this subchapter, as are required as conditions precedent to receiving federal funds. The Treasurer of State shall be the appropriate fiscal officer of the State to receive federal grants on account of water pollution control and water resources and the State Controller shall authorize expenditures therefrom as approved by the commission.

1955, c. 425, § 4.

§ 363. Standards of classification of fresh waters

The commission shall have 4 standards for the classification of fresh surface waters.

Class A shall be the highest classification and shall be of such quality that it can be used for bathing and for public water supplies after disinfection, and the dissolved oxygen content of such waters shall not be less than 75% saturation and contain not more than 100 coliform bacteria per 100 milliliters.

There shall be no discharge of sewage or other wastes into water of this classification and no deposits of such material on the banks of such waters in such a manner that transfer of the material into the waters is likely. Such waters may be used for log driving or other commercial purposes which will not lower its classification.

Class B, the 2nd highest classification, shall be divided into 2 designated groups as B-1 and B-2.

B-1. Waters of this class shall be considered the higher quality of the Class B group and shall be acceptable for recreational purposes and after adequate treatment for use as a potable water supply. The dissolved oxygen of such waters shall be not less than 75% of saturation and contain no more than 300 coliform bacteria per 100 milliliters.

There shall be no disposal of sewage or industrial wastes in such waters except those which have received adequate treatment to prevent lowering of the standards for this classification; nor shall such disposal of sewage or waste be injurious to aquatic life or render such dangerous for human consumption.

B-2. Waters of this class shall be acceptable for recreational boating, fishing, industrial and potable water supplies after adequate treatment. The dissolved oxygen of such waters shall not

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be less than 60% of saturation and contain no more than 1,000 coliform bacteria per 100 milliliters.

There shall be no disposal of sewage or industrial waste in such waters to lower its classification nor shall such disposal of sewage or waste be injurious to aquatic life or dangerous for human consumption.

Class C, the 3rd highest classification, shall be of such a quality as to be satisfactory for recreational boating, fishing and other uses except potable water supplies and swimming, unless adequately treated to meet standards.

Waters of this classification shall be free from scums, slicks, odors and objectionable floating solids, and shall be free from chemicals and other conditions inimical to aquatic life. The dissolved oxygen content of such waters shall not be less than 5 parts per million for trout and salmon waters and not less than 4 parts per million for non-trout and non-salmon waters.

The commission may take such action as may be appropriate for the best interests of the public when it finds that a "C" classification is temporarily lowered due to abnormal conditions of temperature and stream flow for that season involved.

Class D waters, the lowest classification, shall be considered as primarily devoted to the transportation of sewage and industrial wastes without causing a public nuisance as defined in Title 17, section 2802, by the creation of odor-producing sludge banks and deposits or other nuisance condition and such waters shall contain dissolved oxygen at all times.

During a period of temporary reduction in the dissolved oxygen content in this class water, due to abnormal conditions of temperature or stream flow for the particular season involved, the commission, provided a nuisance condition has not then been created in such water and in the opinion of the commission is not likely to be created during such season, shall take no action to reduce the amount of pollution from any source which is allowed in such class water under normal conditions.

With respect to "C" and "D" classifications, the number of coliform bacteria or amounts of toxic wastes or chemicals discharged into said waters shall be only those amounts which will not, in the determination of the commission, be harmful to the public health.

R.S.1954, c. 79, § 2; 1955, c. 425, § 5; 1959, c. 295, § 2; 1961, c. 305, § 3; 1963, c. 274, § 1.

§ 364. —Tidal or marine waters

The commission shall have 4 standards for the classification of tidal or marine waters as follows:

Marine waters shall include the waters of the Atlantic Ocean, its bays, inlets, etc. to mean high tide within 3 nautical miles from the coast line and all other tidal waters within the State except that in the case of tidal effect estuaries the upstream limits of tidal waters shall be that point where at mean high tide the average of 3 samples taken at the bed, at mid-depth and at the surface shall show a salinity of 5,000 parts per million or greater, or where the tidal limit for purposes of pollution control statutes is specifically defined.

The commission shall have 4 standards for classification of waters in the tidal area.

Class SA, all clean water usages. There shall be no floating solids, settleable solids, oil or sludge deposits attributable to sewage, industrial wastes or other wastes and no deposit of garbage, cinders, ashes, oils, sludge or other refuse. There shall be no discharge of sewage which has not received a minimum of primary treatment and effective disinfection.

Waters of the SA classification shall contain not less than 6.0 parts per million of dissolved oxygen at all times. There shall be no toxic wastes, deleterious substances, colored or other wastes or heated liquids discharged to waters of this classification either singly or in combination with other substances or wastes in such amounts or at such temperatures as to be injurious to edible fish or shellfish or to the culture or propagation thereof, or which in any manner shall adversely affect the flavor, color, odor or sanitary condition thereof or impair the waters for any other best usage as determined for the specific waters assigned to this class.

The median MPN value in any series of samples representative of waters in the shellfish growing area shall not be in excess of 70 per 100 milliliters or the approximate equivalent by other methods of expression.

Class SB-1, best usage; bathing and other clean water usages. There shall be no floating solids, settleable solids, oil or sludge deposits attributable to sewage, industrial wastes or other wastes and no deposit of garbage, cinders, ashes, oils, sludge or other refuse. There shall be no discharge of sewage which has not received a minimum of primary treatment and disinfection.

Waters of the SB classification shall contain not less than 6.0 parts per million of dissolved oxygen at all times. There shall

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be no toxic wastes, deleterious substances, colored or other wastes or heated liquids discharged to waters of this classification either singly or in combination with other substances or wastes in such amounts or at such temperatures as to be injurious to edible fish or shellfish or to the culture or propagation thereof, or which in any manner shall adversely affect the flavor, color, odor or sanitary condition thereof; and otherwise none in sufficient amounts to make the waters unsafe or unsuitable for bathing or impair the waters for any other best usage as determined for the specific waters which are assigned to this class.

The median MPN value in any series of samples representative of waters in the shellfish growing area shall not be in excess of 240 per 100 milliliters or the equivalent by other methods of expression.

Class SB-2, best usage; recreational usages, except bathing; and fisheries. There shall be no floating solids, settleable solids, oil or sludge deposits attributable to sewage, industrial wastes or other wastes and no deposit of garbage, cinders, ashes, oils, sludge or other refuse. There shall be no discharge of sewage which has not received a minimum of primary treatment and disinfection.

Waters of the SB-2 classification shall contain not less than 6.0 parts per million of dissolved oxygen at all times. There shall be no toxic wastes, deleterious substances, colored or other wastes or heated liquids discharged to waters of this classification either singly or in combination with other substances or wastes in such amounts or at such temperatures as to be injurious to edible fish or to the culture or propagation thereof, or which in any manner shall adversely affect the flavor, color or odor thereof; and otherwise none in sufficient amounts to make the waters unsafe or unsuitable for any other best usage as determined for the specific waters which are assigned to this class.

The median MPN value in any series of samples representative of waters in this classification shall not be in excess of 1,000 per 100 milliliters or the equivalent by other methods of expression.

Class SC, the 3rd highest classification, shall be of such quality as to be satisfactory for recreational boating, fishing and other similar uses except bathing.

Waters of this classification shall be free from scums, slicks, odors and objectionable floating solids, and shall be free from chemicals and other conditions inimical to aquatic life. The dis-

solved oxygen content of such waters shall not be less than 5 parts per million.

The commission may take such action as may be appropriate for the best interests of the public when it finds that an "SC" classification is temporarily lowered due to abnormal conditions of temperature and flow for that season involved.

Class SD waters, the lowest classification, shall be considered as primarily devoted to the disposal of sewage and industrial wastes without causing a public nuisance as defined in Title 17, section 2802, by the creation of odor producing sludge banks and deposits or other nuisance condition and such waters shall contain dissolved oxygen at all times. During a period of temporary reduction in the dissolved oxygen content in this class water, due to abnormal conditions of temperature or flow for the particular season involved, the commission, provided a nuisance condition has not then been created in such water and in the opinion of the commission is not likely to be created during such season, shall take no action to reduce the amount of pollution from any source which is allowed in such class water under normal conditions.

With respect to "SC" and "SD" classifications, the number of coliform bacteria, or amounts of toxic wastes or chemicals discharged into said waters shall be only those amounts which will not, in the determination of the commission, be harmful to the public health.

1963, c. 274, § 2.

§ 365. Classification procedure

The commission, having made its studies and investigations of given drainage area or portion thereof, shall call public hearings in the area or reasonably adjacent thereto, for the purpose of presenting to all interested people the proposed classification for the particular body of surface waters or tidal flats. Such meeting shall be preceded by public notice of the meeting in a newspaper of state-wide distribution, said notice to appear 3 times within 30 days preceding the meeting and the last publication to be at least 10 days prior to the hearing and giving the time, place and purpose of the hearing. At least 2 members of the commission shall attend each such hearing.

Within a reasonable time following the hearing the commission shall give public notice of the proposed classification arrived at after considering the results of the hearing.

The commission shall submit as legislative proposals to each Legislature its proposed and recommended classification or re-

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classification of the various specific surface waters and tidal flats concerning which hearings have been held.

R.S.1954, c. 79, § 3; 1955, c. 425, § 6.

§ 366. Cooperation with other departments and agencies

The commission is authorized to cooperate with other departments of this State and with any other state or states and with the Federal Government for the purpose of carrying out this subchapter relating to rivers and waters which run through this State and any other state or states. Said commission is authorized to cooperate with the Federal Government for the purpose of carrying out this subchapter relating to any and all rivers and waters which, in whole or in part, are located in or run through this State.

R.S.1954, c. 79, § 7.

§ 367. Classification of surface waters

The surface waters in sections 368 to 371 shall be classified in accordance with this subchapter.

R.S.1954, c. 79, § 15.

§ 368. —Inland waters

Androscoggin River Basin

Little Androscoggin River Drainage

1. All segments of the Little Androscoggin River drainage system not otherwise specified and above the confluence of the Little Androscoggin River and Range Brook, Mechanic Falls — Class B-1.
2. Andrews Brook (Woodstock and Paris) — Class B-2.
3. Bird Brook (Norway) — Class C.
4. Bog Brook, in Hebron, Mechanic Falls and Minot and tributaries not otherwise specified — Class B-2.
5. Davis Brook (Poland) — Class C.
6. Hodgkins Brook (Auburn) tributary of Taylor Pond — Class B-2.
7. Indian Brook (Minot) — Class B-2.
8. Lapham Brook (Auburn) tributary of Taylor Brook — Class B-2.

9. Little Androscoggin River, main stem, from a point 0.25 mile above the bridge at West Paris to the confluence with Andrews Brook — Class C.

10. Little Androscoggin River, main stem, from the Andrews Brook confluence to the Route 26 Bridge in South Paris — Class B-2.

11. Little Androscoggin River, main stem, from the Route 26 Bridge in South Paris to the confluence with the outlet of Thompson Lake in Oxford — Class D.

12. Little Androscoggin River, main stem, from the confluence of the Thompson Lake Outlet (Oxford) to the confluence of Range Brook (Mechanic Falls) — Class C.

13. Meadow Brook (Oxford and Poland) — Class B-2.

14. Minister Brook (Oxford) — Class B-2.

15. Moose Pond Outlet at Otisfield (does not include Greely Brook) — Class B-2.

16. Morgan Brook (Minot) — Class B-2.

17. Outlet of Little Pennesseewassee Lake (Norway) — Class B-2.

18. Outlet of Thompson Lake (Oxford) — Class C.

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

20. Range Brook and its tributaries, Mechanic Falls and Poland — Class B-1.

21. Taylor Brook (Auburn) — Class C.

22. Unnamed Stream entering Bryant Pond, rising in the vicinity of Bucks Lodge and flowing through Bryant Pond Village — Class B-2.

23. Unnamed Brook (Minot), the first stream entering the Little Androscoggin River on upstream of and on the same side of the river as Morgan Brook — Class B-2.

24. Unnamed Brook in Auburn which enters the Little Androscoggin River from the north about 1.3 miles east of Minot Village — Class C.

25. West branch of unnamed stream which enters north and Pennesseewassee Lake from vicinity of Nobles Corner — Class B-2.

26. West Branch of Bog Brook and tributaries, Gardiner Brook and tributaries, and Brickwell Brook and tributaries, all in the Bog Brook drainage in Mechanic Falls, Minot and Hebron — Class B-1.

Main Stem, Androscoggin River, that portion located below the most downstream crossing of the Maine-New Hampshire boundary to a line formed by the extension of the Brunswick-West Bath town line across Merrymeeting Bay in a northwesterly direction.

Minor Tributaries, Androscoggin River, those tributaries located below the most downstream crossing of the Maine-New Hampshire boundary to a line formed by the extension of the Brunswick-West Bath town line across Merrymeeting Bay in a northwesterly direction.

1. All tributaries, direct and indirect of the Androscoggin River, lying wholly within the State of Maine, not otherwise specified or classified with the following exceptions: Little Androscoggin River, Logan Brook, Penley Brook and No Name Brook in Lewiston — Class B-1.

2. All tributaries, direct and indirect, of the Androscoggin River between the New Hampshire boundary and the bridge at West Peru not otherwise specified or classified — Class B-1.

3. Alder River, Bethel, main stem, from the confluence of Kendall Brook to the Androscoggin River — Class C.

4. Alder River, main stem, from the outlet of South Pond at Lockes Mills Village to the confluence with Kendall Brook — Class B-2.

5. Austin Brook (or Abbott Brook), in Mexico, from Fourth Street to the Androscoggin River — Class C.

6. Bean Brook (or Swain Brook), Rumford, from its confluence with the Androscoggin River to the dam at the rendering company — Class C.

7. Chapman Brook and its tributaries above the bridge at the highway leading from Bethel to Gilead on the north side of the Androscoggin River — Class A.

8. Childs Brook (Canton) and its tributaries — Class B-2.

9. Ellis River from its confluence with the Androscoggin River to the sawmill dam at East Andover including West Branch of the Ellis River to the sawmill dam at Andover — Class B-2.

10. Keith Brook (Livermore) — Class B-2.
 11. Lake Auburn Outflow (Auburn) — Class B-2.
 12. Mill Brook, Bethel, from its confluence with the Androscoggin River to the Route 5 Bridge near the Bethel Inn Golf Course — Class C.
 13. Nezinscot River, main stem, from its junction with the outlet of South Pond to its confluence with the Androscoggin River — Class B-2.
 14. Sabattus River (from Sabattus Lake to limits of Lisbon urban area) — Class C.
 15. Sevenmile Stream (Jay) — Class C.
 16. Spear Stream, Peru, from the sawmill dam to the Androscoggin River — Class C.
 17. Swift River from point at which Mexico-Rumford town boundary leaves the river at Osgood Avenue to the Androscoggin River — Class C.
 18. Unnamed Stream (one mile below Livermore Falls Bridge) — Class B-2.
 19. Webb River, Dixfield, from the White Bridge to the Androscoggin River — Class C.
 20. Whitney Brook (Canton) and its tributaries — Class C.
- Upper Androscoggin Drainage**, that portion lying above the most upstream crossing of the Maine-New Hampshire boundary.
1. All waters and segments thereof of the Androscoggin River Drainage System lying above the most upstream crossing of the Maine-New Hampshire boundary and wholly within the State of Maine, not otherwise specified or classified — Class B-1.
 2. Cupsuptic Stream and its tributaries above its confluence with Cupsuptic Lake — Class A.
 3. Kennebago Stream and its tributaries above its confluence with Mooselookmeguntic Lake — Class A.
 4. The Magalloway River and its tributaries above the first crossing of the Maine-New Hampshire state line — Class A.
 5. Mill Stream, Rangeley — Class C.

Aroostook River Basin

Aroostook River, Main Stem

1. Aroostook River above the junction with St. Croix Stream — Class A.
2. Aroostook River from junction with St. Croix Stream to junction with Machias River — Class B-1.
3. Aroostook River from Machias River confluence to the Castle Hill-Ashland town line — Class D.
4. Aroostook River from the Ashland-Castle Hill town line to the Wade-Washburn town line — Class B-2.
5. Aroostook River from Wade-Washburn town line to the crossing of the Aroostook Valley Railroad about 6 miles below Washburn — Class D.
6. Aroostook River from the crossing of the Aroostook Valley Railroad about 6 miles below Washburn to the junction with Presque Isle Stream — Class C.
7. Aroostook River from the entrance of Presque Isle Stream to the international boundary, except for that portion beginning at a point 100 yards below the intake of the Caribou water supply and extending upstream a distance of 3 miles — Class D.
8. Aroostook River from a point 100 yards downstream of the Caribou water supply intake to a point 3 miles upstream from this starting point — Class B-1.

Tributaries

1. All tributaries, direct and indirect, of the Aroostook River above the junction with St. Croix Stream — Class A.
2. All tributaries, direct and indirect, of the Aroostook River from its junction with St. Croix Stream to its junction with the Machias River, unless otherwise specified or classified — Class B-1.
3. All waters of the Aroostook River Basin not otherwise specified or classified which are wholly within the State of Maine — Class B-2.
4. Amsden Brook below the starch factory dam (Fort Fairfield) — Class D.

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

6. Butterfield Brook, Limestone, from the northern fence of Loring Air Base to its junction with Limestone Stream — Class B-1.

7. Butterfield Brook above Loring Air Force Base — Class B-1.

8. Caribou Stream below outfall of starch factory waste line near Colby to its confluence with the Aroostook River — Class C.

9. Dudley Brook, Castle Hill, above confluence with North Branch of Presque Isle Stream — Class B-1.

10. Four Corners Brook (Limestone) — Class B-1.

11. Goodrich Brook (also known as Colony Brook), Fort Fairfield, below the dam at the starch factory — Class D.

12. Hardwood Brook (Caribou & Presque Isle) — Class B-1.

13. Libby Brook above the Mapleton-Washburn Road — Class B-1.

14. Limestone Stream, from the Route 165 Bridge in Limestone Village to the Canadian border — Class D.

15. Little Machias River and its tributaries — Class A.

16. Little Madawaska River and tributaries including Madawaska Lake tributaries above the Route 161 Highway Bridge in Stockholm — Class A.

17. Machias River and its tributaries above the Garfield Plantation-Ashland town line — Class A.

18. Machias River, Ashland, from immediately upstream of the starch factory outfall to the Ashland-Garfield Plantation boundary — Class B-1.

19. Machias River, Ashland, from a point immediately above the starch factory outfall to its junction with the Aroostook River — Class D.

20. Otter Brook (Caribou) — Class B-1.

21. Pattee Brook at Fort Fairfield and its tributaries above the dam just upstream of the highway bridge on Route 167 — Class A.

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22. Pattee Brook, Fort Fairfield, from dam at starch factory to confluence with Aroostook River — Class D.

23. Presque Isle Stream and its tributaries above its confluence with, but not including, the North Branch of Presque Isle Stream — Class A.

24. Presque Isle Stream, from its confluence with the Aroostook River to the Bangor and Aroostook Railroad Bridge nearest Chapman and High Streets in Presque Isle — Class D.

25. Prestile Brook (Caribou) — Class B-1.

26. Rand Pond Outlet (Presque Isle) — Class B-1.

27. St. Croix Stream and its tributaries above its confluence with the Aroostook River — Class A.

28. Salmon Brook, and tributaries upstream of the dam immediately upstream of Washburn Village — Class B-1.

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

30. Silver Springs Brook — Class B-1.

31. Small stream (unnamed) in Presque Isle near vining station on Washburn Road — Class C.

32. Spring Brook, Mapleton, above confluence with North Branch of Presque Isle Stream — Class B-1.

33. Squapan Stream and tributaries above the B. & A. Railroad Bridge — Class A.

Kennebec River Basin

Carrabassett River

1. Carrabassett River, all portions, tributaries and portions of tributaries not otherwise specifically described and otherwise classified — Class B-1.

2. Carrabassett River and its tributaries above a point immediately downstream of its junction with the West Branch of the Carrabassett River in Kingfield — Class A.

3. Carrabassett River, main stem, from junction with West Branch at Kingfield to a point 1 mile above the railroad bridge in North Anson — Class B-2.

4. Carrabassett River, main stem, from point 1 mile above railroad bridge at North Anson to its junction with the Kennebec River — Class C.

5. Gilman Stream, main stem, from bridge at New Portland to confluence with the Carrabassett River — Class C.

6. Harris Brook, New Portland, below Route 16 in Village of North New Portland to its confluence with Gilman Stream — Class C.

7. Lemon Stream, main stem, from outlet of Mill Pond in New Vineyard to its confluence with Carrabassett River — Class B-2.

8. Mill Stream, Anson, from the railroad bridge in North Anson Village to the confluence with the Carrabassett River — Class C.

9. Stanley Stream, Kingfield — Class C.

Cobbosseecontee Stream Drainage System

1. All water and portions of the Cobbosseecontee Drainage System not otherwise specified or classified — Class B-1.

2. Carleton Pond Outlet and its tributaries from Carleton Pond to Upper Narrows Pond — Class C.

3. Minwah Stream, Wales, and its tributaries — Class C.

4. Outlet Lake Maranacook between Lake Maranacook and Lake Annabessacook — Class C.

5. Tributaries of Lake Annabessacook with the exception of Wilson Stream and others specifically defined — Class B-2.

6. Tributaries of Purgatory Pond, direct and indirect, and the outlet of Purgatory Pond to Cobbosseecontee Stream — Class B-2.

7. Unnamed stream entering Cobbosseecontee Lake through golf course from immediately south of Manchester Village — Class C.

8. Unnamed stream and its tributaries flowing from Loon Pond in Litchfield and the tributaries of Loon Pond — Class B-2.

9. Unnamed stream and its tributaries entering the southerly extremity of Pleasant Pond from the south — Class B-2.

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10. Unnamed stream and its tributaries entering the cove at the southwest extremity of Pleasant Pond — Class B-2.

11. Unnamed brook and its tributaries entering northerly cove of Lake Maranacook at Readfield across Route 17 — Class C.

12. Wilson Stream, southerly branch, and tributaries above its junction with the branch from Wilson Pond, including the outlet of Cochnewagan Pond — Class C.

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 D.

14. Wilson Stream (Monmouth), main stem, from the junction with the branch of Wilson Stream entering from the vicinity of Monmouth Village below the tracks of the Maine Central Railroad to its entrance to Annabessacook Lake — Class C.

Kennebec River, Main Stem, and those portions of tributaries affected by the rise and fall of the tide from Wyman Dam at Moscow to a line drawn between the most easterly point of land at the southerly end of Popham Beach in Phippsburg and the southernmost extension of Bay Point in Georgetown, not including the Androscoggin River and tributaries northwest of a line formed by the extension of the Brunswick-West Bath town line across Merrymeeting Bay in a northwesterly direction.

1. From Wyman Dam in Moscow to the head of the island immediately below Great Eddy in Skowhegan — Class C.

2. From the head of the island immediately below Great Eddy to the power company dam in Fairfield — Class B-2.

3. From the power company dam in Fairfield to a point 0.5 mile above the southerly boundary of the Towns of Fairfield and Benton — Class C.

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.

5. From a line drawn due west across the Kennebec River Tidal Estuary 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 the southernmost point of the island, thence due west to the westerly shore of the river, to a line drawn across the Tidal Estuary of the Kennebec River, due east, from Abagadasset Point, and including tidal portions of tributaries not otherwise classified — Class C.

6. From a line drawn across the tidal estuary of the Kennebec River, due east from Abagadasset Point, and bounded by a line across the southwesterly arm of Merrymeeting Bay formed by an extension of the Brunswick-West Bath town line across the bay in a northwesterly direction to the westerly shore of Merrymeeting Bay and to a line drawn from Chop Point in Woolwich to West Chop Point in Bath and including tidal portions of tributaries not otherwise classified — Class B-2.

7. From a line drawn from Chop Point in Woolwich to West Chop Point in Bath to a line across the Kennebec River bearing due west from Bluff Head in the Town of Arrowsic and including tidal portions of tributaries not otherwise classified — Class SB-2.

8. From a line extending due west from Bluff Head in the Town of Arrowsic to a line drawn between the most easterly point of land at the southerly end of Popham Beach in Phippsburg and the southernmost extension of Bay Point in Georgetown and including tidal portions of tributaries not otherwise classified — Class SB-1.

9. With respect to subsections 1 to 8, a municipality, sewer district, person, firm, corporation, the State or any subdivision thereof, or other legal entity shall not be deemed to be in violation of section 451 at any time or times prior to October 1, 1976 with respect to any of said classifications if by such time or times he or it, with regard to a project designed to achieve compliance with the applicable classification, shall have completed all of the steps required to be then completed by the following schedule:

A. Preliminary plans and engineers' estimates shall be completed and submitted to the Water Improvement Commission on or before October 1, 1964.

B. Arrangements for administration and financing shall be completed on or before October 1, 1968. This period, in the case of municipalities, shall encompass all financing including obtaining of state and federal grants.

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C. Detailed engineering and final plan formulation shall be completed on or before October 1, 1969.

D. Review of final plans with the Water Improvement Commission shall be completed and construction commenced on or before October 1, 1970.

E. Construction shall be completed on or before October 1, 1976.

Messalonskee Stream Drainage System

1. All waters and segments of the Messalonskee Drainage System not otherwise specified or classified — Class B-1.

2. Clear Brook, between East Pond and North Pond — Class B-2.

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

4. Messalonskee Stream, main stem, from Rice's Rips Dam to Union Dam in Waterville — Class C.

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

6. Tributaries of Messalonskee Stream entering between the outlet of Messalonskee Lake and its junction with the Kennebec River — Class C.

Minor Tributaries below Wyman Dam in Moscow

1. All tributaries, direct and indirect, or portions thereof, not otherwise classified or specified, entering the Kennebec River between Wyman Dam and Chop Point in Bath. (This is in no way intended to include the Androscoggin River) — Class B-1.

2. All waters of the Carrabassett Stream System not specifically mentioned or otherwise classified — Class B-2.

3. Austin Stream and its tributaries above the highway bridge on Route 201 in the Town of Bingham — Class A.

4. Bog Brook, West Athens Vicinity, above confluence with Bradbury Stream — Class B-2.

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

6. Cold Brook and its tributaries (Wesserunsett Drainage) — Class B-2.
7. Currier Brook, Skowhegan, from Fairview Avenue to its confluence with the Kennebec River — Class C.
8. Fall Brook, Solon, from the dam upstream of Route 201 in Solon Village to its confluence with the Kennebec River — Class C.
9. Greeley Pond Brook, below the outfall of the V. A. Hospital sewage treatment plant to the confluence with Togus Stream — Class B-2.
10. Kennedy Brook, Augusta — Class B-2.
11. Mill Stream, in the Village of Norridgewock, below the upstream bridge in the village — Class C.
12. Mill Stream, and tributaries, Norridgewock, above upstream bridge in Norridgewock Village — Class B-2.
13. Sevenmile Stream from the entrance of Webber Pond Outlet to the Kennebec River — Class B-2.
14. Togus Stream, from Greeley Pond Brook junction to the Kennebec River — Class B-2.
15. Twomile Brook, Augusta, from the entrance of the Cushnoc Housing Development sewer to the Kennebec River — Class C.
16. Unnamed stream, in the Village of Anson, below its upstream bridge to its confluence with the Kennebec River — Class B-2.
17. Unnamed stream and tributaries crossing Bangor Street in Augusta near Coca Cola bottling plant — Class 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.
19. Webber Pond Outlet, Vassalboro, from Webber Pond to the confluence with Sevenmile Stream — Class B-2.
20. West Branch of Wesserunsett Stream, between Wesserunsett Stream, between Wesserunsett Lake and Smith Pond; including Paine Brook, Kincaid Stream, Haley Stream and Longley Brook — Class B-2.

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Sandy River

1. All tributaries, or portions thereof, of Sandy River not otherwise classified or recommended for classification — Class B-1.
2. Bean Brook, Strong, between its junction with Doctor Brook and with Valley Brook — Class C.
3. Cascade Brook, Farmington, between the Route 2 Bridge and Sandy River — Class C.
4. Lemon Stream, Starks, from dam in Starks Village to its confluence with the Sandy River — Class C.
5. Little Norridgewock Stream and tributaries above confluence with Wilson Stream — Class B-2.
6. Meadow Brook, Wilton, from Depot Street to its confluence with Wilson Stream — Class C.
7. Sandy River and its tributaries above Phillips at the highway bridge on Route 142 — Class A.
8. Sandy River, main stem, from the Route 142 Bridge in Phillips to Route 4 Bridge in Farmington — Class B-2.
9. Sandy River, main stem, from Route 4 Bridge in Farmington to the entrance of Beales Brook — Class D.
10. Sandy River, main stem, from the entrance of Beales Brook to its confluence with the Kennebec River — Class C.
11. Temple Stream, between the bridge in the Village of Temple and Sandy River — Class C.
12. Unnamed stream, Farmington, urban area vicinity of Middle Street — Class C.
13. Unnamed stream, below canning factory in New Sharon Village — Class D.
14. Valley Brook, Strong, between the Route 145 Bridge and the main stem of the Sandy River — Class C.
15. Wilson Stream, main stem, from outlet of Wilson Pond to the Route 133 crossing — Class D.
16. Wilson Stream, main stem, from Route 133 crossing to junction with Sandy River — Class C.

Sebasticook River, Main Stem, including East and West Branches.

1. All portions and segments of the main stem of the Sebasticook River not otherwise specified or classified above the dam of the Central Maine Power Company at Winslow — Class B-2.
2. East Branch from outlet of Lake Wassokeag to confluence of tributary entering from Puffers Pond — Class D.
3. East Branch from the junction of Puffers Pond tributary to the outlet of Corundel Lake — Class C.
4. East Branch from outlet of Corundel Lake to Sebasticook Lake — Class D.
5. East Branch from outlet of Sebasticook Lake to Eelweir Bridge — Class D.
6. West Branch from outlet of Great Moose Lake to Route 43 Bridge in Hartland — Class C.
7. West Branch from Route 43 Bridge in Hartland to its junction with the East Branch — Class D.
8. Main Stem from Eelweir Bridge to Pittsfield-Burnham town line — Class D.
9. Main Stem from a point 0.5 mile above the highway bridge at Clinton to a point 1.0 mile above the highway bridge at Benton Falls — Class C.
10. Main Stem below dam of the Central Maine Power Company at Winslow — Unclassified.

Tributaries of the Sebasticook River Drainage System

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.
2. All tributaries on the west side of the main stem of the Sebasticook River below the dam of the Central Maine Power Company at Winslow — Class B-2.
3. Brackett Brook (Palmyra and Newport) — Class D.
4. Carlton Stream and tributaries — Class 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.

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6. China Lake Outlet, main stem, from crossing of highway between East Vassalboro and North Vassalboro to the Outlet of China Lake — Class C.

7. Farnham Brook below Route 100 — Class D.

8. Fifteenmile Stream and tributaries below its junction with Mill Stream near Albion — Class C.

9. Higgins Brook, main stem, from crossing of Route 154 above Harmony to its outlet to Great Moose Lake — Class C.

10. Joaquin Brook and its tributaries — Class B-1.

11. Meloon Brock and its direct and indirect tributaries — Class B-1.

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

13. Pratt Stream and its tributaries above its junction with Fifteenmile Stream — Class B-1.

14. Puffers Pond tributary and all branches thereof — Class B-1.

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.

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

17. Small streams and tributaries, direct or indirect, not otherwise specified or classified, entering the Sebasticook River from the east between Twentyfivemile Stream and Fifteenmile Stream — Class C.

18. Small streams and their tributaries not otherwise specified entering the Sebasticook River from the east between the outlet of Fifteenmile Stream and the point of discharge of China Lake Outlet — Class C.

Upper Kennebec River Basin, that portion lying above Wyman Dam in Moscow.

1. All waters tributary to the flowage of Long Falls Dam on the Dead River with the exception of the North Branch of Dead River, the South Branch of Dead River and Stratton Brook — Class B-1.

2. All waters tributary to the Dead River between Long Falls Dam and its junction with the Kennebec River at the Forks — Class B-1.

3. Dead River, South Branch, segments and tributaries thereof, not otherwise defined above the normal high water mark of the reservoir created by the Long Falls Dam — Class B-1.

4. Kennebec River and tributaries below Moosehead Lake (including East and West Outlets), the sections of Dead River (main stem) below Long Falls Dam, to Wyman Dam in Moscow — Class B-1.

5. Moose River and its tributaries above the outlet of Big Wood Pond in Jackman — Class A.

6. Moose River, all tributaries, main stem excluded, entering between the outlet of Wood Pond at Jackman and the mouth of Moose River at Moosehead Lake in Rockwood — Class B-1.

7. Moose River, Jackman Plantation, between Big Wood Pond and Long Pond — Class C.

8. Moose River, from entrance to Long Pond to entrance to Moosehead Lake — Class B-1.

9. Moosehead Lake, all tributaries above normal high water with the exception of Roach River below First Roach Pond Dam and the unnamed streams entering East and West Coves of Moosehead Lake respectively through the Village of Greenville — Class B-1.

10. North Branch of Dead River and its tributaries above its confluence with Flagstaff Lake — Class A.

11. Roach River, main stem, First Roach Pond Dam to outlet — Class B-2.

12. Stratton Brook and its tributaries above the Stratton-Kingfield highway — Class B-1.

13. Unnamed stream and its tributaries entering Moosehead Lake at East Cove through Greenville Village — Class C.

14. Unnamed stream and its tributaries entering Moosehead Lake at West Cove through Greenville Junction — Class C.

Meduxnekeag River Basin

1. All segments and branches of the Meduxnekeag River, not otherwise defined, above the international boundary — Class B-1.

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2. All segments and tributaries of Prestile Stream, not otherwise defined, above the international boundary — Class B-1.

3. Big Brook tributary, main stem, from the bridge at the Bangor & Aroostook Railroad to the outlet of the stream at the Meduxnekeag River — Class C.

4. Meduxnekeag River, main stem, from outlet of pond at New Limerick downstream to a bridge at the road just upstream of Houlton's compact area leading to gravel pits — Class B-2.

5. Meduxnekeag River, main stem, from bridge at gravel pit entrance just upstream of the compact area in Houlton to the international boundary — Class C.

6. North Branch of the Meduxnekeag River and its tributaries above the Monticello-T C R 2 boundary — Class A.

7. North Branch of the Meduxnekeag River, main stem, from the bridge at U.S. Highway No. 1 to the international boundary — Class C.

8. Pearce Brook tributary in Houlton — Class D.

9. Prestile Stream, main stem, from the bridge at Westfield to the international boundary in the Town of Bridgewater — Class B-2.

10. South Branch of the Meduxnekeag River, main stem, from the dam at Hodgdon to the outlet into the main river — Class C.

11. Whitney Brook and its tributaries above the confluence with Prestile Stream — Class B-2.

Mousam River Basin

1. All portions of Mousam River drainage not otherwise specified or classified — Class B-1.

2. Hay Brook — Class C.

3. Mousam River, main stem, and tributaries, West Branch from dam at Emery's Mills to northerly boundary of compact area of Sanford about 0.5 mile above Mill Street in the Springvale section — Class B-2.

4. Mousam River, main stem, West Branch, from northerly boundary of compact area of Sanford about 0.5 mile above Mill Street in Springvale section to its junction with the East Branch — Class D.

5. Mousam River, main stem and tributaries entering from west from junction of East and West Branches to tidewater — Class B-2.

6. Mousam River, Middle Branch, from bridge near Yeaton Hill to junction with West Branch — Class C.

7. Mousam River, East Branch, main stem, through Waterboro Village and tributary entering at downstream edge of Waterboro Village — Class C.

Penobscot River Basin

East Branch Penobscot River Drainage System

1. East Branch of the Penobscot River and its tributaries above the outlet of Mattagamom Lake — Class A.

2. Penobscot River, East Branch, segments and tributaries thereof, between its outlet and the dam at Grand Lake Mattagamom — Class B-1.

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.

Mattawamkeag River Drainage System

1. All segments and tributaries of the Mattawamkeag River Drainage, not otherwise defined, above its outlet to the Penobscot — Class B-1.

2. Baskahegan Stream, main stem, from its outlet to the Mattawamkeag River to the narrows in Crooked Brook Flowage approximately one mile above the Village of Danforth — Class C.

3. Cold Brook, a tributary of the Mattawamkeag River, East Branch, entering at Smyrna Mills, the main stem thereof from the confluence with Huntley Mill Pond Brook to its outlet to the East Branch of the Mattawamkeag River — Class B-2.

4. Fish Stream, main stem only, from its confluence with the West Branch of the Mattawamkeag River to the entrance of the Crystal Brook tributary — Class C.

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.

6. Huntley Mill Pond Brook in Merrill, the main stem from the outlet of Huntley Mill Pond to the confluence with Cold Brook — Class B-2.

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7. Mattakeunk Stream, main stem, from the outlet of Dwin-al Pond to Mattakeunk Pond — Class C.

8. Mattawamkeag River, main stem, outlet to the junction of the East and West Branches in the Town of Haynesville — Class B-2.

9. Mattawamkeag River, East Branch, between the junction of the East and West Branches in Haynesville and the entrance of the Cold Brook tributary near Smyrna Mills Village — Class B-2.

10. Mattawamkeag River, West Branch, main stem, from the junction of the East and West Branches of the river to, and including, the thoroughfare between the upper and lower Mat-tawamkeag Lakes — Class B-2.

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

12. Molunkus Stream, main stem, from its outlet to the Mat-tawamkeag at Kingman to a point $\frac{1}{4}$ mile above the highway bridge at Sherman Mills — Class B-2.

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

Penobscot River, Minor Tributaries, from the confluence of the East and West Branches to a line drawn due east from Fort Point in the Town of Stockton Springs, not including the Piscataquis and Mattawamkeag Rivers Drainage Systems.

1. All tributaries, direct and indirect, and segments thereof, of the Penobscot River from the confluence of the East and West Branches of the Penobscot, with the exception of the Piscataquis and Mattawamkeag Rivers Drainage Systems to Pushaw Stream on the west shore of the Penobscot River and to Blackman Stream on the east shore of the Penobscot River, unless otherwise specified or classified — Class B-1.

2. All minor tributaries on the west shore of the Penobscot River between Pushaw Stream and the Hampden-Winterport line, not otherwise designated — Class C.

3. All minor tributaries on east shore of the Penobscot Riv-er between Blackman Stream and the Orrington-Bucksport line, not otherwise designated — Class C.

4. All streams, segments and tributaries thereof, not otherwise defined, entering tidewater between the head of tide on Marsh Stream (Frankfort) and Fort Point (Stockton Springs) — Class C.

5. All minor tributaries, segments, direct and indirect, not otherwise defined, entering tidewater from the head of tide on the Orland River south to a line drawn due east from Fort Point (Stockton Springs) — Class B-1.

6. Cambolasse Stream, Lincoln, from the Route 2 crossing to the Penobscot River — Class C.

7. Great Works Stream and its tributaries above the highway bridge on Route 178 in the Town of Bradley — Class A.

8. Halfmoon Pond (Searsport), and its tributaries above the pond outlet — Class B-1.

9. Kenduskeag Stream and its tributaries above the Bulls-eye Bridge (Bangor) — Class B-2.

10. Kenduskeag Stream and tributaries below the Bulls-eye Bridge (Bangor) — Class D.

11. Marsh River (Prospect), segments and tributaries thereof, not otherwise defined, above tidewater — Class B-2.

12. Marsh Stream (Frankfort, etc.), segments and tributaries, not otherwise defined, above tidewater — Class B-2.

13. Marsh Stream, main stem, from a point 0.4 mile above the bridge at Brooks Village to the inlet of Basin Pond — Class C.

14. Marsh Stream, main stem, from its junction with the North Branch of Marsh Stream to the bridge at West Winterport — Class C.

15. Marsh Stream, North Branch, main stem, from a point 0.25 mile upstream of Monroe Village to the junction of the North Branch with the main stem — Class C.

16. Marsh Stream and its tributaries upstream of a point 0.4 mile above the highway bridge in Brooks Village — Class B-1.

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

18. Olamon Stream and its tributaries above the bridge on Horseback Road — Class A.

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19. Orland River and its tributaries above the outlet of Alamoosook Lake — Class A.

20. Orland River, segments and tributaries thereof, not otherwise defined, above tidewater — Class B-1.

21. Orland River or Narramissic River from tidewater to a point opposite the Oak Grove cemetery — Class B-2.

22. Outlet of Silver Lake above the village limits of Bucksport — Class B-1.

23. Passadumkeag River and its tributaries above Grand Falls — Class A.

24. Sourdabscook Stream and its tributaries above the dam of the Hampden Water District at Hampden — Class A.

25. Sourdabscook Stream from the dam of the Hampden Water District to the Penobscot River — Class C.

26. Sunkhaze Stream and its tributaries above its confluence with the Penobscot River — Class A.

27. Unnamed stream and its tributaries entering tidewater at Mill Cove near Sandy Point, above the first highway bridge west of the Route 3 Highway Bridge — Class B-1.

Piscataquis River Drainage System

1. All waters, segments and tributaries, direct and indirect, of the Piscataquis River Drainage System not otherwise specified or classified — Class B-1.

2. All tributaries of the Piscataquis River and segments thereof not otherwise designated or classified between, not including, the Sebec River and the Maine Central Railroad Bridge at Dover-Foxcroft — Class B-2.

3. Carleton Stream, Sangerville, from its mouth to the crossing of Route 23 — Class C.

4. Carleton Stream and its tributaries above Route 23 — Class B-2.

5. Davee Brook below North Street, Dunham Brook below Forest Street and Fox Brook below Grove Street in Dover-Foxcroft — Class C.

6. East and West Branches of the Piscataquis River and their tributaries above their confluence near Blanchard — Class A.

7. East and West Branches of the Pleasant River and their respective tributaries above the confluence of these 2 streams above Brownville Jct. — Class A.

8. Kingsbury Stream, Abbot, from its mouth to a point 100 yards above the bridge on Route 15 in Abbot Village — Class B-2.

9. Phillip Brook, Monson, from Lake Hebron to the junction with Monson Stream — Class C.

10. Piscataquis River below the dam near the mouth of the river at Howland — Class C.

11. Piscataquis River from the dam at Howland to the Penobscot River run-around — Class B-2.

12. Piscataquis River, main stem, from Abbot-Guilford town line to the bridge at East Dover — Class D.

13. Piscataquis River, main stem, from East Dover to the junction with Pleasant River — Class C.

14. Piscataquis River, main stem, from junction with Pleasant River to Schoodic Stream confluence — Class B-2.

15. Piscataquis River, main stem, from Abbot-Guilford town line to mouth of Kingsbury Stream — Class B-2.

16. Pleasant River, main stem, from its mouth to the end of Maple Street in Brownville Junction — Class C.

17. Sebec River, main stem, from its mouth to the dam at Main Street in Milo — Class C.

18. Sebec River and its tributaries above the outlet of Monson Stream — Class A.

West Branch Penobscot River Drainage System

1. All waters, tributaries and segments thereof of the Penobscot River Drainage System, not otherwise specified or classified, upstream of the outlets of Ferguson Lake and Quakish Lake and North Twin Dam — Class B-1.

2. Penobscot River and its tributaries above Seboomook Lake — Class A.

3. That portion of the main stem of the Penobscot River (West Branch) between the outlet of Ferguson Lake and of Quakish Lake and North Twin Dam at the outlet of North Twin Lake or Elbow Lake, which would include the reservoirs known as Quakish Lake and Ferguson Lake — Class B-2.

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4. Tributaries, direct and indirect, and segments thereof, of the West Branch of the Penobscot River from the outlet of Quakish and Ferguson Lakes (Millinocket) to its confluence with the East Branch; with the exception of the segments of Millinocket Stream (Millinocket) between the railroad bridge and the West Branch of the Penobscot River — Class B-1.

Presumpscot River Basin (Includes all drainage area above the Presumpscot Falls Dam)

1. All waters, tributaries and segments of the Presumpscot River Basin, not otherwise specified or classified, with the exception of the Presumpscot River, main stem, below the upstream compact limits of Westbrook — Class B-1.

2. Frank Brook, and Pleasant River above its confluence with Frank Brook, together with tributaries thereof — Class B-2.

3. Little River, main stem, (Windham) from canning plant on Route 114 to its confluence with the Presumpscot River — Class C.

4. Outflow from Panther Pond to Sebago Lake — Class B-2.

5. Outlet of Tuttle Pond, Windham — Class B-2.

6. Pleasant River, and tributaries between Frank Brook (Gray) and its entrance to Little Sebago Lake — Class B-2.

7. Presumpscot River, main stem, below Village of South Windham to upper limits of City of Westbrook — Class C.

8. Second westerly tributary of the North Branch of Little River (Windham) — Class B-2.

9. Stevens Brook, Bridgton — Class D.

10. Tannery Brook, and its tributaries, Gorham — Class B-2.

11. Tributaries, direct and indirect, of Songo Pond (Albany vicinity) — Class B-2.

12. Tributaries of Papoose Pond (Waterford) — Class B-2.

13. Tributaries of Coffee and Dumpling Ponds, Casco, above inlet to Pleasant Lake — Class B-2.

14. Unnamed stream, entering Sebago Lake at North Sebago Village — Class B-2.

Saco River Basin**Main Stem, Saco River**

1. All portions of the main stem, Saco River, above tidewater not otherwise specified or classified — Class B-1.
2. Saco River, main stem, from Route 5 (Fryeburg-Lovell road) to a point $\frac{3}{4}$ mile below the Fryeburg-Lovell road — Class B-2.
3. Saco River, main stem, from junction with Ossipee River to the entrance of Quaker Brook — Class B-2.
4. Saco River, main stem, from entrance of Quaker Brook to crossing of Boston-Maine Railroad bridge above Bar Mills — Class C.
5. Saco River, main stem, from Boston-Maine Railroad bridge above Bar Mills to the dam at Union Falls — Class D.
6. Saco River, main stem, from Union Falls Dam to the Saco-Biddeford city limits — Class B-2.
7. Saco River, main stem, from city limits of Biddeford to tidewater — Class D.

Tributaries, Saco River

1. All tributaries, direct and indirect, and segments thereof, of the Saco River Drainage, above tidewater, not otherwise specified or classified — Class B-1.
2. Brown Brook, Limerick, main stem, from outlet of Holland Pond to junction with Little Ossipee River — Class C.
3. Goodwins Mills Brook, main stem, from 0.5 mile above crossing of Route 35 at Goodwins Mills to Saco River — Class B-2.
4. Kimball Brook, vicinity North Fryeburg, from point 0.5 mile above Route 113 crossing to Charles Pond — Class C.
5. Little River, from crossing of Route 5 approximately 1.0 mile above Cornish Village to its outlet to the Ossipee River — Class D.
6. Ossipee River, main stem, from 0.5 mile upstream of Route 25 bridge at Kezar Falls to the entrance of Wadsworth Brook — Class D.

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7. Ossipee River, main stem, from entrance of Wadsworth Brook to junction with Saco River — Class C.
8. Wards Brook (Ward Pond to outlet of brook) — Class C.

St. Croix River Basin

1. All tributaries of the St. Croix River upstream from the dam at Calais, the drainage areas of which are wholly within the State of Maine, and including the West Branch of the St. Croix River and its tributaries which enter through Grand Lake Flowage — Class A.

St. John River Basin

Allagash River Drainage Area — Class A

Fish River Drainage Area

1. All waters, segments and tributaries of the Fish River Drainage not otherwise specified or classified — Class B-2.
2. Fish River and its tributaries above the highway bridge over the Fish River at the outlet of St. Froid Lake on Highway Route 11 — Class A.
3. Fish River from the bridge at Fort Kent Mills to the Route 11 Bridge near the foot of St. Froid Lake — Class B-1.
4. Fish River, main stem, from bridge at Fort Kent Mills to confluence with St. John River — Class D.

Main Stem, St. John River — Unclassified

Tributaries

1. All waters of the St. John Drainage Basin not otherwise specified or classified which receive drainage from lands entirely within the United States — Class B-1.
2. All tributaries of the St. Francis River, the drainage areas of which are wholly within the State of Maine — Class A.
3. All tributaries and branches of the St. John River above the outlet of Allagash River, the drainage areas of which are wholly within the State of Maine, including that portion of the river above the St. John Pond Dam — Class A.
4. All streams and tributaries, unless otherwise specified or classified, entering the St. John River in Fort Kent, Frenchville, Madawaska (including the upper portion of Martin Brook), Grand

Isle, Van Buren, St. John Plantation and Hamlin Plantation — Class B-2.

5. Martin Brook, Madawaska, downstream of the bridge on the Back Settlement Road — Class C.

6. Negro Brook, Allagash Plantation, and its tributaries — Class A.

7. Oquisiquit Brook and its tributaries, Mars Hill and Easton, above the Canadian border — Class B-2.

8. Riviere des Chutes, Easton and Mars Hill, above the Canadian border — Class B-1.

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

10. Violette Brook, Van Buren, below the railroad to confluence with Violette Stream — Class C.

11. Violette Stream, Van Buren, below Champlain Street to the junction with the St. John River — Class C.

Salmon Falls — Piscataqua River Basin

1. Waters not previously classified of the main stem and direct and indirect tributaries of the Salmon Falls and Piscataqua Rivers, within the State of Maine, above tidewater — Class B-1.

R.S.1954, c. 79, § 15; 1955, c. 426, §§ 1, 2, 4; 1957, c. 322, §§ 1-8; c. 412; 1961, c. 330; 1963, c. 274, § 4.

§ 369. —Coastal streams

Those waters within the State of Maine which drain directly or indirectly into tidewater with the exception of those streams draining to inland waterways as defined under section 368. In the case of tidal effect estuaries, the upstream limits of tidal waters shall be that point where at mean high tide the average of 3 samples taken at the bed, at mid-depth and at the surface shall show a salinity of 5,000 parts per million or greater, or where the tidal limit for purposes of pollution control statutes is specifically defined.

Cumberland County

Those waters draining directly or indirectly into tidal waters of Cumberland County with the exception of the Presumpscot

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River Drainage Area upstream from the Presumpscot Falls Dam and the Androscoggin River Basin Drainage Area.

1. All coastal streams, direct and indirect segments thereof, draining to tidewater of Cumberland County, not otherwise specified or classified — Class C.

2. **Brunswick.** Unnamed Stream entering tidewater of New Meadows River at Middle Bay — Class A.

3. **Cape Elizabeth.** Alewife Brook — Class A.

4. **Falmouth.** Mill Creek and tributaries thereof — Class B-2.

5. **Falmouth and Portland.** Unnamed Stream forming a portion of the Portland-Falmouth town line and located on the southwesterly shore of the Presumpscot River estuary — Class D.

6. **Freeport.**

A. Harvey Brook — Class B-1.

B. Frost Gully Brook — Class A.

C. Merrill Brook — Class B-2.

7. **Portland.** Stroudwater River from its origin to its confluence with Indian Camp Brook — Class B-2.

8. **Scarboro.**

A. Finnard Brook — Class B-2.

B. Phillips Brook — Class D.

C. Stuart Brook — Class B-2.

9. **South Portland.** Red Brook from the Rye Pond outlet dam to its origin and tributaries thereof — Class B-2.

10. **Yarmouth.**

A. Pratts Brook — Class B-1.

B. Royal River, main stem, from its origin to the Gray-New Gloucester town line intersection — Class B-2.

Hancock County

Those waters draining directly or indirectly into tidal waters of Hancock County with the exception of those tributary to the Penobscot River Estuary north of a line drawn due east from Fort Point in Stockton Springs.

1. All coastal streams, direct and indirect segments thereof, draining to tidewaters of Hancock County, not otherwise specified or classified, with the exception of those tributary to the Penobscot River Estuary north of a line drawn due east from Fort Point in Stockton Springs — Class B-1.

2. **Blue Hill.**

A. Carleton Stream, main stem, between First Pond and Second Pond — Unclassified.

B. Carleton Stream, main stem, from the outlet of First Pond to tidewater at Salt Pond — Unclassified.

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

D. Unnamed Stream flowing from near "Old Cemetery" to the Town Wharf — Class D.

E. Mill Brook Stream from a point just above the sewer of the consolidated school to its outlet at tidewater — Class C.

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

3. **Brooksville.**

A. Outlet of Walker Pond, from the dam at Lymeburner's Mill to tidewater — Class B-2.

B. Shepardson Brook (or Mill Brook), main stem, from Route 176 to its outlet at tidewater — Class C.

4. **Ellsworth.**

A. Card Brook, main stem, from the Farm Pond about 250 yards west of U. S. Highway No. 1 to tidewater — Class B-2.

B. Gilpatrick Brook, main stem, from bridge at U.S. Highway No. 1 to its outlet into the Union River—Class B-2.

C. Union River, main stem, from head of Graham Lake to bridge at U. S. Highway No. 1 at Ellsworth Falls — Class B-2.

D. Union River, main stem, from bridge at U. S. Highway No. 1 at Ellsworth Falls to tidewater — Class C.

E. Unnamed Stream south of Laurel Street in Ellsworth — Class C.

5. **Franklin.** Unnamed Stream flowing near railroad station in Franklin Village to Hop Bay — Class C.

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6. Gouldsboro. All coastal streams, direct and indirect segments, discharging to tidewater on the easterly mainland of Gouldsboro — Class C.

7. Lamoine. Spring Brook below washer at Grindle's gravel pit — Class C.

8. Penobscot.

A. Clements Brook, main stem, from tidewater to a point 100 feet upstream of Route 166 — Class B-2.

B. Tributary of Winslow Stream entering from the south at South Penobscot Village from its confluence with Winslow Stream to the crossing of Route 177 — Class B-2.

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

9. Sedgwick.

A. Sargent Brook at Sargentville Village, main stem, from tidewater to a point 300 feet upstream of the highway — Class C.

B. Three Unnamed Streams entering tidewater immediately north of Sedgwick Village — Class C.

C. Unnamed Stream entering tidewater at the head of Salt Pond near North Sedgwick — Class B-2.

10. Trenton. Stony Brook from Route 3 crossing to tidewater — Class C.

11. Waltham. Webb Brook, main stem, from dam immediately downstream of bridge on Route 179 to its outlet to Graham Lake — Class B-2.

12. Winter Harbor. Coastal streams between the southerly point of Schoodic Peninsula to the Winter Harbor-Gouldsboro town line — Class C.

Knox County

St. George River Drainage System

1. All segments and tributaries direct and indirect of the St. George River Drainage System, above tidewater, not otherwise defined or classified — Class C.

2. All segments and tributaries direct and indirect of the St. George River above the outlet of St. George Lake in Liberty — Class B-1.

- 3.** Castner Brook below Hillcrest Poultry Plant — Class C.
- 4.** Crawford Pond outlet and Crawford Pond tributaries — Class B-1.
- 5.** Fuller Brook and its tributaries — Class B-1.
- 6.** North and South Pond tributaries and outlet to the St. George River — Class B-1.

Other Coastal Streams of Knox County**1. Camden.**

A. All coastal streams, direct and indirect segments thereof, draining to tidewater in the Town of Camden, not otherwise specified or classified — Class B-1.

B. Megunticook River, main stem, below a point 300 feet above the dam at the Mount Battie Mill — Class C.

2. Cushing.

A. All coastal streams direct and indirect segments thereof, draining to tidewater in the Town of Cushing — Class B-1.

3. Friendship.

A. All coastal streams, direct and indirect segments thereof, draining to tidewater in the Town of Friendship unless otherwise specified or classified — Class B-1.

B. Goose River, main stem, tidewater to dam at the Herbert Tibbetts' sawmill — Class C.

C. Goose River, main stem, from Tibbetts' sawmill dam to the outlet of Havener Pond — Class B-2.

4. Owls Head.

A. All coastal streams, direct and indirect segments thereof, draining to tidewater in the Town of Owls Head — Class C.

5. Rockland.

A. All coastal streams, direct and indirect segments thereof, draining to tidewater in the City of Rockland — Class C.

6. Rockport.

A. All coastal streams, direct and indirect segments thereof, draining to tidewater in the Town of Rockport, unless otherwise described or classified — Class C.

B. Goose River and its tributaries below the highway bridge near Simonton Corners — Class B-2.

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C. Goose River and its tributaries above the highway bridge near Simonton Corners — Class B-1.

D. Lily Pond outlet — Class B-2.

7. St. George.

A. All coastal streams, direct and indirect segments thereof, draining to tidewater in the Town of St. George, unless otherwise described or classified — Class C.

B. Unnamed Stream and its tributaries above tidewater, entering tidewater at the northwesterly corner of Tenant's Harbor — Class B-1.

C. Unnamed Stream and its tributaries, above tidewater, entering tidewater at the head of Long Cove — Class B-1.

8. South Thomaston.

A. All coastal streams, direct and indirect segments thereof, draining to tidewater in the Town of South Thomaston — Class C.

9. Thomaston.

A. All coastal streams, direct and indirect segments thereof, draining to tidewater in the Town of Thomaston, unless otherwise described or classified — Class B-1.

B. Mill River, main stem, from tidewater to a point $\frac{1}{2}$ mile above tidewater — Class C.

C. Oyster River, main stem, from tidewater to a point 200 feet upstream of Packard's Mill — Class C.

D. Oyster River, main stem, from a point 200 feet upstream of Packard's Mill to the junction with the tributary of which is the outlet of Rocky Pond — Class B-2.

E. Tributary of Oyster River, main stem, coming from Rocky Pond between the Route 17 bridge at West Rockport and the junction with Oyster River — Class B-2.

F. Unnamed Stream flowing from Mace's Pond to Chickawaukee Pond — Class B-2.

10. Warren.

A. All coastal streams, direct and indirect segments thereof, draining to tidewaters of the St. George River Estuary unless otherwise specified or classified — Class B-1.

B. Oyster River. See: Thomaston above.

- C. Unnamed Stream and its tributaries to St. George River tidewater near Warren-Cushing boundary upstream of a point 500 feet above South Warren-North Cushing road — Class B-2.
- D. Unnamed Stream to St. George River tidewater near Warren-Cushing boundary between a point 500 feet above the South Warren-North Cushing road to tidewater — Class C.
- E. Unnamed Stream and its tributaries above tidewater which enters tidewater of the St. George River $\frac{1}{2}$ mile below the South Warren bridge — Class B-2.

Lincoln County

Those waters draining directly or indirectly into tidal waters of Lincoln County.

Damariscotta River Drainage

- 1. All segments and tributaries of the Damariscotta River, not otherwise defined, above tidewater — Class B-1.
- 2. Damariscotta River, main stem, from the outlet of Damariscotta Lake to tidewater at Salt Bay — Class B-2.
- 3. Inlet of Damariscotta Lake at Jefferson Village, from the outlet of the mill pond above Jefferson Village to the lake — Class B-2.

Medomak River Drainage

- 1. All segments and tributaries of the Medomak River Drainage, not otherwise defined or classified, above tidewater — Class B-2.
- 2. Medomak River, main stem, from a point 400 feet above the Route 1 bridge in Waldoboro to the head of tide — Class C.
- 3. Tributaries of Little Medomak Brook, principally in the Town of Washington — Class B-1.

Sheepscot River Drainage

- 1. All segments and tributaries of the Sheepscot River Drainage above tidewater not otherwise defined or classified — Class B-1.
- 2. Sheepscot River, main stem, from tidewater to junction of East and West Branches — Class B-2.

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3. Sheepscot River, West Branch, main stem, from outlet of Branch Pond to junction of the East and West Branches — Class B-2.

4. Turner Pond outlet in Somerville Plantation from Turner Pond to Long Pond — Class B-2.

Other Coastal Streams of Lincoln County

1. Alna.

A. All coastal streams, direct and indirect segments thereof, draining to tidewater in the Town of Alna, not otherwise specified or classified, with the exception of the Sheepscot River Drainage above tidewater — Class B-1.

B. Ben Brook, main stem, downstream of the second road crossing above its mouth — Class B-2.

C. Unnamed Stream and its tributaries entering tidewater of the Sheepscot River at a point approximately one mile due east of the Alna Cemetery — Class B-2.

D. Unnamed Stream at Head Tide Village entering the Sheepscot River about 0.15 mile below the Route 218 crossing — Class B-2.

2. Boothbay.

A. All coastal streams, direct and indirect segments thereof, draining to tidewater in the Town of Boothbay, not otherwise specified or classified — Class B-2.

B. Adams Pond — Class B-1.

3. Boothbay Harbor.

A. All coastal streams, direct and indirect segments thereof, draining to tidewater in the Town of Boothbay Harbor, not otherwise specified or classified — Class B-2.

B. Meadow Brook and its tributaries entering Lewis Cove — Class B-1.

C. Unnamed Brook and its tributaries entering the most easterly cove of Campbell Pond — Class B-1.

4. Bremen.

A. All coastal streams, direct and indirect segments thereof, draining to tidewater in the Town of Bremen — Class B-1.

5. Bristol.

A. All coastal streams entering tidewater between the Bristol-Damariscotta town line and the Bristol-South Bristol town line — Class B-2.

B. All coastal streams entering tidewater between the Bristol-South Bristol town line and the head of tide on the Pemaquid River, not otherwise specified or classified — Class B-2.

C. All coastal streams entering tidewater between the head of tide on the Pemaquid River and the Bristol-Bremen town line, not otherwise specified or classified — Class B-1.

D. Pemaquid River, segments and tributaries thereof, not otherwise defined, above tidewater — Class B-1.

E. Pemaquid River, main stem, entrance to Boyd Pond to tidewater — Class B-2.

F. Pemaquid River, main stem, from dam upstream of Bristol Village to the entrance of Boyd Pond — Class C.

G. Unnamed Stream entering a cove in the tidewater of Pemaquid River immediately west of Pemaquid Village — Class B-1.

H. Unnamed Stream, above tidewater, entering Buck Cove in the Town of Bristol — Class B-2.

6. Damariscotta.

A. All coastal streams entering tidewaters of the Damariscotta River — Class B-2.

7. Dresden. See: Section 368, Kennebec River.

8. Edgecomb.

A. All coastal streams, segments and tributaries thereof, draining to tidewater in the Town of Edgecomb, not otherwise specified or classified — Class B-1.

B. All coastal streams, segments and tributaries thereof, draining to tidewater between (not including) the outlet of Lily Pond to the Edgecomb-Boothbay town line — Class B-2.

C. All coastal streams, segments and tributaries thereof, draining to tidewater between the Edgecomb-Boothbay line on the Damariscotta River and Bennett Neck — Class B-2.

9. Newcastle.

A. All coastal streams draining to tidewaters of the Damariscotta River in the Town of Newcastle — Class B-1.

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B. All coastal streams draining to tidewaters of the Sheepscot River Estuary in the Town of Newcastle — Class B-1.

10. Nobleboro.

A. All coastal streams draining to tidewaters of the Damariscotta River in the Town of Nobleboro — Class B-2.

11. South Bristol.

A. All coastal streams and segments thereof draining to tidewaters in the Town of South Bristol, unless otherwise specified or classified — Class B-2.

B. Unnamed Stream entering tidewater about $\frac{1}{2}$ mile above Prentiss Cove at the Bristol-South Bristol boundary — Class B-1.

12. Southport.

A. All coastal streams and segments thereof draining to tidewater in the Town of Southport — Class B-1.

13. Waldoboro.

A. All coastal streams and segments thereof draining to tidewater in the Town of Waldoboro, except as otherwise specified or classified and with the exception of the Medomak River and its tributaries above head of tide — Class B-1.

B. Goose River. See: Knox County Coastal Streams.

14. Westport.

A. All coastal streams and segments thereof draining to tidewaters in the Town of Westport — Unclassified.

15. Wiscasset.

A. All coastal streams and segments thereof draining to tidewaters in the Town of Wiscasset, not otherwise specified or classified — Class B-1.

B. Unnamed Stream and tributaries entering tidewater by way of Chewonke Creek — Class B-2.

C. Unnamed Stream and tributaries in Wiscasset entering the tidal estuary which lies immediately west of Bailey Point — Class B-2.

D. Ward Brook and tributaries — Class B-2.

Sagadahoc County

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.

Waldo County

Those streams above tidewater which drain to tidal waters of Waldo County between the Waldo-Knox County line to Fort Point in Stockton Springs.

1. Coastal streams, segments and tributaries thereof, not otherwise described, above tidewater, entering tidewater between the Knox-Waldo County line and the head of tide on the Little River at the Northport-Belfast boundary — Class B-1.

2. Coastal streams, segments and tributaries thereof, not otherwise defined, above tidewater, entering tidewater between the head of tide on Goose River and Fort Point in Stockton Springs — Class C.

3. Ducktrap River, segments and tributaries thereof, not otherwise described, above tidewater — Class B-1.

4. Goose River (Belfast), main stem, below the upstream crossing of Route 101 — Class C.

5. Goose River (Belfast), segments and tributaries thereof, not otherwise defined, above tidewater — Class B-2.

6. Little River, Northport-Belfast, segments and tributaries thereof, not otherwise defined, above tidewater — Class B-1.

7. Mill Brook and its tributaries in Searsport upstream of a bridge site on an abandoned road about 1½ miles northerly of the village at Searsport which includes McClures Pond and Cain Pond — Class B-1.

8. Mixer Pond (Morrill and Knox) tributaries — Class B-1.

9. Passagassawaukeag River, segments and tributaries thereof, not otherwise defined, above tidewater — Class B-2.

10. Passagassawaukeag River Drainage above the outlet of Ellis Pond, to include Ellis Pond, Halfmoon Pond, Passagassawaukeag Lake and their respective tributaries — Class B-1.

11. Sanborn Pond and Dutton Pond tributaries in Morrill and Brooks — Class B-1.

12. Shaw Brook and its tributaries in Northport — Class B-2.

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13. Unnamed Stream entering tidewater at Lincolnville Beach — Class B-2.

14. Unnamed Stream and its tributaries entering tidewater at the northwest corner of Long Cove — Class B-1.

15. Wescott Stream, entering tidewater in Belfast, segments and tributaries thereof not otherwise defined, above tidewater — Class B-1.

Washington County

Those streams above tidewater which drain to tidal waters of Washington County, directly or indirectly, including those which drain to the tidal waters of the St. Croix River.

1. All coastal streams, segments and tributaries thereof, not otherwise defined, above tidewater, entering the tidal waters of Washington County from the Washington-Hancock County line to and including those to the tidal waters of the St. Croix River — Class B-1.

2. Boyden Stream, main stem, from the outlet of Boyden Pond to the first road crossing below Boyden Pond — Class B-2.

3. Chandler River and its tributaries above the Highway Bridge on Route 1 — Class A.

4. Dennys River and its tributaries above the Highway Bridge on Route 1 in the Town of Dennysville — Class A.

5. Dennys River, main stem, from tidewater to the bridge at U. S. Highway No. 1 at Dennysville — Class B-2.

6. Dyke Brook, East Branch, main stem in Columbia from tidewater to the crossing of the Maine Central Railroad — Class C.

7. East Machias River and its tributaries above the Highway Bridge on Route 191 — Class A.

8. East Machias River, main stem, from head of tide to a point 2,000 feet upstream of the dam of the Bangor Hydro-Electric Co. — Class C.

9. Machias River and its tributaries above the mill pond at Whitneyville — Class A.

10. Machias River, main stem, from the dam creating the mill pond in Whitneyville to the site of the low dam opposite the ends of West Street and Hardwood Street in Machias — Class B-2.

- 11.** Machias River, main stem, between the site of the low dam approximately opposite the ends of West Street and Hardwood Street in Machias to the head of tide — Class C.
- 12.** Middle River, main stem, between the 2nd upstream crossing of Route 192 and tidewater — Class B-2.
- 13.** Narraguagus River, East and West Branches and their tributaries, above the confluence of the 2 streams — Class A.
- 14.** Narraguagus River, main stem, between tidewater and the bridge of the Maine Central Railroad — Class B-2.
- 15.** Orange River and its tributaries above the highway bridge on Route 1 — Class A.
- 16.** Orange River, main stem, between tidewater and the highway bridge at U. S. Highway No. 1 in Whiting — Class B-2.
- 17.** Pennamaguan River, main stem, between the crossing of the Eastport Branch of the Maine Central Railroad and tidewater — Class B-2.
- 18.** Pleasant River, main stem, from tidewater to a point 1,000 feet above tidewater — Class B-2.
- 19.** Tributary of Tunk Stream, the outlet of Round Pond, from Round Pond to the confluence with the main stem of Tunk Stream — Class B-2.
- 20.** Tunk Stream, main stem, from the bridge at Unionville to tidewater — Class B-2.
- 21.** Unnamed Stream entering northerly end of Brooks Cove in Robbinston — Class C.
- 22.** Unnamed Stream immediately north of Schoolhouse Lane in Robbinston — Class C.
- 23.** Unnamed Stream at easterly edge of Columbia Falls Village from tidewater to Maine Central Railroad near Pleasant River Canning Company plant — Class C.
- 24.** Unnamed Stream entering tidewater portion of St. Croix River at Calais crossing North Street between Beech and Union Streets — Class D.
- 25.** Unnamed Stream passing through Harrington Village, the segment thereof, between tidewater and a point immediately upstream of the school sewer — Class C.

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26. Unnamed Stream flowing through Dennysville Village immediately west of school building — Class B-2.

27. Whitten Parrin Stream in T 7, S.D. and Steuben — Class C.

28. Wiggins Brook at South Trescott, main stem, between Route 191 and tidewater — Class C.

York County

Those streams above tidewater which drain to tidal waters of York County with the exception of those streams draining to the inland waters of the Piscataqua-Salmon Falls River Drainage, the Presumpscot River Drainage, the Mousam River Drainage and the Saco River Drainage.

1. All coastal streams draining directly or indirectly to the tidal waters of the Salmon Falls-Piscataqua River north of Sisters Point in Kittery — Class B-1.

2. All coastal streams above tidewater between Roaring Rock Point (York) and the head of tide on Branch River (Wells) except as otherwise specified or classified — Class C.

3. All coastal streams and their tributaries not otherwise specified between Walker Point (Kennebunkport) and Fletchers Neck in Biddeford — Class C.

4. All coastal streams above head of tide and tributaries thereof not otherwise designated or classified entering tidewater from Fletchers Neck, Biddeford, to the York-Cumberland County line — Class B-2.

5. Biddeford-Unnamed streams and tributaries, the main stem of which crosses Route 9 two-tenths of a mile southerly of the intersection of Route 9 and Guinea Road — Class C.

6. Branch River (Brook), Wells — Class B-1.

7. Goosefare Brook (Saco), from its origin to head of tide — Class C.

8. Josias River Tributary and branches thereof, entering from the north approximately 2½ miles above tidewater — Class B-2.

9. Kennebunk River and tributaries not otherwise classified including streams entering tidewater portion of Kennebunk River — Class B-2.

10. Milliken Brook (Saco) — Class C.
11. Webhannet River and tributaries — Class B-2.
12. West Brook (Biddeford) and tributaries above head of tide — Class C.

R.S.1954, c. 79, § 15; 1955, c. 426, §§ 1-3, 5, 7; 1957, c. 322, § 8; 1959, c. 183, §§ 1, 2; 1963, c. 23; c. 54, § 1; c. 420, § 2.

§ 370. —Tidal waters

Cumberland County

All tidal waters of Cumberland County with the exception of those in or bordering on the tidal estuary of the Androscoggin River and Merrymeeting Bay.

1. Brunswick.

A. Tidal waters of the Town of Brunswick except those in or bordering on the tidal estuary of the Androscoggin — Class SB-1.

2. Cape Elizabeth.

A. All tidal waters of Cape Elizabeth not otherwise specified — Class SB-2.

B. From a point where longitude 70°-16'-40" (just north of Higgins Beach) crosses the Scarboro mainland to a point where longitude 70°-16'-14" (about one mile south of the mouth of the Spurwink River estuary) crosses the Cape Elizabeth mainland, including the Spurwink River estuary to head of tide and tidal tributaries thereof — Class SC.

C. Waters surrounding Richmond Island — Class SB-1.

D. From the southernmost point of land at Mackenney Point to the easternmost point of land on the Cape Elizabeth mainland — Class SA.

E. From a point directly west of Chimney Rock to the Cape Elizabeth-South Portland line — Class SC.

3. Cumberland.

A. From Cumberland-Falmouth town line to Cumberland-Yarmouth town line — Class SB-2.

B. Waters of Great Chebeague Island not specifically designated — Class SA.

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C. Waters of Great Chebeague Island from the northernmost point of land southeast to latitude 43°-45' (approximately ½ mile of shoreline) — Class SB-1.

D. Waters of Great Chebeague Island in Coleman Cove east of longitude 70°-07'-37" — Class SB-2.

E. Waters surrounding islands in the Town of Cumberland not specifically designated — Class SA.

4. Falmouth.

A. Presumpscot River estuary from head of tide to Route 9 crossing — Class SD.

B. Presumpscot River estuary from the Route 9 crossing to the Route 1 crossing — Class SC.

C. From the Route 1 crossing northeast to a point where longitude 70°-13'-40" (about one mile north of Mackworth Point) crosses the Falmouth mainland — Class SC.

D. Waters surrounding Mackworth Island — Class SC.

E. All other waters of Falmouth not otherwise designated — Class SB-2.

5. Freeport.

A. All waters in the Town of Freeport — Class SB-2.

6. Harpswell.

A. All waters in the Town of Harpswell — Class SB-1.

7. Portland.

A. All tidal waters within the City of Portland not otherwise specified — Class SC.

B. All tidal waters east of longitude 70°-10' not otherwise specified — Class SA.

C. Northerly shore line of Fore River and Portland Harbor from the Vaughn Bridge crossing to the most easterly point of land on the Portland mainland — Class SD.

D. All waters west of Grand Trunk Bridge which includes Back Cove — Class SD.

E. Presumpscot River estuary from head of tide to Route 9 bridge — Class SD.

F. Waters of Peaks Island from the most northerly point of land on the island to a point where latitude 43°-39'-52" crosses the easterly shoreline (approximately one mile of shoreline) — Class SB-2.

G. Waters of Peaks Island from a point where latitude $43^{\circ}-39'-52''$ crosses the easterly shore line to the southernmost point of land on the island — Class SB-1.

H. Waters on the easterly shore of Little Diamond Island from the southernmost point of land to the northernmost point of land on the island — Class SB-2.

I. From the most westerly point of land on Long Island to the most northerly land formation on the island — Class SB-2.

J. From the most northerly land formation on Long Island to the most westerly point of land on the island in a southeasterly direction with the exception of Harbor Grace north of latitude $43^{\circ}-41'-21''$ — Class SB-1.

K. Waters of Harbor Grace north of latitude $43^{\circ}-41'-21''$ on Long Island — Class SB-2.

L. Waters on the easterly shore line of Cushing Island from the northernmost point of land to the southernmost point of land on the island — Class SB-2.

8. Scarborough.

A. All tidal waters in the Town of Scarborough not otherwise designated — Class SB-2.

B. Nonesuch River estuary from head of tide to the B. & M. (Dover line) railroad crossing — Class SC.

C. Little River estuary from head of tide to its confluence with the Scarborough River and tidal tributaries thereof — Class SC.

D. Dunstan River estuary from head of tide to its confluence with the Scarborough River, and tidal tributaries thereof — Class SC.

E. Libby River estuary from head of tide to a point where longitude $70^{\circ}-19'$ (about $1\frac{1}{2}$ miles below the Route 207 crossing) crosses the estuary, and tidal tributaries thereof — Class SB-1.

F. From a point directly west of the most northerly point of land on Shooting Rock Island to a point where longitude $70^{\circ}-16'-40''$ crosses the Scarborough mainland (just north of Higgins Beach) — Class SB-1.

G. From a point where longitude $70^{\circ}-16'-40''$ crosses the Scarborough mainland to a point where longitude $70^{\circ}-16'-14''$

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(a point about a mile south of the confluence of the Spurwink River estuary) crosses the Cape Elizabeth mainland including the Spurwink River estuary to head of tide and tidal tributaries thereof — Class SC.

9. Yarmouth.

A. All tidal waters of the Town of Yarmouth not otherwise designated — Class SB-2.

B. Waters of Little John Island from the northernmost point of land on the island southeast to a point where longitude $70^{\circ}-07'-32''$ intersects the shore line — Class SB-1.

Hancock County

1. Bar Harbor.

A. Tidewater from a point 500 yards south of Bear Brook to the Mt. Desert-Bar Harbor town line, with exception of Otter Cove north of latitude $44^{\circ}-18.75'$ — Class SA.

B. Tidewaters within the Town of Bar Harbor not specifically mentioned or described — Class SC.

2. Blue Hill.

A. Tidewater from Sand Point and southerly a distance of 500 yards — Class SB-2.

B. Tidewaters of Salt Pond — Class SB-1.

C. Tidewater from the most southerly bridge crossing at Salt Pond at the "Nub" northerly and easterly including all bays and estuaries to the Blue Hill-Surry town line — Class SB-1.

D. Tidewater within the Town of Blue Hill not previously mentioned or described — Class SA.

3. Brooklin.

A. Tidewaters of Herrick Bay north of a line drawn due east from a point of land at latitude $44^{\circ}-16'-18''$ — Class SB-2.

B. Tidewater from the tidal portion of the Benjamin River and including this river, to latitude $44^{\circ}-15.5'$ at Center Harbor — Class SB-1.

C. Tidewaters of Salt Bay — Class SB-1.

D. Tidewater within the Town of Brooklin not otherwise mentioned or described — Class SA.

4. Brooksville.

A. Tidewater from Blake Point at longitude $68^{\circ}-48'$ to a point of land south of Horseshoe Cove at latitude $44^{\circ}-19.25'$ — Class SC.

B. Tidelwaters forming the estuary known as Bagaduce River in the Town of Brooksville and east of a point of land at approximately N. $44^{\circ}-24'$ by W. $68^{\circ}-46.3'$ (just south of Lords Cove) — Class SA.

C. Orcutt Harbor north of latitude $44^{\circ}-20.75'$ — Class SC.

D. Easterly shoreline of Bucks Harbor from latitude $44^{\circ}-20'-10''$ south to longitude $68^{\circ}-44.5'$ — Class SB-2.

E. Westerly shoreline of Bucks Harbor south of latitude $44^{\circ}-20'-10''$ easterly to longitude $68^{\circ}-44.5'$ at Norembege — Class SB-2.

F. Tidewater of Bucks Harbor north of latitude $44^{\circ}-20'-10''$ — Class SC.

G. Tidewater along the shoreline at Norembege from longitude $68^{\circ}-44.5'$ southeast to longitude $68^{\circ}-43.25'$ — Class SC.

H. Tidewater from longitude $68^{\circ}-42.25'$ near Herricks Village to Sedgwick-Brooksville town line — Class SB-1.

I. Tidewater within this town along its southerly shoreline from Blake Point to the Sedgwick town line not previously mentioned or described — Class SA.

5. Castine.

A. Tidelwaters in the Town of Castine between a point on Dice Head due south of the lighthouse to the point of land at approximately N. $44^{\circ}-24'$, W. $68^{\circ}-47'$ — Class SB-2.

B. Tidelwaters of the estuary known as Bagaduce River bordering on Castine east of a point of land at approximately N. $44^{\circ}-24'$ — Class SA.

6. Deer Isle.

A. Tidewater bordering the settled area of Eggmoggin between longitude $68^{\circ}-44'$ and latitude $44^{\circ}-18.25'$ — Class SB-1.

B. Tidewater of Blastrow Cove in Little Deer Isle — Class SC.

C. Tidelwaters on the westerly shoreline south of latitude $44^{\circ}-14.25'$ to the Deer Isle-Stonington town line, including

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Northwest Harbor, Pressey Cove and Sheephead Island — Class SB-1.

D. Tidewater from the Stonington-Deer Isle town line at the Holt Pond outlet to the northeasterly point of land at latitude 44° - $13.25'$ at Greenlaw Cove and including Stinson Neck — Class SB-1.

E. Tidelwaters of Town of Deer Isle not otherwise mentioned or described — Class SA.

7. Ellsworth.

A. All tidal waters within the City of Ellsworth — Class SC.

8. Franklin.

A. All tidal waters within the Town of Franklin — Class SB-1.

9. Gouldsboro.

A. Tidelwaters from Schieffelin Point to Hall Point — Class SC.

B. Tidewater of Morancy Cove in Flanders Bay north of latitude 44° - $28.75'$ — Class SC.

C. Tidewater from Prospect Harbor Point to the southern point of Corea Harbor at latitude 44° - $23.75'$ — Class SC.

D. Tidewater from the southern point of Corea Harbor at latitude 44° - $23.75'$ to the easterly end of Youngs Point — Class SC.

E. Tidelwaters of the northerly portion of West Bay north of latitude 45° - $28'$ - $50''$ — Class SC.

F. Tidewater bordering the Town of Gouldsboro not otherwise mentioned or described — Class SC.

10. Hancock.

A. Tidewater of Kilkenney Cove northerly of an imaginary line from a point on its east shore at $N 44^{\circ}$ - $32.2'$ $W 68^{\circ}$ - $18.5'$ to a point on its west shore at $N 32^{\circ}$ - $32.2'$ $W 68^{\circ}$ - $18.6'$ — Class SD.

B. Tidewater southerly from the above mentioned imaginary line to a line drawn from a point in Hancock at $N 44^{\circ}$ - $31.25'$ $W 68^{\circ}$ - $18'$ to a point in Lamoine at $N 44^{\circ}$ - $31.25'$ $W 68^{\circ}$ - $18.25'$ — Class SC.

C. Tidewater from Pecks Point southeasterly and in a counterclockwise direction to a point of land just south of Jellison Cove at latitude $44^{\circ}-29.2'$ (approximately) — Class SC.

D. Tidelwaters of Town of Hancock not otherwise specified or described — Class SB-1.

11. Lamoine.

A. Tidelwaters from the Hancock-Lamoine town line at Killenney Cove south to a point at N $44^{\circ}-31.25'$ W $68^{\circ}-18.25'$ — Class SC.

B. Tidelwaters within the Town of Lamoine not otherwise specified or classified — Class SC.

12. Mt. Desert.

A. Tidewater from Otter Cove south of latitude $44^{\circ}-18.75'$ to Ingraham Point — Class SA.

B. Tidelwaters within the Town of Mt. Desert not otherwise specified or classified — Class SC.

13. Penobscot.

A. Tidelwaters of the estuary known as Bagaduce River bordering on Penobscot — Class SA.

14. Sedgwick.

A. Tidelwaters of the estuary known as Bagaduce River bordering on Sedgwick — Class SA.

B. Remaining tidelwaters within the Town of Sedgwick not otherwise specified or classified — Class SB-1.

15. Sorrento.

A. All tidelwaters within the Town of Sorrento — Class SB-1.

16. Southwest Harbor.

A. All tidelwaters within the Town of Southwest Harbor — Class SC.

17. Stonington.

A. Tidewater from the Moose Island bridge to the easternmost point of land on Green Head including waters of Moose Island — Class SB-2.

B. Tidelwaters from the easternmost point of land at Green Head to Ames Pond outlet — Class SC.

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C. Tidewaters within the Town of Stonington not otherwise specified or classified — Class SB-1.

18. Sullivan.

A. All tidal waters within the Town of Sullivan — Class SB-1.

19. Surry.

A. All tidal waters within the Town of Surry — Class SB-1.

20. Swans Island.

A. All tidal waters within the Town of Swans Island — Class SC.

21. Tremont.

A. All tidal waters within the Town of Tremont — Class SC.

22. Trenton.

A. All tidal waters within the Town of Trenton — Class SC.

23. Winter Harbor.

A. All tidal waters within the Town of Winter Harbor — Class SC.

24. Exceptions.

A. A municipality, sewer district, person, firm, corporation or other legal entity shall not be deemed subject to penalty under this subchapter at any time prior to October 1, 1979 with respect to any of said classifications in Hancock County if by such time he or it, with regard to facilities designed to achieve compliance with the applicable classification shall have completed all the steps required to be then completed by the following schedule:

(1) Preliminary plans and engineer's estimates shall be completed and submitted to the Water Improvement Commission on or before October 1, 1973.

(2) Arrangements for administration and financing shall be completed on or before October 1, 1976.

(3) Detailed engineering and final plan formulation shall be completed on or before January 1, 1977.

(4) Detailed plans and specifications shall be approved by the Water Improvement Commission and construction begun prior to October 1, 1978.

(5) Construction shall be completed on or before October 1, 1979.

Knox County

General Classification — Tidewaters of Knox County not otherwise specifically designated — Class SA. (Includes: Cushing, Warren, Thomaston)

1. Camden.

A. Tidewater bordering Camden from Northeast Point to Ogier Point except that assigned to Class "C" — Class SB-1.

B. Tidewater bordering Camden from Metcalf Point to Eaton Point — Class SC.

2. Cushing.

A. Tidewaters bordering Cushing — Class SA.

3. Friendship.

A. Tidewaters of Friendship Harbor north of a line drawn from the point of land opposite the northerly tip of Garrison Island to Jameson Point — Class SC.

4. North Haven.

A. Shore line of North Haven for $\frac{1}{2}$ mile east of the point of land on the eastern side of Brown's Cove — Class SB-2.

5. Owls Head.

A. Tidewaters from the point of land immediately southwest of Crescent Beach to the Owls Head-Rockland town line — Class SC.

6. Rockland.

A. All tidewaters in the City of Rockland — Class SC.

7. Rockport.

A. Rockport Harbor north of a line extended due east from end of Sea Street, near Harkness Brook — Class SC.

B. Tidewater from Rockland Town Line to the next point of land to the north — Class SC.

C. Clam Cove in Rockport from Brewster Point to Pine Hill — Class SB-2.

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D. Rockport Harbor north of a line due west of Beauchamp Point except that portion assigned to Class "C" — Class SB-1.

8. St. George.

A. Tidewaters between a point 100 yards south of the cannery at Port Clyde and the point of land west of Fish Cove — Class SC.

B. Tenants Harbor west of a North-South line at the harbor entrance (approximately longitude 69°-12' W.) — Class SC.

C. Small Cove just northeast of Tenants Harbor, north of a line drawn due west from point of land forming east side of cove — Class SB-1.

D. Tidewaters between Marshall Point and Hooper Point not assigned to Class "C" — Class SB-1.

9. South Thomaston.

A. Northerly cove of Seal Harbor near Sprucehead — Class SB-1.

B. Shore line St. George River south of Hospital Point — Class SB-1.

C. Weskeag River north of a line due west from Hayden Point — Class SB-1.

10. Thomaston.

A. All tidal waters bordering Thomaston — Class SA.

11. Vinalhaven.

A. Tidewaters of Carvers Harbor and Sand Cove from the point on the south side of Sand Cove to the bridge to Lane Island — Class SB-2.

12. Warren.

A. Tidewaters of Oyster River — Class SB-1.

B. Tidal waters of Warren not otherwise specified — Class SA.

Lincoln County

1. Alna.

A. All tidal waters within the Town of Alna — Class SB-1.

2. Boothbay.

A. All tidewaters within the Town of Boothbay — Class SB-1.

3. Boothbay Harbor.

A. Tidal waters bordering the Town of Boothbay Harbor northerly of a line drawn due east from the point of land off Commercial Street nearest McFarland Island — Class SB-2.

B. Tidal waters not otherwise classified within the Town of Boothbay Harbor — Class SB-1.

4. Bremen.

A. All tidewaters within the Town of Bremen — Class SA.

5. Bristol.

A. All tidewaters not otherwise described or classified within the Town of Bristol — Class SA.

B. Pemaquid Harbor and New Harbor, including back cove in Bristol from Fish Point to a point 100 yards east of Gilbert's Wharf — Class SC.

C. Tidewaters in the Town of Bristol from Fish Point to the point of land east of Johns River, except that segment assigned to Class SC, and Round Pond Harbor inside the closest points on north and south — Class SB-2.

D. Tidewater of Long Cove north of a line drawn due west from the point of land extending southward on the east side of the cove — Class SB-1.

6. Damariscotta.

A. All tidal waters not otherwise described or classified — Class SB-1.

B. Tidewaters from a point one mile above the Route 1 Bridge in Damariscotta to the point of land opposite the Damariscotta Hospital — Class SC.

7. Edgecomb.

A. All tidal waters bordering the easterly shoreline of Edgecomb — Class SA.

B. All tidal waters bordering the westerly shoreline of the Town of Edgecomb — Class SB-1.

8. Newcastle.

A. Tidal waters not otherwise classified or described within the Town of Newcastle on its easterly shoreline — Class SA.

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

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C. All tidal waters bordering the westerly shoreline of the Town of Newcastle — Class SB-1.

D. Tidewaters from the Railroad Bridge at Damariscotta Mills south to a point opposite the Old Folks Home — 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.

F. Tidewaters of the Damariscotta River from a point 1,000 feet above the Route 1 Bridge south to Little Point — Class SB-1.

9. Nobleboro.

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

B. Tidewaters in Nobleboro not otherwise classified or described — Class SB-1.

10. South Bristol.

A. All tidewaters within the Town of South Bristol not otherwise classified or described — Class SA.

B. Tidewaters south of a line drawn due east from Jones Point except waters around Inner Heron Island and Thrumcap Island — Class SC.

11. Southport.

A. All tidal waters bordering on the Town of Southport — Class SB-1.

12. Waldoboro.

A. All tidewaters within the Town of Waldoboro not otherwise classified or described — Class SA.

B. Tidewaters north of a line drawn from Hoffses Pt. to Waltz Pt. — Class SB-1.

13. Westport.

A. All tidal waters within the Town of Westport — Class SB-1.

14. Wiscasset.

A. All tidal waters within the Town of Wiscasset — Class SB-1.

Sagadahoc County**1. General classification.**

A. All tidal waters of Sagadahoc County not otherwise classified or described, with the exception of Merrymeeting Bay north and west of the Chops and the Kennebec River, tidal estuary, from the Chops, so called, southerly to a line drawn between the most easterly point of land at the southerly end of Popham Beach in Phippsburg and the southernmost extension of Bay Point in Georgetown — Class SB-1.

2. Other category.

A. Tidal waters of the Sasanoa River bordering the Town of Arrowsic, between the Kennebec River and Upper Hell Gate — Class SB-2.

B. Tidal waters bordering the Town of Woolwich between the junction of the so-called Sasanoa River and the Kennebec River and Upper Hell Gate on the Sasanoa River — Class SB-2.

Waldo County**1. Belfast.**

A. Tidewaters from the Northport-Belfast town line to “The Battery” in Belfast — Class SB-1.

B. Tidewaters between “The Battery” and a point opposite the swimming pool at the city park — Class SB-2.

C. Tidewaters between a point opposite the swimming pool at city park and the mouth of Goose River, except for portions otherwise classified or described — Class SD.

D. The portion of the tidal estuary of the Passagassawakeag River upstream at the site of a bridge about one mile upstream of the Route 1 Bridge at Belfast — Class SB-2.

E. Tidewaters between Goose River and the Searsport-Belfast town line — Class SB-1.

2. Frankfort.**3. Islesboro.**

A. Tidewaters within the Town of Islesboro not otherwise designated or classified — Class SA.

B. Tidewaters from Marshall Pt. to Coombs Pt. — Class SB-1.

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- C.** Dark Harbor inside the tidal dam — Class SB-1.
- D.** Segment of coast between Grindel Pt. and the point of land to the east of Broad Cove — Class SB-1.

4. Lincolnville.

- A.** Tidewaters within the Town of Lincolnville not otherwise described or classified — Class SA.
- B.** Tidewater creek or estuary of small stream which rises near Carver's Corner — Class SC.
- C.** Tidewaters between the Islesboro Ferry wharf, Lincolnville, and a point 1,000 feet north of the tidewater creek at Lincolnville Beach, or estuary of small stream, which rises near Carver's Corner except for the waters of this tidal creek — Class SB-2.
- D.** Tidewater at the mouth of Ducktrap River from the head of tide to a point approximately 1,000 feet southeasterly of Route 1 — Class SB-1.

5. Northport.

- A.** All tidewaters within the Town of Northport not otherwise described or classified — Class SA.
- B.** Tidewaters between Saturday Cove and the Northport-Belfast town line — Class SB-1.

6. Searsport.

- A.** All tidewaters within the Town of Searsport not otherwise described or classified — Class SA.
- B.** Tidewater from Belfast-Searsport town line and the point of land in Searsport Harbor which is formed by the landing or wharf at the end of Steamboat Avenue — Class SB-1.
- C.** From the wharf at the end of Steamboat Avenue in Searsport to a point opposite the site of the Searsport Railroad Station — Class SB-2.
- D.** Tidewaters between a point opposite the site of the Searsport Railroad Station and a point 100 yards east of the wharf at Summers Fertilizer Company — Class SB-1.

7. Stockton Springs.

- A.** Tidewater from Ft. Point westerly to the Stockton Springs-Searsport town line — Class SB-1.

Washington County**1. Addison.**

A. All tidewaters of Addison not otherwise described or classified — Class SA.

B. Tidewaters between a line extending due east from Whites Pt. to the east side shore and the Columbia Falls-Addison town boundary — Class SB-1.

C. Tidewaters in Addison north of a line across the estuary of Indian River 100 yards below the Route 187 Bridge at Indian River Village — Class SB-2.

2. Beals.

A. Tidewaters of Beals not otherwise classified — Class SA.

B. Tidewaters around the northern end of Beals Island between Indian Pt. and the point of land on Beals Island nearest French House Island — Class SB-2.

3. Calais.

A. Tidewaters from the Calais-Robbinston town line to a point of land immediately upstream of Devils Head in Calais — Class SB-2.

B. Tidewaters of the St. Croix River estuary from the point of land immediately upstream of Devils Head in Calais to the head of tide also in Calais — Class SC.

4. Cherryfield.

A. Tidewaters of Narraguagus River estuary — Class SC.

5. Columbia.

A. Tidewaters of West Brook estuary above the Columbia-Addison town boundary — Class SB-2.

6. Columbia Falls.

A. Tidewater portions of the Pleasant River above the Columbia Falls-Addison town boundary — Class SC.

7. Cutler.

A. Tidewaters within the Town of Cutler not otherwise classified — Class SA.

B. Tidewaters of Cutler Harbor inside a line running north-east from the point of land approximately at N. 44°-39.3' and W. 67°-12.4' — Class SB-2.

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C. Tidewaters of Money Cove inside the tidal falls — Class SB-1.

8. Dennysville.

A. Tidewaters within the Town of Dennysville not otherwise classified — Class SB-1.

B. Tidewaters of Dennys Bay and River west of Hinckley Pt. — Class SC.

9. East Machias.

A. All tidewaters within the Town of East Machias — Class SC.

10. Eastport.

A. Tidewaters of Eastport not otherwise classified or described — Class SA.

B. Tidewaters of Bar Harbor in Eastport from the fill between northwesterly point of Moose Island and Carlow Island and the old highway bridge from the mainland to Moose Island — Class SB-2.

C. Tidewaters of Carryingplace Cove, east of a line drawn from the point of land at approximately N. 44°-55.3', W. 67°-01.7' to the point of land at approximately N. 44°-55.3', W. 67°-01.7' — Class SB-1.

D. Tidewaters of Prince Cove west of a line extending from Estes Head to the most southerly extension of the point of land on which Country Road, so called, is located — Class SB-2.

E. Tidal waters not otherwise classified between Shackford Head and the point of land near Dog Island in Eastport — Class SC.

11. Edmunds.

A. Tidewaters of Edmunds not otherwise classified or described — Class SA.

B. Orange River estuary and Whiting Bay from a line drawn across the bay in a northwesterly and southwesterly direction through Wilbur Pt. and the easterly boundary of Whiting — Class SB-1.

C. Tidewaters of Dennys River in Edmunds west of a line drawn due south from Hinckley Point in Dennysville — Class SC.

D. Tidewaters of Dennys River Estuary and Bay east of a line drawn due south from Hinckley Pt. in Dennysville to a point of land at approximately N. 44° -54.5', W. 67° -11.7' — Class SB-1.

12. Harrington.

A. All tidewaters of Harrington not otherwise described or classified — Class SA.

B. Tidewaters of Mill River and Cole Creek Estuary northwesterly of Oak Pt. in Harrington — Class SB-1.

C. Tidewaters bordering Harrington west and south of a line across the Harrington River at a point 1,000 feet downriver of the canning factory in Harrington — Class SC.

D. Tidewaters west and north of a line across the Harrington River drawn due east from Oliver Lord Pt., except those west and north of a line across the Harrington River at a point 1,000 feet downriver of the canning factory at Harrington — Class SB-2.

13. Jonesboro.

A. All tidewaters in Jonesboro not otherwise described or classified — Class SA.

B. Tidewaters of the Chandler River in Jonesboro upstream of a line drawn normal to the stream at a point $\frac{2}{10}$ mile below the Route 1 Bridge at Jonesboro Village — Class SC.

C. Tidewaters along the Chandler River in Jonesboro between a line normal to the stream at a point $\frac{2}{10}$ mile below the Route 1 Bridge at Jonesboro Village and a line drawn from Carlton Point to Deep Hole Point — Class SB-1.

14. Jonesport.

A. All tidewaters of Jonesport not otherwise described or classified — Class SA.

B. Tidewaters in Jonesport north of a line across the estuary of Indian River 100 yards below the Route 187 Bridge at Indian River Village — Class SB-2.

C. Tidewaters between Hopkins Pt. and Indian Pt. — Class SC.

15. Lubec.

A. All tidewaters of Lubec not otherwise described or classified — Class SA.

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B. Tidewaters of Bailey's Mistake west of a line drawn due north from Balch Head in the Town of Trescott — Class SB-1.

C. Tidewaters between a point 1,000 yards westerly of Leadurney Pt. and a point 100 yards south of the creek entering tidewater approximately $\frac{3}{10}$ mile south of Woodward Pt. — Class SB-1.

D. Tidewaters between Leadurney Pt. and a point 1,000 yards westerly along the shore — Class SB-2.

E. Tidewaters between Leadurney Pt. and a point of land approximately N. 44°-51.2' and W. 67°-00.3' — Class SC.

F. Tidewaters between the site of the North Lubec ferry landing and a point of land at approximately N. 44°-51.2' and W. 67°-00.3' — Class SB-1.

16. Machias.

A. All tidewaters within the Town of Machias not otherwise specified or classified — Class SC.

B. All tidewaters of Little Kennebec Bay — Class SA.

17. Machiasport.

A. All tidewaters not otherwise described or classified — Class SA.

B. Tidewaters of Machias and East Machias Rivers north of a line drawn from Ft. O'Brien Pt. to Randall Pt. in Machiasport — Class SC.

18. Milbridge.

A. All tidewaters of Milbridge not otherwise described or classified — Class SA.

B. Tidewaters north and west of a line from Fish Pt. to the point of land approximately N. 44°-31.8' by W. 67°-52.5' — Class SC.

C. Tidewaters of Wyman Cove from Mitchell Pt. to a wharf location approximately 0.4 mile northerly from Mitchell Pt. — Class SB-2.

D. Tidewaters north and west of a line from Timmy Pt. to Fickett Pt., except those defined as Class "SC" — Class SB-1.

E. Tidewaters of the Mill River and Cole Creek estuary southwesterly, westerly and northerly of Basket Pt. — Class SB-1.

19. Pembroke.

A. Tidewaters of Pembroke not otherwise described or classified — Class SA.

B. Tidewater estuaries of Cobscook River and Wilson Stream in Pembroke lying north and west of a line drawn from the point of land at approximately N. 44°-54.5', W. 67°-11.7' in Edmunds, due northeasterly to the Pembroke shore except those portions in Dennysville described as lying west of a line drawn due south from Hinckley Pt. — Class SB-1.

C. Tidewaters of Pennamaquam River and Meadow Brook estuaries in Pembroke north and west of a line drawn due east and west through a point of land at N. 44°-56.5', W. 67°-10' — Class SC.

D. All waters of Hersey Cove and tidewaters of the Pennamaquam River north and west of a line drawn due south from the headland forming the easterly side of the entrance to Hersey Cove to Leighton Neck — Class SB-1.

20. Perry.

A. All tidewaters of Perry not otherwise described or classified — Class SA.

B. Tidewaters of small cove, the first cove westerly of Eastport Branch of Maine Central Railroad, southwest of the Pleasant Point school at Pleasant Pt. — Class SB-1.

C. Tidewaters of Little River above the Route 1 Bridge — Class SB-2.

21. Robbinston.

A. Tidewaters from Liberty Pt. north to Calais-Robbinston town line — Class SB-2.

B. Tidewaters from Liberty Pt. south to Robbinston-Perry town line — Class SB-1.

22. Roque Bluffs.

A. All tidewaters within the Town of Roque Bluffs — Class SA.

23. Steuben.

A. All tidewaters within the Town of Steuben — Class SA.

24. Trescott.

A. All tidewaters not otherwise described or classified within the Town of Trescott — Class SA.

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B. Tidewaters of Bailey's Mistake in the Town of Trescott west of a line drawn due north from Balch Head in Trescott — Class SB-1.

C. Tidewaters of Whiting Bay, between a line drawn across the bay northwesterly and southeasterly through Wilbur Pt. and the easterly boundary of Whiting — Class SB-1.

25. Whiting.

A. Tidewaters of Whiting not otherwise described or classified — Class SA.

B. Tidewaters southwesterly of the easterly boundary of Whiting — Class SB-2.

C. Tidewaters of Holmes Bay for a distance of 100 yards around the canning factory — Class SB-2.

York County

1. Biddeford.

A. Tidewaters of Biddeford not otherwise defined or classified — Class SB-2.

B. Estuary of Little River north of latitude $43^{\circ}-24'-04''$ to head of tide, including tidal tributaries thereof — Class SC.

C. From the southernmost point of land on the Biddeford mainland to a point where latitude $43^{\circ}-25'-07''$ crosses the mainland — Class SA.

D. From a point where latitude $43^{\circ}-25'-33''$ crosses the mainland to a point where latitude $43^{\circ}-26'-05''$ crosses the mainland — Class SB-1.

E. From a point where latitude $43^{\circ}-26'-05''$ crosses the mainland to a point directly north of the Coast Guard Station at Fletchers Neck — Class SA.

F. From the most easterly point of land on the Biddeford mainland to a point directly west of the most northerly point of land on Basket Island, including tidewaters of "The Pool" — Class SC.

G. Tidewaters from a point directly west of the most northerly point of land on Basket Island to head of tide on the Saco River estuary — Class SD.

2. Eliot.

A. Tidewaters within the Town of Eliot — Class SB-1.

3. Kennebunk.

A. Tidal waters of Kennebunk not otherwise classified or described — Class SB-2.

B. Estuary of Mousam River from head of tide to Route 9 bridge crossing and tidal tributaries thereof — Class SC.

C. Kennebunk River estuary from head of tide to the Route 9 crossing and tidal tributaries thereof — Class SC.

4. Kennebunkport.

A. Tidewaters of Kennebunkport not otherwise classified or described — Class SB-2.

B. Kennebunk River estuary from head of tide to the Route 9 crossing and tidal tributaries thereof — Class SC.

C. Tidewater from a point where longitude $70^{\circ}-27'-37''$ crosses the Kennebunkport mainland to a point where longitude $70^{\circ}-26'-48''$ crosses the mainland of Kennebunkport — Class SA.

D. Tidewater from a point directly west of the most northerly point of Vaughn Island to a point directly west of the most northerly point of land on Redin Island — Class SC.

E. Estuaries of Smith Brook and Batson River north of latitude $43^{\circ}-23'-22''$ and tidal tributaries thereof — Class SC.

F. Tidewater from the mainland of Kennebunkport at latitude $43^{\circ}-23'-22''$ north to a point where longitude $70^{\circ}-24'-33''$ crosses the mainland — Class SB-1.

G. Tidewater from a point where longitude $70^{\circ}-24'-33''$ crosses the mainland north to a point where longitude $70^{\circ}-24'-05''$ crosses the mainland — Class SA.

H. Estuary of Little River north of latitude $43^{\circ}-24'-04''$ to head of tide, including tidal tributaries thereof — Class SC.

5. Kittery.

A. Tidewaters of Kittery not otherwise specified or classified — Class SB-1.

B. Tidewaters from Sister's Point to Kittery-York town boundary, with the exception of Brave Boat Harbor — Class SA.

6. Old Orchard Beach.

A. All tidewaters of Old Orchard Beach — Class SB-2.

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7. Saco.

A. Tidewaters of Saco not otherwise described or classified — Class SB-2.

B. Saco River estuary from head of tide to the Camp Ellis breakwater — Class SD.

8. South Berwick.

A. All tidewaters of South Berwick — Class SB-1.

9. Wells.

A. Tidewaters of Wells not otherwise described or classified — Class SB-2.

B. From Wells-York town line to a point of land at longitude $70^{\circ}-35'-35''$ and latitude $43^{\circ}-14'-44''$ — Class SC.

C. Tidewater from a point where latitude $43^{\circ}-16'-15''$ crosses Moody Beach to a point where latitude $43^{\circ}-19'-04''$ crosses Wells Beach — Class SA.

D. Estuary of Webhannet River from head of tide to a point at longitude $70^{\circ}-34'-32''$, latitude $43^{\circ}-17'-48''$ — Class SC.

E. Estuary of Webhannet River from the most easterly bridge crossing at latitude $43^{\circ}-18'-15''$ to its ocean confluence at latitude $43^{\circ}-19'-14''$ — Class SB-1.

F. Estuary of Merriland River and tidal tributaries thereof from head of tide to its ocean confluence at latitude $43^{\circ}-20'-10''$ — Class SC.

10. York.

A. Tidewaters of York not otherwise described or classified — Class SB-2.

B. Tidewaters from Kittery-York town line to point of land known as Argo Pt. — Class SA.

C. Tidal estuary of York River from Route 1 crossing to head of tide, including tidal tributaries thereof — Class SC.

D. Tidewaters from East Pt. to the northernmost point of land at Concordville at longitude $70^{\circ}-36'-11''$ — Class SB-1.

E. Estuary of Cape Neddick River from head of tide to point where longitude $70^{\circ}-36'-46''$ crosses — Class SC.

F. Tidewaters from Weare Pt. to a point where longitude $70^{\circ}-36'-46''$ crosses the mainland of York — Class SB-1.

G. Tidewaters from a point where longitude 70°-35' crosses the mainland of York to York-Wells town line — Class SA.

R.S.1954, c. 79, § 15; 1957, c. 322, § 9; 1959, c. 183, § 3; 1961, cc. 273, 284; 1963, c. 54, § 2; c. 157; c. 274, § 3; cc. 316, 320.

§ 371. —Great ponds

Great Ponds

1. All great ponds within the State of Maine shall be classified herewith as not less than Class B-1, except as otherwise provided in this section. The commission, upon application by any interested person, shall hold a hearing in accordance with the classification procedure and if it shall find it is for the best interests of the public that such waters or any part thereof should be otherwise classified, it shall do so in accordance with the classification procedure of this subchapter.

1957, c. 322, § 10.

2. Sebago Lake in the Towns of Naples, Casco, Raymond, Windham, Standish, Baldwin and Sebago in Cumberland County — Class A.

1957, c. 322, § 10.

3. Lake Wassokeag in the Town of Dexter, Penobscot County — Class A.

1957, c. 322, § 2.

4. Upper Mattawamkeag Lake (Island Falls) — Class C.

5. Mattakeunk Pond (Lee) — Class C.

6. Lily Pond (Rockport) — Class B-2.

7. Lower Mattawamkeag Lake (Island Falls— T 4, R 3) — Class B-2.

8. Madawaska Lake (T 16, R 4, Westmanland) — Class A.

9. First Pond and Second Pond in the Town of Blue Hill in Hancock County — Unclassified. (1963, c. 420, § 3.)

1955, c. 426, § 8; 1957, c. 322, §§ 2, 10; 1963, c. 420, § 3.

§ 372. Exceptions

Nothing contained in this subchapter shall affect any litigation pending on January 1, 1945 under any other statute nor in

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any way impair any decrees or orders of court heretofore or hereafter entered in any proceedings so pending, nor shall the granting of any license or authority under this subchapter limit the powers of the State to initiate, prosecute and maintain actions to abate public nuisances to the extent consistent with the public interest, nor shall any license granted under this subchapter constitute a defense to any action at law for damages.

R.S.1954, c. 79, § 13; 1955, c. 425, § 9.

ARTICLE 2. POLLUTION CONTROL

§ 411. State contribution to pollution abatement

The commission is authorized to pay an amount equal to the total federal contribution under P.L. 660, 84th Congress, to the expense of a municipal or quasi-municipal pollution abatement construction program which has received federal approval and federal funds for construction.

1957, c. 429, § 75; 1961, c. 299.

§ 412. Pollution surveys

The commission is authorized to pay up to 50%, or \$2,500, whichever is less, of the expenses of a sewage survey for a municipal or quasi-municipal corporation or regional planning commission organized under Title 30, chapters 9 and 239, which shall have been approved as to purpose, necessity and priority. Municipalities, quasi-municipal corporations and regional planning commissions are specifically authorized to make such contracts with the State as are deemed necessary and may pay over moneys to the State to carry out the purposes of this section.

1957, c. 388; c. 429, § 74; 1959, c. 294, § 1; 1961, c. 311.

§ 413. Pollution restricted

No person, firm, corporation or municipality or agency thereof shall discharge into any stream, river, pond, lake or other body of water or watercourse or any tidal waters, whether classified or unclassified, any waste, refuse or effluent from any manufacturing, processing or industrial plant or establishment or any sewage so as to constitute a new source of pollution to said waters without first obtaining a license therefor from the commission. No license from the commission shall be required under this section or section 414 for any manufacturing, processing or indus-

trial plant or establishment, operated prior to August 8, 1953, for any such discharge at its present general location, such license being hereby granted.

R.S.1954, c. 79, § 8; 1959, c. 295, § 4.

§ 414. Application for licenses

1. Classified waters. Applications for licenses for such discharge shall be in writing, signed by the applicant and filed with the commission in such form as the commission may require. Said commission shall set a time and place for hearing on said application, which time shall be within 45 days from the date of the filing of the application, and shall give notice of the hearing by publication in a newspaper circulated in the area of the proposed discharge and in a newspaper having state-wide circulation and distribution in the said area once a week for 3 successive weeks, the last publication being at least 3 days prior to the date of hearing. The hearing shall be held by not less than 2 members of the commission, and evidence taken and received shall have the same force and effect as though taken and received by said commission and shall authorize action by the commission as though by it taken and received.

If after hearing the commission shall determine that such discharge, either of itself or in combination with existing discharges to the waterway, will not lower the classification of any stream, river, pond, lake or other body of water, or watercourse or tidal waters, it shall issue such license to the applicant upon payment of the sum of \$50. The commission may make rules and regulations relating to the conduct of such hearings.

1963, c. 106.

2. Unclassified waters. In the interim between the first day of September, 1959 and the classification by the Legislature of any surface waters or tidal flats, or sections thereof, it shall be unlawful for any person, corporation, municipality or other legal entity, to dispose of any sewage, industrial or other waste into any unclassified surface waters or tidal flats, without first obtaining a license from the commission. No license from the commission shall be required of any municipality, sewer district or other quasi-municipal corporation to dispose of any sewage from outfalls or facilities existing on the first day of September, 1959. Such license shall not be withheld if such sewage or waste will not lower the quality of the water below the classification which the commission expects to recommend for the adoption in accordance with section 365. The form of application, notice of

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hearing, amount of license fee and conduct of hearing shall be as set forth in subsection 1.

3. General. Any license to so discharge granted by the commission may contain such terms or conditions with respect to the discharge as in the commission's determination will best achieve the standards set forth in section 363.

A full and complete record shall be kept of all proceedings had before the commission and all testimony shall be taken by a stenographer.

R.S.1954, c. 79, § 9; 1959, c. 295, § 5; 1963, c. 106.

§ 415. Appeals

Any person aggrieved by any order or decision of said commission with respect to any application for license may, within 30 days after notice of the filing of such order or decision, appeal therefrom to the Administrative Hearing Commissioner as designated by Title 5, chapters 301 to 307 by presenting a copy of such order or decision, certified by the secretary of said commission, to said Administrative Hearing Commissioner. The Administrative Hearing Commissioner shall fix a time and place for hearing thereon. The commission shall submit to the Administrative Hearing Commissioner the printed record of the hearing certified by the secretary of the commission. The Administrative Hearing Commissioner shall enter his findings and decree sustaining, reversing or modifying such order or decision of said commission in such manner and to such extent as he determines.

R.S.1954, c. 79, § 10; 1959, c. 295, § 6; 1961, c. 317, § 213; c. 394, § 42; c. 417, § 167; 1963, c. 412, § 23.

§ 416. Deposit of refuse in streams

No person, corporation or other party shall place or deposit in the inland waters or tidal waters of this State, or on the banks thereof so that the same shall fall or be washed into such waters, any slabs, edgings, sawdust, chips, bark, slash or shavings created in the manufacture of lumber or other wood products, or so deposit any oil regardless of its source, or so pollute said waters. The commission shall make surveys concerning pollution of said waters. Whenever said commission finds conditions inconsistent with this section, it shall attempt to correct the same through negotiation, and upon failure to procure correction, it shall apply to any Justice of the Supreme or Superior Court in an action as in equity. Said court, on due notice and hearing, may abate said

condition to an extent consistent with the public interest and shall impose limitations on the nature and extent of deposit in said waters consistent with the public interest. Any person, corporation or other party aggrieved thereby may appeal therefrom to the law court as in equity.

Whoever violates any provision of this section shall pay a fine of not less than \$25 nor more than \$200, and costs, for each offense.

Nothing contained in this section shall nullify, modify or in any way affect any license granted by said commission or otherwise granted pursuant to or by section 413.

If any person, corporation or other party believes it to be necessary in the prosecution of his or its business to deposit some or all of the materials mentioned in this section in any of said waters, or on the banks thereof, to an extent prohibited by this section, he or it may make application to such commission, which shall give notice thereof and hold a hearing thereon, and which shall have authority to issue an order thereon granting such permit as it deems advisable or denying such application.

Any person, corporation or party aggrieved by any order or decision of the commission under this section may appeal to the Administrative Hearing Commissioner according to the procedure outlined in section 415.

R.S.1954, c. 79, § 11; 1955, c. 425, § 8; 1963, c. 412, § 20.

§ 417. Deposit of potatoes into streams; duty of commission

No person, firm, corporation or federal agency shall deposit or cause to be deposited potatoes or any part or parts thereof, except the potato pulp resulting from the manufacture of potato starch, into any stream, pond, lake or other body of water or watercourse, or on the ice thereof, or on the banks of the same where such potatoes or any part or parts thereof may pollute such waters. This section shall not apply to industries licensed under this subchapter.

The commission shall be charged with the duty of enforcing this section.

Whoever violates this section shall be punished by a fine of not less than \$25 nor more than \$200, and costs, for each offense.

R.S.1954, c. 79, § 14.

ARTICLE 3. ENFORCEMENT

§ 451. Enforcement generally

After adoption of any classification by the Legislature for surface waters or tidal flats or sections thereof, it shall be unlawful for any person, corporation, municipality or other legal entity to dispose of any sewage, industrial or other waste, either alone or in conjunction with another or others, in such manner as will, after reasonable opportunity for dilution and mixture, lower the quality of any significant segment of said waters, tidal flats or sections thereof, affected by this discharge, below the minimum requirements of such classification, and notwithstanding any licenses which may have been granted or issued under sections 413 to 415.

The commission shall enforce this section by appropriate orders, and in the event such orders are not complied with within such time as the commission shall stipulate, appropriate legal action shall be instituted by the commission to enforce compliance or to punish violators. Any persons, corporation, municipality or other legal entity aggrieved by any such order of the commission shall have the right of appeal in similar manner as is provided for appeals under section 415. On the basis of evidence which is pertinent to the issues, the Administrative Hearing Commissioner shall enter his findings and issue his decision affirming, modifying or revoking the order of the commission.

R.S.1954, c. 79, § 4; 1961, c. 305, § 4; 1963, c. 412, § 19.

§ 452. Forms filed; right of entry; furnishing information

Municipalities shall file, not more than once annually, with the commission information relative to the present method of sewage collection and disposal in such municipality, on forms prepared and supplied by the commission within 30 days after receipt of said forms.

Any authorized member or employee of the commission may enter any land or establishment for the purpose of collecting information that may be necessary to the purposes hereof and no owner of such land or establishment shall refuse any reasonable request to admit such member or employee or refuse any reasonable request to furnish such information concerning pollution of waters by such establishment.

R.S.1954, c. 79, § 5; 1955, c. 425, § 7.

§ 453. Penalties

Any person, corporation or other legal entity, who shall violate any of this subchapter, except sections 416 and 417, or who shall fail, neglect or refuse to obey any order of the commission lawfully issued pursuant hereto, shall be punished by a fine of not less than \$200 nor more than \$1000 for each day of such violation, failure, neglect or refusal after the expiration of any time limit set by the commission. When an appeal is taken from any such order, no fine shall be imposed for that period of time during which said appeal is pending.

R.S.1954, c. 79, § 6; 1957, c. 171; 1959, c. 295, § 3.

§ 454. Injunctions

In the event of the violation of any of the provisions of this subchapter, or of any order or decision of the commission or decree of the court as the case may be, the Attorney General may institute injunction proceedings to enjoin the further violation thereof.

R.S.1954, c. 79, § 12.

SUBCHAPTER II

INTERSTATE WATER POLLUTION CONTROL

ARTICLE 1. COMPACT

Sec.

- 491. Applicability of provisions—Article I.
- 492. Creation of commission—Article II.
- 493. Membership of commission—Article III.
- 494. Organization and operation—Article IV.
- 495. Standards and classifications—Article V.
- 496. Abatement and control of pollution—Article VI.
- 497. Additional controls; pending actions—Article VII.
- 498. Appropriations—Article VIII.
- 499. Separability of provisions—Article IX.
- 500. Negotiation with New York state—Article X.
- 501. Effective date—Article XI.

ARTICLE 2. ADMINISTRATIVE PROVISIONS

- 531. Execution by Governor; form of execution.
- 532. Commissioners; appointment.
- 533. —Compensation.

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Sec.

534. Reservations and limitations.

535. Appropriations.

536. Interpretation and purpose.

537. Effective date.

ARTICLE 1. COMPACT

§ 491. Applicability of provisions—Article I

It is agreed between the signatory states that this compact shall apply to streams, ponds and lakes which are contiguous to 2 or more signatory states or which flow through 2 or more signatory states or which have a tributary contiguous to 2 or more signatory states or flowing through 2 or more signatory states, and shall apply to tidal waters ebbing and flowing past the boundaries of 2 states.

1955, c. 450, § 1.

§ 492. Creation of commission—Article II

The New England Interstate Water Pollution Control Commission, as heretofore created and in this subchapter referred to as the commission, shall be a body corporate and politic, having the powers, duties and jurisdiction herein enumerated and such other and additional powers as shall be conferred upon it by the act or acts of a signatory state concurred in by the others.

1955, c. 450, § 1.

§ 493. Membership of commission—Article III

The commission shall consist of 5 commissioners from each signatory state, each of whom shall be a resident voter of the state from which he is appointed. The commissioners shall be chosen in the manner and for the terms provided by law of the state from which they shall be appointed. For each state there shall be on the commission a member representing the state health department, a member representing the state water pollution control board, if such exists, and, except where a state in its enabling legislation decides that the best interests of the state will be otherwise served, a member representing municipal interests, a member representing industrial interests and a member representing an agency acting for fisheries or conservation.

1955, c. 450, § 1.

§ 494. Organization and operation—Article IV

The commission shall annually elect from its members a chairman and vice-chairman and shall appoint and at its pleasure remove or discharge such officers. It may appoint and employ a secretary who shall be a professional engineer versed in water pollution and may employ such stenographic or clerical employees as shall be necessary, and at its pleasure remove or discharge such employees. It shall adopt a seal and suitable bylaws and shall promulgate rules and regulations for its management and control. It may maintain an office for the transaction of its business and may meet at any time or place within the signatory states. Meetings shall be held at least twice each year. A majority of the members shall constitute a quorum for the transaction of business, but no action of the commission imposing any obligation on any signatory state or on any municipal agency or subdivision thereof or on any person, firm or corporation therein shall be binding unless a majority of the members from such signatory state shall have voted in favor thereof. Where meetings are planned to discuss matters relevant to problems of water pollution control affecting only certain of the signatory states, the commission may vote to authorize special meetings of the commissioners of the states especially concerned. The commission shall keep accurate accounts of all receipts and disbursements and shall make an annual report to the governor and the legislature of each signatory state setting forth in detail the operations and transactions conducted by it pursuant to this compact, and shall make recommendations for any legislative action deemed by it advisable, including amendments to the statutes of the signatory states which may be necessary to carry out the intent and purpose of this compact. The commission shall not incur any obligations for salaries, office, administrative, traveling or other expenses prior to the allotment of funds by the signatory states adequate to meet the same; nor shall the commission pledge the credit of any of the signatory states. Each signatory state reserves the right to provide hereafter by law for the examination and audit of the accounts of the commission. The commission shall appoint a treasurer who may be a member of the commission, and disbursements by the commission shall be valid only when authorized by the commission and when vouchers therefor have been signed by the secretary and countersigned by the treasurer. The secretary shall be custodian of the records of the commission with authority to attest to and certify such records or copies thereof.

1955, c. 450, § 1.

§ 495. Standards and classifications—Article V

It is recognized, owing to such variable factors as location, size, character and flow and the many varied uses of the waters subject to the terms of this compact, that no single standard of sewage and waste treatment and no single standard of quality of receiving waters is practical and that the degree of treatment of sewage and industrial wastes should take into account the classification of the receiving waters according to present and proposed highest use, such as for drinking water supply, industrial and agricultural uses, bathing and other recreational purposes, maintenance and propagation of fish life, shellfish culture, navigation and disposal of wastes.

The commission shall establish reasonable physical, chemical and bacteriological standards of water quality satisfactory for various classifications of use. It is agreed that each of the signatory states through appropriate agencies will prepare a classification of its interstate waters in entirety or by portions according to present and proposed highest use and for this purpose technical experts employed by state departments of health and state water pollution control agencies are authorized to confer on questions relating to classification of interstate waters affecting 2 or more states. Each signatory state agrees to submit its classification of its interstate waters to the commission for approval. It is agreed that after such approval, all signatory states through their appropriate state health departments and water pollution control agencies will work to establish programs of treatment of sewage and industrial wastes which will meet standards established by the commission for classified waters. The commission may from time to time make such changes in definitions of classifications and in standards as may be required by changed conditions or as may be necessary for uniformity.

1955, c. 450, § 1.

§ 496. Abatement and control of pollution—Article VI

Each of the signatory states pledges to provide for the abatement of existing pollution and for the control of future pollution of interstate inland and tidal waters as described in Article I, and to put and maintain the waters thereof in a satisfactory condition consistent with the highest classified use of each body of water.

1955, c. 450, § 1.

§ 497. Additional controls; pending actions—Article VII

Nothing in this compact shall be construed to repeal or prevent the enactment of any legislation or prevent the enforcement of any requirement by any signatory state imposing any additional condition or restriction to further lessen the pollution of waters within its jurisdiction. Nothing herein contained shall affect or abate any action now pending brought by any governmental board or body created by or existing under any of the signatory states.

1955, c. 450, § 1.

§ 498. Appropriations—Article VIII

The signatory states agree to appropriate for the salaries, office, administrative, travel and other expenses such sum or sums as shall be recommended by the commission. The Commonwealth of Massachusetts obligates itself only to the extent of \$6,500 in any one year, the State of Connecticut only to the extent of \$3,000 in any one year, the State of Rhode Island only to the extent of \$1,500 in any one year, and the States of New Hampshire, Maine and Vermont each only to the extent of \$1,000 in any one year.

1955, c. 450, § 1.

§ 499. Separability of provisions—Article IX

Should any part of this compact be held to be contrary to the constitution of any signatory state or of the United States, all other parts thereof shall continue to be in full force and effect.

1955, c. 450, § 1.

§ 500. Negotiation with New York state—Article X

The commission is authorized to discuss with appropriate state agencies in New York state questions of pollution of waters which flow into the New England area from New York state or vice versa and to further the establishment of agreements on pollution abatement to promote the interests of the New York and New England areas.

Whenever the commission by majority vote of the members of each signatory state shall have given its approval and the state of New York shall have taken the necessary action to do so, the state of New York shall be a party to this compact for the purpose of controlling and abating the pollution of waterways common to New York and the New England states signatory to this

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compact but excluding the waters under the jurisdiction of the Interstate Sanitation Commission (New York, New Jersey and Connecticut).

1955, c. 450, § 1.

§ 501. Effective date—Article XI

This compact shall become effective immediately upon the adoption of the compact by any 2 contiguous states of New England but only insofar as applies to those states and upon approval by federal law. Thereafter upon ratification by other contiguous states, it shall become effective as to those states.

1955, c. 450, § 1.

ARTICLE 2. ADMINISTRATIVE PROVISIONS

§ 531. Execution by Governor; form of execution

The Governor of this State is authorized and directed to execute a compact, on behalf of the State of Maine, with any one or more of the states of New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island and New York, to be known as the New England Interstate Water Pollution Control Compact, heretofore adopted by the states of Massachusetts, Connecticut, Rhode Island, New York, Vermont and New Hampshire and approved by Act of the Congress of the United States, and to execute any supplementary agreements with the states now parties to such compact and the operation thereof.

When the Governor, on behalf of the State, executes such compact or any agreement supplementary thereto, he shall affix his signature thereto under a recital that the compact or agreement is executed pursuant to the provisions thereof, subject to the limitations and qualifications contained in this subchapter.

1955, c. 450, § 1.

§ 532. Commissioners; appointment

There shall be 5 members, hereinafter in this subchapter called Commissioners of the New England Interstate Water Pollution Control Commission from the State of Maine. One commissioner shall be the Commissioner of the Department of Health and Welfare and one the Chairman of the Maine Water Improvement Commission. The term of any such commissioner shall terminate at the time he ceases to hold said state office and his

successor in that office shall be his successor as commissioner on this commission. The Governor, by and with the consent and advice of the Council, shall appoint 3 more commissioners who shall be citizens of the State, one to represent municipal interests, one to represent industrial interests and one to represent the public generally. The term of the last 3 said commissioners shall be for a period of 3 years and he shall hold office until his successor shall be appointed and qualified. The terms of each of the initial 5 members shall begin at the date of the appointment, provided the said compact shall then have been executed by the Governor of this State as prescribed in section 531; otherwise they shall begin upon the effective date of the compact in accordance with section 537.

Any commissioner may be removed from office by the Governor upon charges and after a hearing.

1955, c. 450, § 1.

§ 533. —Compensation

The commissioners shall serve without compensation but shall be reimbursed for their expenses actually and necessarily incurred by them in the performance of their duties.

1955, c. 450, § 1.

§ 534. Reservations and limitations

Notwithstanding any contrary provisions hereinbefore contained, it is hereby specifically provided that

1. Classification. The members representing the State of Maine on the New England Interstate Water Pollution Control Commission shall have no authority to vote in favor of or to commit said State of Maine or any administrative agency thereof or any municipal corporation or administrative agency thereof, or any person, firm or corporation therein,

A. To any classification of the interstate waters of the State of Maine or to any standards of water quality appertaining to any such classification, which in any aspect shall impose a higher classification or higher water quality than are established by the laws of the State of Maine for such waters, or

B. To any classification and pertinent standards of water quality in respect to such interstate waters of the State of Maine as have not been assigned a classification under the laws of the State of Maine.

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2. Prior classifications and standards. No classification of waters or standards of water quality thereto appertaining which shall have been approved by the New England Water Pollution Control Commission prior to August 20, 1955, as established in section 537, shall be binding upon the State of Maine or any administrative agency thereof or any municipal corporation or administrative agency thereof, or any person, firm or corporation therein, with relation to any interstate waters of the State of Maine.

1955, c. 450, § 1.

§ 535. Appropriations

The State agrees to appropriate from the General Fund and contribute to the commission such annual amount as may be required for its several purposes under the terms of such compact, not in excess of \$1,000, which limitation is imposed by the State as a condition under which it shall become a party thereto. The State, as a further condition under which it shall become a party to the compact, reserves the right to withdraw therefrom at any time upon 60 days' notice to the chairman of the commission.

The Governor shall determine if and when it shall be for the best interests of the State to withdraw from such compact. In the event the Governor shall determine that the State should withdraw from such compact, he shall have full power and authority to give the notice as required herein and to take any and all steps necessary and proper to effect the withdrawal of the State from the compact.

1955, c. 450, § 1.

§ 536. Interpretation and purpose

The form and contents of such compact are as set forth in this subchapter and the effect of its provisions shall be interpreted and administered in conformity with this subchapter.

New England Interstate Water Pollution Control Compact

Whereas, the growth of population and the development of the territory of the New England states has resulted in serious pollution of certain interstate streams, ponds and lakes, and of tidal waters ebbing and flowing past the boundaries of 2 or more states; and

Whereas, such pollution constitutes a menace to the health, welfare and economic prosperity of the people living in such area; and

Whereas, the abatement of existing pollution and the control of future pollution in the interstate waters of the New England area are of prime importance to the people and can best be accomplished through the cooperation of the New England states in the establishment of an interstate agency to work with the states in the field of pollution abatement; now, therefore, the states of Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island and Vermont do agree and are bound as provided in this subchapter.

1955, c. 450, § 1.

§ 537. Effective date

This compact, when executed by the Governor as prescribed in section 531, shall be deemed to be fully adopted and shall thereupon become binding upon the State of Maine as between it and the several other signatory states agreeably to the true tenor and extent thereof. Such compact, supplementary agreements and notices of withdrawal shall be filed in the office of the Secretary of State of the State of Maine.

1955, c. 450, § 1.

SUBCHAPTER III

CRIMINAL LIABILITY

Sec.

571. Corrupting waters forbidden; penalty.

§ 571. Corrupting waters forbidden; penalty

Whoever knowingly and willfully poisons, defiles or in any way corrupts the waters of any well, spring, brook, lake, pond, river or reservoir used for domestic purposes for man or beast, or knowingly corrupts the sources of any public water supply, or the tributaries of said sources of supply in such manner as to affect the purity of the water so supplied, or knowingly defiles such water in any manner, whether the same be frozen or not, or puts the carcass of any dead animal or other offensive material in said waters or upon the ice thereof, shall be punished by a fine of not more than \$5,000 or by imprisonment for any term of years.

R.S.1954, c. 137, § 1.