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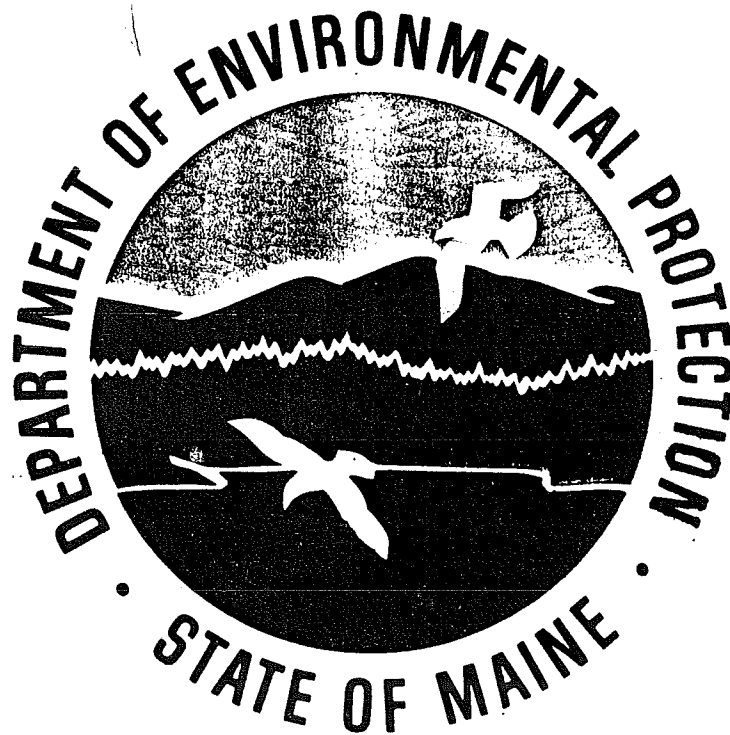
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Staff Proposal
for
Reclassification of Surface Waters
to the
Board of Environmental Protection



Bureau of Water Quality
Department of Environmental Protection

November 1, 1989

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INTRODUCTION

This document contains the Department of Environmental Protection's recommendations to the Board of Environmental Protection for reclassification of all surface waters of the state except the Androscoggin and Kennebec basins which have previously been completed. According to 38 MRSA, Section 464-2, the Board may make classification recommendations to the Legislature. Final adoption of any classification changes is the Legislature's authority. The Board's final recommendations will be presented as a bill to the 114th Legislature.

The Board conducted six public hearings state wide and also solicited comments from a variety of groups including town planning boards, conservation commissions, local Chambers of Commerce, trade organizations, wastewater discharge license holders, environmental interest groups, sportsmans clubs, state legislators, state and federal agencies, regional planning commissions and other identified interest groups. Response to the initial reclassification suggestions was considerable. There were 91 individuals who spoke at the public hearings and 634 pieces of correspondence were received (580 letters directed to the upgrade of one particular waterbody). Additionally, the staff has spent many hours in follow-up investigation of the information provided.

This document is presented in two parts. The first provides information and comments from the hearings record. For each basin, there is a presentation of known water quality. Following that is a comment section which presents a summary of comments for that basin and a staff recommendation where some controversy or question may exist. The second portion of the document includes a draft copy of legislation which would be presented to the Legislature including all changes the Board recommends.

Response to Comments

Denny's River Basin

In 1983, the Maine legislature declared the Denny's River an outstanding river segment. As a consequence, in 1986 the main stem was declared Class AA to the Route 1 bridge. Because of existing discharges and stormwater runoff in the Dennysville area, the segment below Route 1 is Class B. All tributaries are Class A. Sampling at 2 locations on the main stem indicates no violation of water quality standards. Changes to consider for the Denny's River basin should include a specific restriction for free flowing habitat in the Class B segment.

Comments: Only a few comments were made regarding the Dennys River all in support of the staff proposal.

East Machias River Basin

Most of the East Machias River is presently classified AA and monitoring indicates attainment of standards. Tributaries above Jacksonville are Class A; those below are Class B. The tributaries generally attain their designated class except at Chase Mill Stream which is presently severely affected by the fish hatchery facility. The only suggested change would be to upgrade the lower most segment in East Machias to Class B. Discharges here have been corrected.

Comments: Only a few comments were made all in general support of the staff proposal. The Atlantic Salmon Federation recommends extending class AA to US Route 1, however, presently there are licensed discharges above the bridge. They also recommend a "legislative finding" to protect the free flowing use below the AA segment. This segment is not included in the Maine Rivers Act for protection therefore it is assumed that the legislature did not wish to establish the free flowing use in this segment.

Machias River Basin

The Machias River to the old impoundment at Whitneyville has been designated Class AA in conformance with the Maine Rivers Act. Data on the lower mainstem indicates now that treatment has been incorporated and discharges cleaned up, the entire segment from Whitneyville to tidewater can be raised to Class B. Tributaries appear to be appropriately classified, Class A and AA for waters draining into the river above Whitneyville and Class B below Whitneyville.

Comments: Few comments were received all in general support. The Atlantic Center for the Environment suggested that the AA segment could be extended to Route 1A as there is no longer an impoundment and no known discharges exist above this point. This change has been included. The Department of Inland Fisheries and Wildlife also requested that New Stream be included as an AA segment because of its high quality brook trout fishery and spawning and nursery habitat for Atlantic Salmon. The Atlantic Salmon Federation suggests that the segment below Whitneyville include a legislature finding protecting the free flowing habitat. This has been included.

Mousam River Basin

Considerable improvement has been made in the Mousam River basin particularly by improvements made at the Sanford treatment facility. Most waters in the basin achieve their present classification. Monitoring has been conducted at 12 sites on the mainstem of the river and at 17 tributary sites in the basin.

No changes in the present classification are proposed for the mainstem. The Class C area from Springvale to Estes Lake continues to have high coliform levels, presumably due to urban runoff, and aquatic life in this segment is not expected to attain the unimpaired standard for Class B without removal of stormwater and the discharge to the river. The Class B designations above Springvale and below Estes Lake appear appropriate given the discharges and nonpoint sources entering the river.

It is suggested that all tributaries be made Class B. This would include upgrades for Hay Brook and Shaker Brook. Data indicates that is already achieved except for one site on Hay Brook.

Comments: Only one comment was received suggesting the segment above Estes Lake be upgraded to B as a goal. It seems unlikely at this time that this segment could be expected to attain Class B standards in the foreseeable future given the urban setting through which this segment passes.

Narraguagus River Basin

The Narraguagus River above Cherryfield is presently designated Class AA in conformance with the Maine Rivers Act and tributaries to this segment are Class A. Monitoring data indicate that the standards are attained for these waters. From Cherryfield to tidewater the river and its tributaries are presently Class B. The river attains the water quality standards for Class B; however, numerous tributaries in the Cherryfield area violated bacteria and/or dissolved oxygen standards of Class B. Until these water quality problems are resolved, no change in classification is suggested.

Comments: Few comments were received on the proposal all in support. The Department of Inland Fisheries and Wildlife and the Atlantic Salmon Federation both requested that the West Branch of the Narraguagus be upgraded to Class AA because of the high quality brook trout fishery and value as Atlantic Salmon habitat. It was noted that this segment is a favorite canoeing - trout fishing trip. This recommendation has been included. The Atlantic Salmon Federation requested that a "legislative finding" to protect the free flowing use be included for the segment below the AA water; however, a flow control structure already exists in this segment which precludes such a designation.

Penobscot River Basin

Penobscot River, mainstem

The quality of the mainstem of the Penobscot River has changed dramatically in the last 10-15 years as a direct consequence of wastewater treatment. The entire mainstem from the confluence of the East and West branches to its estuary is presently classified C. All segments attain or exceed the standards for Class C even where significant municipal or industrial discharges occur. Exceptions to this occur only in the segments of the lower river below Veazie where discharges from combined sewer overflows cause exceedences for the bacterial standards.

Some segments should be considered for upgrade while others may be more appropriately left in Class C status. The segment from the confluence to the Mattaceunk, (Weldon) impoundment presently attains Class C but due to upstream discharges from two paper mills, the Town of Millinocket, and the effects of existing impoundments; it is unlikely that this segment could consistently achieve the dissolved oxygen standard or the requirement of unimpaired aquatic habitat of Class B. Wasteload allocation studies performed by the DEP show that language present in the law in reference to nonattainment of quality in the Dolby and Mattacenuk impoundments is unnecessary. These waters attain Class C. Below the Mattawamkeag River to North Lincoln the river attains Class B and receives only a small discharge at Mattawamkeag. An upgrade to Class B for this segment would be appropriate. At Lincoln, the river receives major discharges from a paper mill and the town. Impact from the discharge, particularly its effect on aquatic life, indicates it may not be expected to attain Class B as far as the Enfield impoundment. Dissolved oxygen and bacteria levels attain Class B in this segment. Below the Piscataquis River the river attains all standards for Class B to the old Bangor Dam except for occasional sewer overflow problems in the lower part of the river below Veazie. With the planned improvements being made in the Piscataquis drainage this lower segment may improve further. It is suggested that Class B can be maintained for this segment under its present load. One consideration may be the planned development of the Basin Mills hydroelectric project. Computer models indicate that such a facility would have little effect on the dissolved oxygen levels of the river. Below the Bangor Dam to salt water, the river presently does not meet Class C due to bacterial discharges (combined sewer overflows) in Bangor and Brewer. The CSO problems will soon be improved through construction of secondary facilities in Bangor. The river marginally attains Class C for oxygen due to discharges from the paper mill in Old Town and municipal/industrial discharges in Bangor and Brewer.

Comments: Beginning at the confluence of the East and West Branches, substantial testimony was presented at the Millinocket hearing and in subsequent correspondence (some recommending upgrade, some supporting the present classification) for the segment from the confluence of the branches to the confluence of the Mattawamkeag River. The quality of water in this segment is largely determined by the quality of water in the West Branch. The staff recommends that this segment remain in Class C. Refer to comments on the West Branch of the Penobscot.

From the Mattawamkeag River to Lincoln only a few comments were received, all in support of the upgrade. The Department of Inland Fisheries and Wildlife noted that this segment now supports good population of landlocked salmon, brook trout and small mouth bass and is heavily utilized. The Penobscot Indian Nation, Northern Penobscot Salmon Club, and Atlantic Salmon Federation expressed strong support for this upgrade. The Penobscot Indian Nation has recommended that segment from Cambolassee Stream (Lincoln) to the Enfield Dam should also be included in the upgrade to B. Similar comments were received by several individuals at the hearings. Given the available dilution, downstream impoundment and magnitude of discharges in this segment (Cambolassee Stream to the Enfield Dam), the staff considers an upgrade to Class B may not be attainable at this time. Further study should be conducted and this segment given future consideration for upgrade.

Below the Enfield impoundment, the Penobscot River expands greatly with the inclusion of waters from the Piscataquis River. This segment also has excellent reaeration potential with numerous riffles and fast flow. Quality is very good. Considerable testimony at the Bangor hearing and subsequent correspondence indicates substantial public interest in this segment. The majority of testimony supports the staff recommendation for upgrade of the river from the Enfield Dam to the old Bangor Dam site to Class B. Specific groups supporting this include: Atlantic Salmon Federation, Maine Audubon, Penobscot River Coalition and Maine Department of Inland Fisheries and Wildlife. Several individuals suggested the downstream boundary of Class B be extended to include the Bangor salmon pool. Differing views were presented by the Penobscot Indian Nation and a few individuals which suggest that this segment might qualify for Class A. Specifically the Penobscot Nation recommends Passadumkeag Stream to Milford be classified "A". While water quality is good, it is unlikely this segment could achieve standards of "as naturally occurs" for bacteria and aquatic life. Given the expectation of future population growth in the lower Penobscot Valley, it would be difficult to maintain the Class A standards. James River Corporation and Bangor Hydro-Electric Co. offered testimony opposing the upgrade. James River Corp. noted that data on aquatic life, particularly in the absence of defined criteria, may not achieve B quality. It is the staff's judgment that B quality (an unimpaired community) is being achieved. The data set used represents what we believe to be worst case sites. Samples were collected below the mill without benefit of dilution from the Stillwater branch and again downstream of Veazie at a time when that town was discharging raw wastewater. Despite this, aquatic community samples were good. Veazie started up its new treatment facility this summer. James River Corp has stated it has no intention to increase its discharge beyond present license limits in the future. Bangor Hydro noted that the upgrade of this segment is inconsistent with recommendations for Class C in upriver reaches that have paper mills and impoundments. The lower river is different in that it has greatly increased dilution capacity in relation to its pollutant load and still retains much of its natural reaeration potential. Actual water quality measurements reflect this. Bangor Hydro also expressed concern that the regulation for aquatic life currently in development might not reflect habitat differences; thus putting an impoundment out of compliance because they do not support flowing water species. This is a legitimate concern and the staff is factoring such a distinction in its regulation development. Finally, Bangor Hydro suggests that the specific language regarding free-flowing habitat below the Veazie dam is unnecessary. This language is included only to clarify the designated uses of this segment. Similar language has already been adopted by the Legislature for lower Kennebec River. The staff recommends that the mainstem segment from the confluence with the Piscataquis River to the railroad bridge in Bangor be upgraded to Class B.

A number of comments were received regarding small tributaries of the Penobscot. It was noted by several commentators that high quality and remoteness of the Passadumkeag River should be protected by designating the entire river as class A rather than that segment above Grand Falls. There are no known discharges or other water quality problems; therefore, this recommendation has been included. The Penobscot Nation has presented substantial evidence including monitoring data from several streams and recommends that numerous other small tributaries of the Penobscot should be upgraded to Class A. The staff recommends that at this time no additional changes be made until more data comes available. Data needs for the Piscataquis drainage and Mattawamkeag drainage have been expressed and it would seem best to establish this as a monitoring priority for a future reclassification proposal.

Penobscot River, East Branch Drainage.

Management of the East Branch focuses on its designation as an outstanding river in the Maine Rivers Act. Upgrades are suggested to Class AA for all segments noted in that Act and for tributary waters in Baxter State Park. All other tributaries and a small segment of river below the Grand Lake Mattagamon dam are suggested for upgrade to Class A. There are no known discharges or other water quality problems in this drainage. Only one sample station has been established at Route 11 in Medway. Testing on all dates indicates excellent quality.

Comments: Only a few comments were received all in support of the proposal. One suggestion was to make those tributary waters in Baxter Park Class AA for their entire length; therefore, providing the highest protection for waters entering and leaving the park. This suggestion was included for most East and West Branch waters.

Penobscot River, West Branch Drainage.

The great majority of waters of the West Branch are very high quality with no known discharges of wastes and no known water quality problems. The Maine Rivers Act designated portions of the West Branch above Chesuncook Lake as outstanding waters. For this reason it is suggested that these segments be designated Class AA and that tributaries to those waters be designated Class A. This is consistent with their present quality and will protect this quality.

In 1986 there was a proposal to build the Big A impoundment on the West Branch below Ripogenus Lake. This segment was not designated outstanding water in the Maine Rivers Act. Substantial testimony during the permit hearings for that dam attested to the high quality of these waters and their importance to the recreation industry which exists there. It is suggested that this segment should be upgraded from its current Class B status to protect the present uses of this segment. Two choices were suggested for this segment at the hearings. Class AA will provide protection for the pristine quality of this water by prohibiting all discharges and impoundments. An alternative option would be to designate this segment as Class A which would protect present quality but allow certain development to occur.

When the waters of the West Branch reach Millinocket, quality is substantially altered due to the discharge from two paper mills and the municipality. Water quality data from three monitoring sites indicates that while oxygen levels go down and bacterial levels increase, water quality attains the standards of its present Class C designation. Sampling of aquatic life in this segment also indicates that standards of Class C are attained. Without substantial removal of the paper mill discharges, it is unlikely that this segment could meet the next highest class due to the effects of impoundments (loss of aeration) and the accumulated sediment load.

Comments: The suggested upgrade of the West branch segment below Ripogenus Dam created some debate at the Millinocket hearing and in subsequent correspondence. Great Northern Paper Co. suggested that it preferred to keep this segment in its present class even though it had no short or long term development plans for this segment. The Millinocket Chamber of Commerce and Katahdin Regional Development Corporation also recommended no change in classification since they feel this could hinder development in the future. Several other citizens offered similar comments. In questioning, it was suggested that any development would probably be to support the expanding recreation industry here. Various other groups recommended upgrade to Class AA as a means of protecting the recreation industry. Maine Audubon, Trout Unlimited and the Fin and Feather Club, as well as several individuals, provided testimony in this regard. The Scenic Lake Association recommended Class AA as a means of protecting downstream lake quality. The Maine Department of Inland Fisheries and Wildlife noted the outstanding quality of the landlocked salmon fishery and strongly recommends protection by upgrade to Class AA. The staff recommends that this segment be upgraded to Class AA since Great Northern has indicated no development plans for this segment and in fact has provided easement to the state to allow for recreation. It is the staff's opinion that this upgrade will protect the quality and uses which attract people for the local recreation industry and will not inhibit development of most types of recreation associated facilities which might be considered.

The segment from the outlet of Ferguson/Quakish Lakes to the confluence with the East Branch also generated debate. Great Northern Paper Co. presented information showing the improvements which have occurred along this segment to meet the new Class C standards and requested that this segment remain in its present class. Numerous other parties including businesses dependent on the continued economic strength of Great Northern Paper, Millinocket Chamber of Commerce, Katahdin Regional Development Corp. and numerous individuals concurred with this recommendation. Numerous individuals and the Fin and Feather Club recommended that these waters should be upgraded to class B and that Great Northern be required to provide a greater level of treatment. It was also requested that the Department concern itself with problems of contamination in fish. The staff recommends that the segment from Ferguson/Quakish lakes remain class C. It is questionable whether class B standards can reasonably be attained given the hydrologic configuration of the river, available dilution and location of dams and discharges. Increasing the level of treatment would probably be insufficient to raise water quality to class B standards for dissolved oxygen or aquatic life, given existing sediment oxygen demand behind the impoundments. Enforcement of Class B standards would put a substantial financial burden on Great Northern Paper with no certainty that standards could be attained.

Mattawamkeag River Drainage

The Mattawamkeag River below the Kingman-Mattawamkeag townline has been designated an outstanding river in the Maine Rivers Act. Discharges which previously occurred are being intercepted treated and discharged into the Penobscot River; therefore, a Class AA designation may be most appropriate for this segment. Data from a monitoring site at the mouth of the river support this upgrade. Upstream, the river is presently classified B. The department has a limited data base from two monitoring sites. Data indicates Class B is attained. This segment may be suitable for upgrade to Class A; however, many of the tributaries, particularly the West Branch, have significant discharges.

Monitoring of tributaries at 17 sites in the watershed indicates that these waters generally meet or exceed the Class B standards even where discharges occur. One exception is the East Branch in Oakfield which has had some high coliform counts. This may be attributable to farms in the watershed and existing residential discharges in Oakfield, or some other unknown source. Another problem area is Fish Stream and its tributaries in Patten. The Town of Patten is presently in the process of constructing a wastewater treatment facility which should alleviate these problems. It is suggested that all tributaries to the Mattawamkeag River be given a Class B designation.

Comments: Only a few comments were received; all in support of the staff proposal. This drainage should receive further monitoring as there is probably potential for other upgrades; however, our database is limited.

Piscataquis River Drainage.

The Piscataquis River was one of the last major waterbodies in the State where treatment of waste has been completed or is presently under construction. Significant discharges occur at Guilford (industrial and municipal), Dover-Foxcroft, Milo, Brownville and Howland. Data collected on the mainstem at seven monitoring sites downstream from Guilford all indicate poor water quality (nonattainment of Class C); however, these data were all collected before construction of treatment systems. Treatment of these wastes should result in attainment of Class C; however, no data exist to confirm this. The same may be said for the Sebec River below Milo and Pleasant river below Brownville. It is suggested that the mainstem of the river be left at Class C below Guilford until performance data are available. Tributaries including the Sebec River and Pleasant River may be upgraded to Class B in anticipation of clean up occurring from the small discharges at Milo and Brownville. Certain tributary waters designated Class A and AA should remain in those classifications.

Comments: A number of comments were received recommending upgrade of the Piscataquis River beyond what was initially suggested by the DEP. At this time, the staff believes that further upgrade may be premature until performance and resulting water quality can be established following construction and start up of facilities in this drainage. However, some additional changes were incorporated. Sections of the East and West Branch were recommended by the Department of Inland Fisheries and Wildlife for upgrade to Class AA; noting the scenic value of these segments and the good wild brook trout populations. Department of Inland Fisheries and Wildlife, the Penobscot Nation and Atlantic Salmon Federation all noted a discrepancy where the two branches converge. The classification is lowered to B yet no discharges or other factors cause a decline in quality. These changes were incorporated.

Pleasant River Basin

The Pleasant River was designated an outstanding river segment in the Maine Rivers Act. There are no known discharges or other water quality impacts from Pleasant River Lake to Columbia Falls, therefore it is suggested this segment be raised to Class AA. Through Columbia Falls to tidewater, there are some small discharges and storm runoff which suggest the present Class B designation be retained, with a clause to preserve the free flowing character of this segment. Tributaries to the upper segment could be designated Class A while those in the populated area of the lower river be Class B.

Comments: Few comments were received, most in support of the upgrade. Ocean Products Inc. noted that they have a hatchery discharge to Bog Brook, a tributary, and requested this water be downgraded to class C. Staff recommends that Bog Brook remain Class B. Presently there are water quality problems from the discharge causing non-attainment of standards. Other hatchery facilities presently discharge to Class B waters and this facility could provide a higher level of treatment.

Presumpscot River Basin.

The Presumpscot basin has two primary focal points which influence the general water quality management. One is Sebago Lake, probably the most valuable of our lakes as a water supply and recreation resource, and the other is the greater Portland urban-suburban area.

Sampling of tributaries to Sebago Lake sub-basin (55 monitoring sites) indicates consistently high water quality. Exceedences of bacteria occur in some tributaries presumably due to nonpoint sources. Exceedences are sporadic and often associated with storm events or high flow. Dissolved oxygen levels of most tributaries achieve Class A. Exceptions are Duck Pond Brook (Sweden), Willette Brook (below the Bridgton dump) and Sucker Brook (Gray).

Below Sebago Lake, a number of significant point source discharges occur including: GTE (Little River), Gorham-Windham municipal treatment plant, Westbrook treatment plant and S.D. Warren Paper Company. Waters above Westbrook generally meet Class B while those below Westbrook marginally attain Class C. Aquatic life sampling below Westbrook suggests this segment may not attain proposed criteria (in development).

It is suggested that all tributaries above Sebago Lake be classified A except a AA Class is suggested for the Crooked River and Class B for Stevens Brook in Bridgton. Tributaries below Sebago are all recommended for Class A to Dundee Pond (present class), Class B is extended to Saccarrappa Falls in Westbrook and Class C below the falls (present class).

Comments: Few comments were received on the Presumpscot basin. S.D. Warren Co. and the Paper Industry Information Office support the present proposal. The Department of Inland Fisheries and Wildlife strongly endorses the upgrade of the Crooked River. Specific language is provided for the segment at Scribners Mills where reconstruction of the former dam has been proposed.

Royal River Basin

Water quality on the mainstem of the Royal River is good throughout and achieves Class B at the six monitoring sites. The only violation of Class B standards involves high bacteria counts associated with storm events in Yarmouth. It is suggested that the Royal River be left at Class B.

It is suggested that all tributaries to the Royal be upgraded to Class B. There are no discharges except nonpoint sources from agriculture and storm runoff. Twenty two monitoring sites were established on various tributaries. Oxygen levels are consistently high in the tributaries, however an upgrade to Class B may require further treatment of nonpoint problems to reduce bacteria levels on at least nine tributaries (Moose, Foster, Toddy, Runnaround, Collins, Collyer, East Branch, Brandy and Libby).

Comments: None received

Saco River Basin.

Management strategy for the Saco River focuses on its designation as an outstanding river in the Maine River Act. In conformance with that law, the Saco River from Swans Falls Dam to the Little Ossipee river excluding existing impoundments should be upgraded to Class AA. Remaining segments to Saco-Biddeford are suggested for upgrade to Class A, recognizing the river's value as a drinking water supply and that there are no significant discharges affecting water quality. The segment in Saco-Biddeford is suggested for upgrade to Class B, considering that there are effects on water quality due to the urban area surrounding this segment, but no direct discharges.

Numerous upgrades should be considered for tributaries to the Saco. Tributary monitoring of the ten sites upstream of the Ossipee River indicates high water quality. To protect the quality of the Saco, tributaries upstream of the Ossipee are recommended for upgrade to Class A. All tributary segments which are presently Class C can also be upgraded to Class B (exception Wards Brook, Fryeburg). Treatment of waste is now provided for discharges in New Hampshire, Kezar Falls, Limerick.

Comments: Only one comment was received recommending an upgrade for the Little Ossipee river to Class A. While the water quality of this segment is very good, it is questionable that it can achieve quality "as naturally occurs". This segment receives a treated discharges from the Town of Limerick. It is recommended that the Little Ossipee remain Class B.

St. Croix River Basin

The St. Croix River was designated an outstanding waterbody in the Maine Rivers Act and specific language was provided in that law, because of its status as an international boundary water, which regulated hydropower development above the Grand Falls flowage. There are no known direct discharges. Because of the high quality of the water, it is suggested that the river be upgraded to Class A from Vanceboro to the Woodland impoundment. Below Woodland, the present Class C designation is probably appropriate. Wasteload allocation studies completed in 1986 indicate that the river can marginally attain the dissolved oxygen standard if recommended minimum flows are sustained. Aquatic life and bacteria standards presently attain Class C. No changes are suggested for tributaries to the river except that Tomah Stream is recommended for upgrade to Class AA. This waterbody supports one of the few known populations of a mayfly currently being reviewed for "rare and endangered" status. This organism has been lost from other known North American habitats due to effects of impoundments. Monitoring indicates attainment of designated classification standards on all tributaries except Stony Brook and an unnamed brook in Baileyville.

Comments: Most comments received were in general support of the staff proposal. Georgia Pacific Corporation, the Town of Baileyville, several area legislators and the St. Croix Waterway Commission agreed with the proposals; however, the Commission suggested the uppermost segment above Vanceboro could also be included as Class A. Further investigation indicates no present discharges here and this proposal is therefore included. The Atlantic Salmon Federation suggested AA for the upper river; however, such a classification would be in conflict with specific language in the Maine Rivers Act regulating hydropower in this international waterbody. Town of Princeton recommended that a section of water in the town remain in Class B until further study determines presence of discharges and existing water quality. This change also has been incorporated. Comments from the Nature Conservancy and researchers at the University of Maine support the upgrade of Tomah Stream to protect a potentially endangered species of mayfly. The Department of Inland Fisheries and Wildlife, however, recommends this tributary remain Class A to allow the possible development of an impoundment for waterfowl. Such an impoundment would severely threaten the existence of this mayfly population. The staff recommends this tributary remain Class A with the agreement that if studies currently underway by the University substantiate the rare and endangered status of this mayfly, that all parties will agree to support full protection afforded by Class AA and recommend such to the legislature at a later time.

St. George River Basin

Monitoring at six sites on the mainstem of the St. George River indicates consistently good water quality. This river could be upgraded from its present Class C to Class B. Likewise, the tributaries attain Class B quality most of the time with only occasional exceedences of the bacteria standards, often associated with storm runoff events. Two exceptions are Stearns Brook, Searsmont, which has chronically low dissolved oxygen and high levels of bacteria, and Allen Brook, Appleton, which has high bacteria counts. These may represent natural conditions as no sources of pollution are known. It is suggested that the entire basin be upgraded to Class B.

Comments: Substantial discussion at the hearing and subsequent letters to the Department have requested a further upgrade. The Department received over 575 letters with over 600 signatures requesting upgrade to A. In subsequent discussions with Georges River Land Trust, the Department now recommends up grade to Class AA for the segment from Little Pond to the confluence with Sennebec Pond (excluding Steven Pond and Trues Pond - GPA) and from the outlet of Sennebec Pond to Route 90 in Warren Class A (excluding the three great ponds on the river - GPA). It should be noted that the above mentioned segments of the St. George River were designated an outstanding river segment in accordance with Title 12 Section 402.

St. John River Basin

St. John River, main stem.

Certain upgrades are suggested for the St. John River to make management consistent with the Maine Rivers Act and to be consistent with improvements in water quality from treatment. The segment from the confluence of the Northwest and Southwest Branches to Big Rapids in Allagash is recommended for upgrade to Class AA since there are presently no discharges and this segment has been precluded from hydropower development in the Maine Rivers Act. The DEP maintains one-monitoring station at Dickey. Data from that site, together with information provided by the USGS, indicate consistently high water quality. From Allagash to Fort Kent, it is suggested the river be raised to Class A since monitoring indicates water quality standards are attained. There are presently no known discharges in this segment. Below Fort Kent the river water quality is influenced by the discharge of municipal waste at Fort Kent, untreated waste in Frenchville area (facilities in planning), discharges from the New Brunswick side, and increasing nonpoint source pollution loads from adjacent agricultural lands. Plans are also being considered to pump treated wastewater from St. Agatha to the river. This segment is presently Class B and attains all standards for that class; therefore, a change is not suggested. Below Madawaska, the river is affected by discharges from a paper mill, the towns of Madawaska and Van Buren, and treated and untreated waste from the New Brunswick side of the river. Sampling at sites along this segment indicates that the current Class C quality is attained, but it is unlikely that standards of a higher class can be achieved without significant reductions in loading.

Comments: The only comments received were from the Department of Inland Fisheries and Wildlife supporting upgrades of the upper segments.

Allagash River Drainage.

Waters of the Allagash Wilderness Waterway including Ross Stream are presently designated Class AA and GPA. Tributaries to the waterway are presently designated Class A. Allagash River below the Waterway to the St. John River is Class A. A limited amount of sampling indicates excellent water quality. No Changes are suggested.

Comments: None received.

Aroostook River Drainage

Considerable improvement has been made in the quality of the Aroostook River in recent years. The upper portion of the river to its confluence with the Machias River has been designated an outstanding segment in the Maine River Act and is classified AA. A Class B segment presently extends to Presque Isle. Sampling at 12 sites upstream from the Canadian border indicates that the river attains Class B standards for this entire length most of the time. Some data during very low flow condition did not meet the Class B standard for dissolved oxygen. Therefore, an upgrade to Class B should be considered.

Likewise, the quality of many of the tributaries to the Aroostook River have improved. It is suggested that all tributaries upstream of the Machias River be classified A and those downstream with certain noted exceptions be classified B. In the upstream segment, sampling at eight sites indicates water quality for these tributaries attains Class A with exception of Squapan Stream which violates standards for aquatic life and dissolved oxygen due to the present operation of the dam at Squapan Lake. By designating most tributaries below the Machias River Class B, upgrades would be made to Limestone Stream, Salmon Brook (Washburn) and an unnamed stream in Presque Isle. Limestone Stream has had inconsistent attainment of standards; however, improved treatment has occurred. Problems at Salmon Brook in Washburn should be resolved when a planned treatment system goes into operation. Certain small streams may continue to violate standards until straight pipes and other identified problems are corrected (Caribou Stream, Greenlaw Stream, Webster Stream, Everett Stream).

Comments: Considerable comment was received at the public hearing recommending no changes occur to the mainstem at this time. Caribou Waterworks (Utility District) recommended an upgrade to the river to Class B above Caribou to insure the quality of its water supply. Presently there is a three mile long Class B segment above their intake. Data indicate that Class B is marginally attained. However, at low flow conditions segments do not attain standards for dissolved oxygen. The staff recommends no change in classification at this time but that future upgrades be considered when more conclusive data is available. It is also suggested that Limestone Stream remain Class C until further information indicating improvement is gathered.

Fish River Drainage

The Fish River Drainage above St. Froid Lake is class AA (consistent with the Maine Rivers Act) and its tributaries are Class A. No changes are suggested here. Below St. Froid Lake numerous improvements have occurred including the construction of waste treatment facilities in Eagle Lake and Fort Kent. Monitoring indicates improved water quality. From St. Froid Lake to Soldier Pond, water quality attains Class A. The indirect discharge at Eagle Lake into a wetland has no measurable effect on river water quality. Various discharges to small tributaries have been eliminated. Below Soldier Pond, the river attains Class B quality, therefore, an upgrade from Class C should be considered.

Comments: None received

Meduxnedeag River Drainage

The entire Meduxnekeag Basin is presently classified B except the North Branch (Class A). The mainstem segment receives significant discharges from the City of Houlton and a starch company and nonpoint sources from agricultural lands and residential-urban areas. The main stem of the Meduxnekeag does not consistently attain any of the three primary Class B standards. A wasteload allocation study is planned for 1989-90. Results may indicate the need for additional removal of pollutants. Until further study is completed no change in classification is suggested.

Comments: Department of Inland Fisheries and Wildlife recommended that further study be conducted as planned by the DEP to improve the water quality of this important fishery.

St. John River, Minor tributaries

Water quality monitoring indicates that a number of upgrades might be considered. Tributaries above Fort Kent attain Class A quality. Most waters below Fort Kent attain Class B; however, there are exceptions where bacteria problems persist (Dickey, Burgoin, and Rossignol Brooks in Frenchville, Martin Brook and Violette Stream in Van Buren). Interception of wastes to these streams is in progress and they should attain Class B in the future. Data indicate that the water quality of Prestile Stream attains Class A above Mars Hill. There are no longer discharges in this segment. Below Mars Hill quality declines due to the discharge of primary treated waste. Improvements will be made to this facility in the near future. Goals for this stream should be given close attention.

Comments: Few comments were received. The Department of Inland Fisheries and Wildlife recommends that Prestile is a good candidate for upgrade to Class A. Water quality data for the segment above Mars Hill indicates that standards for Class A are being attained, at least marginally. Prior to its downgrade to Class D in the 1960's this stream had a brook trout fishery of national reputation. Discharges above Mars Hill have all been eliminated and the only pollution contributions are nonpoint sources. Control of these to insure the Class A quality is a very reasonable goal. Staff recommends upgrade of the Prestile to Class A as far as Mars Hill. Below Mars Hill, as noted by the Utility District there is a significant discharge from the town. This is presently being improved from primary to secondary; however, class A quality cannot be achieved unless this were removed, a very costly alternative. Therefore, the segment below Mars Hill should remain Class B.

Salmon Falls River Basin

No changes in classification are suggested for this basin which is entirely Class B. A number of significant discharges occur within the basin including South Berwick, Berwick, North Berwick, Pratt and Whitney and several discharges in New Hampshire.

Monitoring has been conducted at ten mainstem sites and 45 tributary sites. The mainstem achieves Class B for oxygen, aquatic life and bacteria standards although some exceedences of bacteria occur, often as a result of storm events. A number of the tributaries do not attain either oxygen or bacteria standards, on occasion. This may be due to nonpoint source pollution or natural conditions; however, the source is unknown at this time. Class B appears to be a reasonable goal for tributaries until further resolution of water quality effects is made.

Comments: None received.

Sheepscot River Basin

The Sheepscot River was noted in the Maine River Study as a valuable recreational resource for central Maine. Water quality is generally good throughout. The State fish hatchery in Palermo is the only significant discharge, however; nonpoint source pollution effects are evident in some areas. Six monitoring sites are established on the mainstem, three on the West branch and three tributary sites. The only site with persistent problem (low oxygen) appears to be the east branch at Route 3 above Sheepscot Lake which is probably due to nonpoint source pollution effects or natural conditions. The following changes are suggested for consideration: (1) upgrade the segment below Route 17, Class AA, (2) upgrade the West Branch to Class AA.

Comments: None received

Union River Basin

Data collected throughout the Union River basin indicates uniformly good water quality for all the primary standards. From Graham Lake to tidewater including tributaries it is suggested that an upgrade from Class C to Class B is appropriate. Presently there are no known discharges (with the exception of the Green Lake hatchery facility into Graham Lake) or significant nonpoint sources affecting the upper tributaries including all three main branches.

Comments: One comment was received recommending upgrade of the river particularly as a means of protecting the bay as in ocean.

Classification of minor drainages

Southern Coastal drainages

Small coastal drainages of York, Cumberland, and Sagadahoc County are suggested for upgrade to Class B (most are presently Class C). Exceptions to this are waters in Portland, South Portland, and certain waters in Scarborough where the urban nature of the area suggests Class C may be the highest appropriate class for these waters.

The DEP has established 76 monitoring sites on small watercourses in the Southern coastal area. These have been monitored for bacteria and oxygen content but not for aquatic life except some qualitative surveys. Generally, most tributaries achieve Class B quality for bacteria and oxygen; however, exceedences of bacteria occur on many, particularly after storm events. Nonpoint source discharges constitute the greatest water quality effects on these streams particularly from the more concentrated human populations in these areas. While many upgrades would occur according to the DEP's suggestion, some downgrades should be considered: An unnamed tributary of New Meadows River which presently is unclear by description where it exists or whether it achieves Class A, Frost Gully Brook in Freeport which presently does not achieve Class B and Alewife Brook in Cape Elizabeth which does not presently achieve Class C.

Comments: Considerable comment was provided from the Wells Reserve, Kennebunk, Kennebunkport and Wells Water District and the Wells Conservation Commission recommending upgrade of Branch Brook and the Merrilland River to Class A because of their value as a water supply and because they are major tributaries to the Wells National Estuary Reserve. Department of Inland Fisheries and Wildlife noted that these were valuable trout fisheries deserving increased protection. This recommendation has been included. The Town of Freeport requested that Frost Gully Brook remain Class A since it is a water supply. While this brook does not even attain Class B quality, staff recommends that it remain Class A as a goal to work towards.

Mid Coastal drainages

The great majority of small coastal drainages in Sagadahoc, Lincoln, Knox and Waldo Counties are classified B. Monitoring at 67 sites along these small drainages indicates that most attain Class B quality including many of those that are presently Class C. Listed below are various brooks and streams where monitoring indicates Class B standards are not attained for either dissolved oxygen or bacteria. Many of these streams have no known sources which could be eliminated by planned treatment facilities. Streams where monitoring indicates nonattainment of Class B include: Meadow Brook, Littlefield Brook and an unnamed brook in Frankfort; and unnamed stream in Stockton Springs; Main Stream in Searsport; Simmons Brook in Morrill; an unnamed stream in Lincolville; Megunticook River in Camden; Goose River and Ward Brook in Rockport; two unnamed streams in Rockland; Goose River in Friendship; Mill River in Thomaston and Montsweag Brook in Wiscasset. It is suggested that all small waterbodies in the mid-coast area be Classified B.

Comments: Pemaquid Watershed Association requested an upgrade for the Pemaquid River to Class A. While water quality data is good, the staff recommends upgrade to Class B since there are presently three licensed residential/commercial discharges in the freshwater segment of the river. If these are removed in the future, another upgrade would be in order.

Eastern Coastal drainages

Most of the small drainages in Hancock and Washington Counties are classified B. It is suggested that virtually all of these waters should be able to attain Class B, with a few exceptions noted in the language which follows. Treatment has occurred on many of these streams or in some cases monitoring does not indicate that Class B standards are violated. The following list of waterbodies are those where monitoring indicates Class B standards for bacteria and dissolved oxygen are not being attained: two unnamed streams in Calais; Keene Lake outlet and Eastern Stream, Robbinston; Indian Stream and Rocky Brook, Marion; Ohio Brook and Mays Brook, Lubec; Sipps Brook and Crow Brook, Pembroke; Meadow Brook, East Machias; an unnamed brook in Machiasport; an unnamed brook in Winter Harbor; Forbes Pond Outlet, Gouldsboro; West Brook, Franklin; Great Meadow Brook, Brooklin; Shepardson Brook, Brooksville; an unnamed brook in Blue Hill; Smelt brook, Pierce Pond outlet and two unnamed brooks in Penobscot and Meadow Brook, Orland. Presumably some of these waters do not attain standards due to natural conditions.

Comments: None received.

Estuarine and Marine Waters

Southern coastal waters

Several upgrades are noted below for areas around publicly owned lands and where waste treatment has shown improved water quality.

Brave Boat Harbor/Isle of Shoals (Kittery and York)

Brave Boat Harbor is one the the Rachel Carson National Wildlife Refuge areas. The Isles of Shoals have outstanding scenic beauty and ecological importance. A diverse variety of bottom dwelling organisms live on the shore and in the water surrounding the Isles. The marshes in Brave Boat Harbor provide habitat for a variety of waterbirds. Discharges to Brave Boat Harbor are not known to exist, although there may be one or two private sandfilter systems. On the Isle of Shoals, a marine research laboratory has a treated discharge. The practicability of its removal is not known and an exception is included for that facility. Class SA is recommended.

Comments: The only comment received was from the Maine Audubon Society, they support the staff proposal.

Little River (Wells and Kennebunk)

Little River is surrounded by the headquarters of the Rachel Carson National Wildlife Refuge and Laudholm Farm, a National Estuarine Sanctuary. The marshes of Little River are of outstanding beauty and provide habitat for many types of waterbirds. No discharge to this portion of the Little River is known to exist. Due to its status as a national refuge and sanctuary, discharges are not appropriately located here. Branch Brook which is the major tributary to the Little River serves as the drinking water supply for the Towns of Wells and Kennebunk. Class SA is recommended.

Comments: Comments were received from Maine Audubon, the Wells Reserve and the Wells Conservation Commission all in support.

Scarborough Marsh (Scarborough)

Scarborough Marsh is Maine's largest salt marsh and is a State Wildlife Management area. It contains the Scarborough Marsh Nature Center which is run by the Maine Audubon Society. The marsh provides habitat for a variety of waterbirds some of which nest in nearby offshore islands. Two industrial discharges exist: one cooling water discharge from Snow's Incorporated and process water from Bailey's Quality Seafoods. The Scarborough sewer line is located sufficiently close to Bailey's to enable that waste to be treated at the sewage treatment plant. Snow's discharge, although cooling water, does contain about 0.5 mg/l residual chlorine, potentially effecting estuarine life. Sanitary wastes from Anjon's Restaurant dump into the marsh but should be pumped to the sewage treatment plant. Two shellfish depuration plants are licensed to discharge; however, the quality of their wastewater is essentially equal to that of the receiving body. Upgrade to Class SA is recommended.

Comments: The Maine Audubon Society supports the staff proposal. No other comments were received.

Spurwink River (Scarborough and Cape Elizabeth)

One of the Rachel Carson National Refuge areas is located in the marshes surrounding the Spurwink River. The marsh provides habitat for many waterbirds some of which nest in nearby offshore islands. With the installation of the new sewer line all outfalls were removed with the possible exception of one combined sewer overflow. Class SA is recommended.

Comments: The Maine Audubon Society supports the staff proposal. No other comments were received.

Cape Elizabeth

There are no known water quality problems which would warrant a Class SC; therefore, an upgrade to Class SB is proposed.

Comments: No comments received

Royal River estuary and tidal tributaries (Yarmouth)

Waters entering the estuary are Class B. The local shellfish commission is working to try to eliminate bacterial discharges. There are no industrial discharges into this estuary. The municipal sewage treatment plant is working with DEP to reduce bacterial discharges. Class SB appears to be a worthwhile goal for these waters.

Comments: No comments received

Kennebunk River estuary (Kennebunk and Kennebunkport)

Waters entering the estuary are Class B. There are no industrial discharges into this estuary. The municipal sewage treatment plant is working with DEP to reduce bacterial discharges. Upgrade to Class SB is recommended.

Comments: No comments received.

Mid-Coastal waters

The majority of estuarine and marine waters are classified SB. Data from 62 monitoring sites in the mid coast area indicate uniformly good water quality. Several upgrades are suggested as follows:

Popham Beach area (Phippsburg)

Popham Beach is owned by the State of Maine and the beach to the south (Seawall Beach) is owned by Bates College and managed by the Nature Conservancy. Seawall Beach provides nesting for the endangered least tern. The nearby Heron Islands also provide seabird nesting sites. No discharges are known to exist. The Kennebec River may influence the quality of the water in this area. Class SA is recommended.

Comments: The Maine Chapter of the Nature Conservancy and Maine Audubon Society support the staff proposal. No other comments were made.

Damariscove Island (Boothbay)

This is a National Historic Landmark managed by the Nature Conservancy. No discharges exist. Class SA is recommended.

Comments: The Maine Audubon Society supports the staff proposal. The only other comments received noted a typographical error (i.e. "east" should have been "west") in the staff proposal. The staff has corrected the error.

Reid State Park area (Georgetown)

A change is suggested in the language of the law to clarify the boundary of the Class SA waters. Water quality in the tidal pool portion of the park probably does not attain Class SA standards due to the density of swimmers. Also, the tidal gate at the mouth of the pool precludes a free-flowing habitat.

Comments: The Maine Audubon Society sent a letter supporting an upgrade; however, this area is already Class SA. The staff recommends the clarification of the boundary of the Class SA waters as proposed.

Sears Island (Searsport)

Monitoring indicates that areas around Sears Island presently attain Class SB on the east side therefore an upgrade is recommended. Other areas around the port facilities and Long Cove attain, at best, Class SC.

Comments: The Maine Audubon Society and the Maine Department of Transportation support the staff proposal. The only other comment was made at the hearing about the possible nonattainment of Class SC near Sears Island (in the Long Cove area).

Eastern coastal waters

The majority of marine waters of Hancock and Washington Counties are classified SB and probably should remain that way. Limited water quality sampling has not detected any problems suggesting that downgrades are needed. Several areas listed below are suggested for upgrade to Class SA due to the high quality of the water, unique ecological resources and proximity to publicly held lands.

Schoodic Point (Winter Harbor)

Schoodic Point is part of Acadia National Park, the rest of which is classified as SA.

Comments: The Maine Audubon Society and the U.S. Fish and Wildlife Service endorse the staff proposal.

Petit Manan, Bois Bubert and Pond Islands (Steuben and Milbridge)

Petit Manan, Bois Bubert Island are managed by the U.S. Fish & Wildlife Service. There may be some private sanitary discharges which may need to be eventually removed, but there are no commercial or industrial discharges. Upgrade to Class SA is recommended.

Comments: The U.S. Fish and Wildlife Service supports the upgrade of waters surrounding Petit Manan and Bois Bubert, which are part of the National Wildlife Refuge system. The aquaculture industry is opposed to upgrades in Washington County which could restrict access to potential sites.

The staff recommends altering the original proposal to include only those waters surrounding Petit Manan and Bois Bubert because of proposed aquaculture operations in the vicinity of Pond Island indicated by the Department of Marine Resources.

Great Wass Island (Beals)

The area proposed for SA are the waters adjacent to the portion of Great Wass Island which is owned by the Nature Conservancy. There is a high biological diversity of marine animals inhabiting the shores of Great Wass including some animals not usually found in intertidal areas. On this portion of the island, no discharges are known to exist.

Comments: The U.S. Fish and Wildlife Service, the Maine Chapter of the Nature Conservancy and the Maine Audubon Society endorse the staff proposal. However, the Nature Conservancy requested a slight modification in the boundary around Great Wass Island to accurately abut lands owned by the Nature Conservancy. The staff has incorporated the suggested modification. The Nature Conservancy notes that 27 uncommon species of marine invertebrates, 103 species of marine algae (at least 7 of which are considered rare) occur in area waters and one halfmile of shoreline has been designated a Maine State Critical Area because of the diversity and density of marine invertebrates. The aquaculture industry has expressed opposition to any upgrade which could restrict access to potential sites. There are no leases in the areas proposed for upgrade. The Department of Marine Resources agrees that this proposal does not interfere with present or proposed aquaculture leases.

The staff recommends an upgrade in the waters around Great Wass Island preserve because of the strong support from the federal and private conservation groups and the unusual biological diversity in this area. The boundaries of the upgrade are limited to waters adjacent to lands owned by the Nature Conservancy.

Cutler to Quoddy Head

Some of the area between Cutler and Quoddy Head is Maine Public lands and Maine State Park. The area has outstanding scenic beauty, is one of the most extensive undeveloped areas of shoreline on the east coast, and is of ecological significance because it is an important spawning area for herring and a feeding area for whales and seabirds. No discharges are known to exist along this portion of the coast with the exception of the lighthouse. Waters with the exception of important aquaculture sites and developed areas such as Cutler and Little Machias Bay could be upgraded to Class SA.

Comments: The U.S. Fish and Wildlife Service, the Maine Audubon Society and the Maine Coast Heritage Trust have provided testimony in support of the staff proposal. One aquaculture operation which is located within the area proposed for an upgrade has opposed the upgrade of waters in Machias Bay. The aquaculture industry has generally opposed any upgrade which could preclude access to potential sites.

The Marine Coast Heritage Trust (MCHT) states that "Cross Island and a number of the smaller, surrounding islands are a National Wildlife Refuge; Western Head, Great Head and Boot Head are owned by MCHT; the Maine Bureau of Public Lands (through the Land for Maine's Future Board) is attempting to acquire a 5-mile stretch of coast, from Almore Cove to Holmes Cove, that is presently owned by the Hearst Corporation; the Maine Department of Inland Fisheries and Wildlife holds a conservation easement at Eastern Knubble; and Eastern Head and Quoddy Head are owned by the Bureau of Parks and Recreation"

The U.S. Fish and Wildlife Service notes that "Atlantic salmon, whales and seabirds cannot be protected within the bounds of the national wildlife refuges but are important public resources that require a quality environment".

The North American Waterfowl Management Plan Focus Areas in Maine submitted by the Maine Department of Inland Fish and Wildlife states that 250 acres of the Lubec Flats should be protected. The Lubec Flats are extremely important to migrating shorebirds. Also "marine mammals (seals, porpoises, and whales) utilize the waters of the Bay or adjacent Passamaquoddy Bay and Grand Manan Channel". The Maine Department of Inland Fish and Wildlife has acquired the Lubec Flats. Two critical areas are located in this region. One is an area of high diversity of marine invertebrates at Quoddy Head. The other is the Outer Double Head Shot Seabird Nesting Island which is part of the Cross Island National Wildlife Refuge which is registered as a critical area because of the variety of seabirds which use it as a breeding ground.

The staff recommends an upgrade of the waters from Cutler to Quoddy Head with some modification. It is recommended that the boundary of the SA zone be extended to include the recently acquired Lubec Flats. Also, it is recommended that SA zone in Machias Bay be reduced in order to accommodate areas of interest to the aquaculture industry. The original staff proposal has excluded from upgrade other water appropriate for aquaculture development (i.e., Cutlet Harbor and Little Machias Bay). The aquaculture industry has indicated that protection from open ocean exposure is necessary for siting aquaculture operations. There are no aquaculture lease sites in the modified Class SA proposed area. The Department of Marine Resources expressed agreement that the new staff proposal will not interfere with existing aquaculture lease sites and that prime sites for future lease proposals exist in surrounding SB class waters.

Inner Cobscook Bay (Pembroke, Trescott, Edmunds, Whiting)

Some of the area surrounding inner Cobscook Bay is a State Park, National Wildlife Refuge and town park funded in part by the Maine Coastal Program. An Atlantic salmon run is found in the Denny's River which flows into inner Cobscook Bay. The high biological diversity and/or unusual bottom dwelling organisms has resulted in three areas in inner Cobscook Bay being registered as Maine Critical Areas. There are a number of eagles in the inner Cobscook Bay area. The area has outstanding scenic beauty including a natural reversing falls. Certain freshwater streams flowing into inner Cobscook Bay are classified as AA. No commercial or industrial discharges are known to exist but pen culture of salmon occurs in the outer Cobscook Bay. Waters of the inner bay are suggested for upgrade to Class SA.

Comments: The Nature Conservancy Maine Chapter, Maine Audubon Society, the Maine Coast Heritage Trust and the Maine Department of Inland Fish and Wildlife support the upgrade of Inner Cobscook Bay to SA. The town of Whiting supported an upgrade for waters in the town at the public hearing in Calais. The aquaculture industry does not support upgrades in areas where potential aquaculture sites might be located. Two local residents sent letters of support for the upgrade.

The Maine Department of Inland Fish and Wildlife submitted a copy of the North American Waterfowl Management Plan Focus Areas in Maine. The plan identifies Cobscook Bay as the first priority in Maine for this international conservation effort. Six thousand acres in Dennys Bay, Whiting Bay and Straight Bay in inner Cobscook Bay have been identified as areas to secure protection by acquisition. The acquisition of the upland will "provide shorefront buffer areas which ensure isolation and reduce disturbance at important migration and winter feeding areas for waterfowl and other wildlife in the region."

Maine Coast Heritage Trust (MCHT) supplied information that protection efforts are beginning. Seven miles of shoreline in Whiting Bay are slated for a State purchased conservation easement and outright purchase by Land for Maine's Future Bond. Also, the Quoddy Regional Land Trust holds a very restrictive conservation easement on a large piece of peninsula in Straight Bay and is working to secure protection for several other key parcels. MCHT noted that the Nature Conservancy is in negotiation to secure other parcels in inner Cobscook Bay. MCHT suggested extending the SA upgrade to the area around Long Island owned by the Nature Conservancy in South Bay.

The Maine Department of Inland Fisheries and Wildlife and the US Fish and Wildlife Service are in negotiation to acquire 200 acres on Dennys Bay. The Nature Conservancy noted that Cobscook Bay is considered a stronghold for the endangered bald eagle. The North American Wildlife plan states that "15 pairs of eagles nest in the Bay are in the arm called Dennys Bay. This is the highest density reported in the northeastern US." The plan also states that 26% of Maine's wintering black ducks concentrate in Cobscook Bay. Also "over 20 species and hundreds of thousands of individual birds are dependent on migration habitats available in the Bay." The plan states that "an Atlantic salmon fishery exists in the Dennys River. Efforts to rebuild this population are supported by Federal and State Programs." The staff has reviewed the three critical area reports on critical areas in Dennys Bay, Whiting Bay and near the reversing falls. Two of the reports detail occurrences of unusual populations of a snail (smooth top shell) and one report describes an extremely unusual assemblage of marine animals which benefit by the unusual environment caused by turbulence in the reversing falls area. Ten species at the reversing falls site are considered to be unusual or rare and one is known as a living fossil and is considered a critical organism.

The staff recommends upgrade of inner Cobscook Bay to SA based on the unusual marine invertebrate species present, the importance of the area to endangered eagle populations, wintering population of black ducks and migrating shorebirds and to support protection efforts which are being undertaken by Federal, State and private conservation groups. The staff recommends that in order to balance the needs of the aquaculture industry and the conservation groups, the areas of highest priority within the inner bay should be upgraded and the rest of the outer bay should remain available for aquaculture, at this time. The Department of Marine Resources has indicated no aquaculture lease sites in the proposed Class SA area and considers this area to be generally unsuitable for aquaculture.

Eastport

An area is proposed for SB including Deep and Broad Coves. Sampling of marine bottom dwelling animals in 1975 indicated a highly diverse bottom dwelling community even though a fish processing (pearl essence) industry was discharging into Broad Cove at the time of sampling. It is felt that the discharge from the Mearl Corporation and the aquaculture operations, except in the shadow of the pens, would not keep the waters from attaining an SB classification.

Comments: The aquaculture industry, Eastport Port Authority, Mearl Corporation and the Quoddy Regional Job Opportunity Zone all testified in opposition to an upgrade to Class SB. They all noted that the Eastport area had only recently made progress toward economic recovery and that this was dependent on its marine resources. It was generally thought that a water classification upgrade at this time would not be consistent with development plans. Staff recommends that the water around Eastport remain Class SC at this time. Studies should be conducted to establish the effects of pen aquaculture on local water quality and to determine which classification is most compatible with aquaculture.

Calais

The area proposed for Class SB is just upstream from "The Narrows". Monitoring data of tributaries entering the St. Croix in the area proposed for upgrade are Class SB. In the area of the proposed Class SB the estuary is subject to a large amount of tidal mixing.

Comments: The City of Calais noted concern at the hearing that much money would be needed to eliminate the CSO's and upgrade the municipal sewage treatment plant so that their discharge could meet SB. In further discussion after the hearing it was pointed out that in the area of the city discharge the estuary would remain SC and that the 6 day flushing time of the upper estuary would be sufficient to dilute the bacterial load by the time the area above "The Narrows" was reached. The staff recommends its original proposal.

Miscellaneous comments:

Spruce Creek (Kittery)

One comment was received concerning the classification of Spruce Creek in Kittery. A DEP map showed that Spruce Creek was Class SC. However, upon examination of the wording in the law, it was determined that Spruce Creek is Class SB.

Damariscotta River estuary (Boothbay, Edgecomb, Damariscotta, Newcastle, South Bristol)

The Damariscotta River Association and Maine Coast Heritage Trust propose the upgrade of the Damariscotta River estuary to Class SA. The staff recommends keeping the estuary at Class SB, at this time. DEP has granted 205j funds to look into bacterial sources on this estuary. When the results of this study become available the staff will review them and make recommendations. DEP will monitor the progress of implementation of eliminating bacterial sources and will reassess the status of implementation in the next reclassification process in three years.

Penobscot Bay

The Maine Coast Heritage Trust proposes the upgrade to Class SA, "the waters of Penobscot Bay seaward from a line drawn roughly Blockhouse Point, Castine, westward to Little River south of Belfast" including Bagaduce River in Brooksville and Castine, Horseshoe Cove in Brooksville, Perry Creek, the Basin and Winter Harbor on Vinalhaven and Merchants Row in outer Penobscot Bay.

The staff recommends keeping these waters Class SB, at this time. Insufficient monitoring data exists to determine if these waters attain Class SA. Many overboard discharge units discharge into these waters. Also, a number of fish pen aquaculture lease sites exist in the outer bay. Fish pen aquaculture is incompatible with the no discharge requirement for Class SA. Data will be collected on these waters and the proposal will be reconsidered.

Blue Hill Bay

One person suggested that the waters of Blue Hill Bay outside latitude 44°-20' extending from the Brooklin - Blue Hill shore to Mount Desert Island be Class SA. The staff recommends keeping these waters Class SB, at this time. Insufficient monitoring data exists to determine if these waters attain Class SA. Many overboard discharge units discharge into these waters. Also, a fish pen aquaculture lease site is located in Brooklin. Fish pen aquaculture is incompatible with the no discharge requirement for Class SA. Prior to the next reclassification, data will be collected and the proposal will be reconsidered.

Somes Sound

The Maine Coast Heritage Trust proposes that Somes Sound be Class SA from "Bar Island out to sea". The part of Somes Sound which borders Acadia National Park is Class SA, at present. Somes Sound is a unique fjord system which may be prone to water quality problems by the limited water exchange which exists; however, the staff recommends maintaining the current Class SA boundaries, at this time. Insufficient monitoring data exists to determine if these waters attain Class SA. A survey of overboard discharge units and other sources of bacteria needs to be made prior to making a recommendation. Data will be collected prior to the next reclassification in three years, in order to reconsider this proposal.

Proposed Legislation

Act Act to Reclassify Surface Waters of the State. Be it enacted by the People of the State of Maine as follows.

Sec. 1 38 M.R.S.A. § 467, subsection - § 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 17 and 18, as enacted by PL 1985, c. 698, §15, is amended as follows:

§467. Classifications of major river basins.

All fresh surface waters lying within the boundaries of the State of Maine which are in river basins having a drainage area greater than 100 square miles which are not classified as lakes and ponds ~~and are not otherwise classified in this section are Class B waters~~ are classified in this section.

2. Dennys River Basin

Dennys River, main stem.

(1) From the outlet of Meddybemps Lake to the Route 1 Bridge - Class AA.

(2) From the Route 1 bridge to tidewater - Class B. Further, the Legislature finds that the free flowing habitat of this river segment provides irreplaceable social and economic benefits and that this use shall be maintained.

B. Dennys River, tributaries - Class A. unless otherwise specified.

~~(1) All tributaries entering above the Route 1 bridge - Class A/)~~

(1) All tributaries entering below the Route 1 bridge - Class B.

3. East Machias River Basin.

A. East Machias River, main stem.

(1) From the outlet of Pocomoonshine Lake to a point located 0.25 miles above the Route 1 bridge - Class AA.

(2) From a point located 0.25 miles above the Route 1 bridge to tidewater - Class ~~(C/)~~ B.

B. East Machias River, tributaries - Class A unless otherwise specified.

(1) All tributaries entering ~~above~~ below the Route 191 bridge in Jacksonville - ~~(A)~~ B.

5. Machias River Basin.

A. Machias River, main stem.

(1) From the outlet of Fifth Machias Lake to a point 100 feet upstream of the Route 1A bridge in Whitneyville ~~its confluence with the Whitneyville Mill Pond~~ - Class AA.

(2) From a point 100 feet upstream of the Route 1A bridge in Whitneyville to the Whitneyville Mill Pond to the site of the low dam opposite the ends of West Street and Hardwood Street in Machias - Class B/

(3) From the site of the low dam opposite the ends of West Street and Hardwood Street in Machias to tidewater - Class C/ B. Further, the legislature finds that the free flowing habitat of this river segment provides irreplaceable social and economic benefits and that this use shall be maintained.

B. Machias River, tributaries - Class A unless otherwise specified.

(1) All tributaries entering ~~above the river's confluence with the Whitneyville Mill Pond which are not otherwise classified / Class A/~~ below Route 1A in Whitneyville - Class B.

(2) Mopang Stream, from the outlet of Mopang Second Lake to its confluence with the Machias River - Class AA.

(3) Old Stream, from the outlet of First Lake to its confluence with the Machias River - Class AA.

(4) West Branch of the Machias River, from the outlet of Lower Sabao Lake to its confluence with the Machias River - Class AA.

(5) New Stream (Northfield and Wesley) - Class AA.

6. Mousam River Basin.

A. Mousam River, main stem.

(1) From the outlet of Mousam Lake to a point located 0.5 mile above Mill Street in Springvale - Class B.

(2) From a point located 0.5 mile above Mill Street in Springvale to its confluence with Estes Lake - Class C.

(3) From the outlet of Estes Lake to tidewater - Class B.

B. Mousam River, tributaries - Class B.

(1) ~~East Branch of Shaker Brook from the Route 4 bridge to the Alfred/Waterboro boundary / Class C/~~

(2) ~~Hay Brook (Alfred and Sanford) / Class C/~~

(3) ~~Unnamed Brook, entering the East Branch of Shaker Brook from the west just below Waterboro Village / Class C/~~

7. Penobscot River Basin.

A. Penobscot River, main stem.

(1) From the confluence of the East Branch and the West Branch to the confluence of the Mattawamkeag River Veazie Dam, including all impoundments - Class C.

(2) ~~From the Veazie Dam to a line extended in an east/west direction from the outlet of Reed Brook in the Village of Hampden Highlands / Class C/~~

(2) From the confluence of the Mattawamkeag River to the confluence of Cambolasse Stream - Class B.

(3) From the confluence of Cambolasse Stream to the confluence of the Piscataquis River, including all impoundments - Class C.

(4) From the confluence of the Piscataquis River, including the Stillwater branch, to the Veazie dam, including all impoundments - Class B.

(5) From the Veazie dam to the Maine Central Railroad bridge in Bangor - Class B. Further, the Legislature finds that the free flowing habitat of this river segment provides irreplaceable social and economic benefits and that this use shall be maintained.

(6) From the Maine Central Railroad bridge in Bangor to a line extended in an east-west direction from the confluence of Reeds Brook in Hampden - Class C. Further, the Legislature finds that the free flowing habitat of this river segment provides irreplaceable social and economic benefits and that this use shall be maintained.

(3) The Legislature recognizes, however, that at certain times portions of the waters in the impoundments created by Mattaceunk Dam, Also known as Weldon Dam, and Dolby Dam have not and may continue to not meet the Class C requirements for aquatic life and dissolved oxygen due to hydrologic conditions related to the creation of the impoundments, including, but not limited to, impaired mixing of water columns, historical accumulation of sediment and elevated water temperature. The Legislature further recognizes that, for the purposes of this subparagraph, these impoundments constitute a valuable indigenous and renewable energy resource for hydroelectric energy which provide a significant contribution to the economic development and general welfare of the citizens of the State. Accordingly, the value and importance to the people of the State of hydroelectric energy and the unavoidable consequences to water quality resulting from the existence of these impoundments shall be considered when the board determines the impact of a discharge on the designated uses of the impoundments identified in this subparagraph. These impoundments shall be considered to meet their classification if the department finds that conditions in those impoundments are not preventing their designated uses from being reasonably attained. Nothing in the subparagraph may be construed to limit the board's authority to consider the requirements of Section 414-A, Subsection 1, paragraphs A to E.

B. Penobscot River, East Branch Drainage.

(1) East Branch of the Penobscot River, main stem.

(a) Above its confluence with Grand Lake Mattagammon - Class A.

(b) From the dam at the outlet of Grand Lake Mattagammon to a point located 1000 feet downstream from the dam at the outlet of Grand Lake Mattagammon - Class B/ A.

(c) From a point located 1000 feet downstream from the dam at the outlet of Grand Lake Mattagammon to its confluence with the West Branch - Class B/ AA.

(2) East Branch of the Penobscot River, tributaries - Class A unless otherwise specified.

~~(a)~~ All tributaries and segments thereof entering above the outlet of Grand Lake Mattagamon which are not otherwise classified - Class A.

~~(b)~~ All tributaries and segments thereof entering below the outlet of Grand Lake Mattagamon which are not otherwise classified - Class B.

~~(c)~~ (a) All tributaries, any portion of which is located and segments of the East Branch of the Penobscot River which are within the boundaries of Baxter State Park - Class AA.

~~(d)~~ (b) Sawtelle Brook, from a point located 1000 feet downstream from the dam at the outlet of Sawtelle Deadwater to its confluence with the Sebois River - Class B/ AA.

~~(e)~~ (c) Sebois River, from the outlet of Snowshoe Lake to its confluence with the East Branch - Class B/ AA.

~~(f)~~ (d) Wassataquoik Stream, from the boundary of Baxter State Park to its confluence with the East Branch - Class B/ AA.

~~(g)~~ (e) Webster Brook, from a point located 1000 feet downstream from the dam at the outlet of Telos Lake to its confluence with Webster Lake - Class B/ AA.

C. Penobscot River, West Branch Drainage.

(1) West Branch of the Penobscot River, main stem.

(a) From the dam at the outlet of Seboomook Lake to a point located 1000 feet downstream from the dam at the outlet of Seboomook Lake - Class B/ A.

(b) From a point located 1000 feet downstream from the dam at the outlet of Seboomook Lake to its confluence with Chesuncook Lake - Class B/ AA.

(c) From Ripogenus Dam to ~~the T/3, R/11, W/E/L/S/ + T/3, R/10, W/E/L/S/ boundary - Class B/~~ a point located 250 feet below McKay Station - Class A.

~~(d)~~ From the T/3, R/11, W/E/L/S/ + T/3, R/10, W/E/L/S/ boundary to its confluence with Ambajewus Lake - Class B.

~~(e)~~ From the outlet of Elbow Lake to the outlet of Ferguson and Quakish Lakes - Class B.

(d) From a point located 250 feet below McKay Station to its confluence with Debsconeag Deadwater - Class AA.

(e) From its confluence with Debsconeag Deadwater to the outlets of Ferguson and Quakish Lakes - Class A.

(f) From the outlet of Ferguson and Quakish Lakes to its confluence with the East Branch of the Penobscot River, including all impoundments - Class C.

(2) West Branch of the Penobscot River, tributaries - Class A unless otherwise specified.

(a) All tributaries and Those segments thereof any tributary which are within the boundaries of Baxter State Park - Class AA.

(b) Those tributaries above the confluence with the Debsconeag Deadwater, any portion of which is located within the boundaries of Baxter State Park - Class AA.

(b) All tributaries entering above the dam at the outlet of Sebago Lake / Class A/

(c) Millinocket Stream, from the railroad bridge near the Millinocket-T.3 Indian Purchase boundary to its confluence with the West Branch Canal - Class B.

(d) Millinocket Stream from the confluence of the West Branch Canal to its confluence with the West Branch of the Penobscot River - Class C.

D. Mattawamkeag River Drainage.

(1) Mattawamkeag River, main stem.

(a) From the confluence of the East Branch and the West Branch to the Kingman-Mattawamkeag boundary - Class B.

(b) From the Kingman-Mattawamkeag boundary to its confluence with the Penobscot River - Class B/ AA.

(2) Mattawamkeag River, tributaries - Class B.

(a) Baskahegan Stream, from the narrows in Crooked Brook Flowage approximately one mile above the village of Danforth to its confluence with the Mattawamkeag River / Class C/

(b) Fish Stream, from a point 0.25 mile upstream of the route 11 bridge in Patten its confluence with the West Branch of the Mattawamkeag River / Class C/

(c) Mattakeunk Stream, (Lee) from the outlet of Mattakeunk Pond to its confluence with Dwinah Pond / Class C/

(d) Webb Brook (Patten) and its tributaries / Class C/

(e) West Branch of the Mattawamkeag River (Island Falls) from a point 100 feet upstream of the railroad bridge at Island Falls to its confluence with Upper Mattawamkeag Lake / Class C/

E. Piscataquis River Drainage.

(1) Piscataquis River, main stem.

(a) From the confluence of the East Branch and the West Branch to the Abbot/Guilford boundary Route 15 bridge in Guilford - Class B A.

(b) From the Abbott/Guilford boundary to its confluence with the Pleasant River / Class C/

(c) From its confluence with the Pleasant River to the dam at Howland / Class B/

(d) From the dam at Howland to its confluence with the Penobscot River / Class C/

(b) From the Route 15 bridge in Guilford to the Maine Central Railroad bridge in Dover-Foxcroft - Class C.

(c) From the Maine Central Railroad bridge in Dover-Foxcroft to its confluence with the Penobscot River - Class B.

(2) Piscataquis River, tributaries - Class B unless otherwise specified.

(a) Carleton Stream (Sangerville) from its mouth to the crossing of Route 23 / Class C/

(b) Davee Brook below North Street, Dunham Brook below Forest Street and Fox Brook below Grove Street in Dover/Foxcroft / Class C/

(c) (a) Except as otherwise provided, East and West Branches of the Piscataquis River and their tributaries above their confluence near Blanchard - Class A.

(b) East Branch of the Piscataquis River from 1000 feet below Shirley Pond to its confluence with the West Branch Class AA.

(d) Phillip Brook, Monson, from Lake Hebron to the junction with Monson Stream / Class C/

(e) (c) Pleasant River, East Branch and its tributaries - Class A.

(f) Pleasant River, main stem, from the end of Maple street in Brownville Junction to its confluence with the Piscataquis River / Class C/

(g) (d) Pleasant River, West Branch, from the outlet of Fourth West Branch Pond to its confluence with the East Branch - Class AA.

(h) (e) Pleasant River, West Branch tributaries - Class A.

(i) Sebec River, from the dam at main street in Milo to its confluence with the Piscataquis River / Class C/

(j) (f) Sebec River and its tributaries above the outlet of Monson stream Route 6- Class A.

(g) West Branch of the Piscataquis River from 1000 feet below West Shirley Bog to its confluence with the East Branch - Class AA.

F. Penobscot River, minor tributaries - Class B unless otherwise specified.

(1) All minor tributaries entering from the west between Pushaw Stream and the outlet of Reed Brook in Hampden which are not otherwise classified / Class C/

~~(2)~~ All minor tributaries entering from the east between Blackman Stream and a line extended in an east-west direction from the outlet of Reed Brook in Hamden which are not otherwise classified / Class C/

~~(3)~~(1) Alamoosook Lake Tributaries - Class A.

~~(4)~~(2) Cambolasee Stream (Lincoln) below the Route 2 bridge - Class C.

~~(5)~~ (3) Great Works Stream (Bradley) and its tributaries above the Route 178 bridge - Class A.

~~(6)~~ (4) Kenduskeag Stream (Bangor) below the Bullseye I-95 Bridge - Class C.

~~(7)~~ (5) Mattanawcook Stream (Lincoln) below the outlet of Mattanawcook Pond - Class C.

~~(8)~~ (6) Olamon Stream and its tributaries above the bridge on Horseback Road - Class A.

~~(9)~~ (7) Passadumkeag River and its tributaries ~~above Grand Falls~~ - Class A.

~~(10)~~ (8) Sourdabscook Stream and its tributaries above the dam of the Hampden Water District - Class A.

~~(11)~~ (9) Sunkhaze Stream and its tributaries - Class A/ AA.

8. Pleasant River Basin.

A. Pleasant River, main stem.

(1) From the outlet of Pleasant River Lake to a point located 1000 feet above tidewater / Class B/ the Maine Central Railroad bridge - Class AA.

(2) From a point located 1000 feet above tidewater the Maine Central Railroad bridge to tidewater - Class B. Further, the Legislature finds that the free flowing habitat of this river segment provides irreplaceable social and economic benefits and that this use shall be maintained.

B. Pleasant River, tributaries - Class A unless otherwise specified.

(1) All tributaries entering below the Maine Central Railroad bridge - Class B.

(2) Bog Brook (Deblois) - Class B.

9. Presumpscot River Basin.

A. Presumpscot River, main stem.

(1) From the outlet of Sebago Lake to its confluence with Dundee Pond - Class A.

(2) From the outlet of Dundee Pond to a point located below the Village of South Windham Sacarappa Falls - Class B.

- (3) From a point located below the Village of South Windham Sacarappa Falls to tidewater - Class C.
- B. Presumpscot River, tributaries - Class A unless otherwise specified.
- ~~(1) Little River (Windham) from canning plant on Route 114 to its confluence with the Presumpscot River - Class C/~~
- (1) All tributaries entering below the outlet of Sebago Lake - Class B.
- (2) Crooked River and its tributaries, excluding existing impoundments and excluding that area of the river previously impounded at Scribners Mills - Class AA.
- ~~(2) (3) Stevens Brook (Bridgton) - Class C/ B.~~
10. Narraguagus River Basin.
- A. Narraguagus River, main stem.
- (1) From the outlet of Eagle Lake to the confluence with the West Branch of the Narraguagus River in Cherryfield - Class AA.
- (2) From the confluence with the West Branch of the Narraguagus River in Cherryfield to tidewater - Class B.
- B. Narraguagus River, tributaries - Class A unless otherwise specified.
- (1) All tributaries entering ~~above~~ below the river's confluence with the West Branch - Class A/ B.
- (2) West Branch of the Narraguagus River ~~and its tributaries~~ - Class AA.
11. Royal River Basin.
- A. Royal River, main stem.
- (1) From the outlet of Sabbathday Pond to tidewater - Class B.
- B. Royal River, tributaries - Class B.
- ~~(1) All tributaries and segments thereof which are not otherwise classified - Class C/~~
- ~~(2) Chandler Brook (Pownall) - Class B/~~
- ~~(3) Collyer Brook (Gray) - Class B/~~
12. Saco River Basin.
- A. Saco River, main stem.
- (1) From the Maine-New Hampshire boundary to its confluence with the impoundment of the Swan's Falls Dam - Class B/ A.

- (2) From its confluence with the impoundment of the Swan's Falls Dam to a point located 1000 feet below the Swan's Falls Dam - Class B/ A.
- (3) From a point located 1000 feet below the Swan's Falls Dam to its confluence with the impoundment of the Hiram Dam - Class B/ AA.
- (4) From its confluence with the impoundment of the Hiram Dam to a point located 1000 feet below the Hiram Dam - Class B/ A.
- (5) From a point located 1000 feet below the Hiram Dam to its confluence with the Little Ossipee River - Class B/ AA.
- (6) From its confluence with the Little Ossipee River to its confluence with Thatcher Brook - Class B/ A.
- (7) From its confluence with Thatcher Brook to tidewater - Class C/ B.

B. Saco River, tributaries, those waters lying within the State Class B unless otherwise specified.

~~(1) Brown Brook (Limerick) main stem, from outlet of Holland Pond to its junction with Little Ossipee River / Class C/~~

~~(2) Kimball Brook (Fryeburg) from a point 0.5 mile above the Route 113 crossing to Charles Pond / Class C/~~

~~(3) Little River, from the crossing of Route 5 approximately 1.0 mile above Cornish Village to its confluence with the Ossipee River / Class C/~~

~~(4) Ossipee River from a point located 0.5 mile upstream of the Route 25 bridge at Kezar Falls to its confluence with the Saco River / Class C/~~

(1) All tributaries entering above the confluence of the Ossipee River, those waters lying within the State and not otherwise classified - Class A.

~~(5)~~ (2) Wards Brook (Fryeburg) - Class C.

13. St. Croix River Basin.

A. St. Croix River, main stem.

(1) Except as otherwise provided, from the outlet of Chiputneticook Lakes to the Grand Falls Dam, ~~those waters lying within the State / Class B/~~

(2) From the Grand Falls Dam to its confluence with the Woodland Lake impoundment, those waters lying within the State of Maine. - Class C/ A

(2) Those waters of the Grand Falls Flowage between U.S. Route 1 (Princeton and Indian Township) and Black Cat Island - Class B.

(3) Woodland Lake Impoundment - Class C.

~~(3)~~(4) From the Woodland Dam to tidewater, those waters lying within the State, including all impoundments - Class C.

- B. St. Croix River, tributaries, those waters lying within the State - Class B unless otherwise specified.

~~(1) All tributaries which have portions of their drainage area in Maine and portions in New Brunswick; those waters lying within the State - Class B/~~

~~(2)~~ (1) All tributaries entering upstream from the dam at Calais, the drainage areas of which are wholly within the State - Class A unless otherwise classified.

(2) Grand Lake Stream (Grand Lake Stream Plt. and T27ED) - Class B.

14. St. George River Basin.

- A. St. George River, main stem.

(1) From the outlet of Little Pond to the confluence with Stevens Pond, from the outlet of Steven Pond to the confluence with Trues Pond, and from the outlet of Trues Pond to the confluence with Sennebec Pond - Class AA

(2) From the outlet of Sennebec Pond to Route 90, excluding segments which are great ponds - Class A.

(3) From Route 90

(1) From the outlet of Lake St/ George to tidewater - Class C/ B.

- B. St. George River, tributaries - Class A unless otherwise specified.

(1) Quiggle Brook (Warren, Union, Hope) - Class B.

(2) All tributaries entering downstream of Route 90 in Warren - Class B.

~~(1) All tributaries and segments of the St/ George River which are not otherwise classified - Class C/~~

~~(2) All tributaries entering above the outlet of Lake St/ George - Class B/~~

~~(3) Crawford Pond Outlet and Crawford Pond tributaries - Class B/~~

~~(4) Fuller Brook and its tributaries - Class B/~~

~~(5) North and South Pond tributaries and outlet to the St/ George River - Class B/~~

15. St. John River Basin.

- A. St. John River, main stem.

(1) From the confluence of the Northwest Branch and the Southwest Branch to a point located one mile above the foot of Big Rapids in Allagash - Class B/ AA.

(2) From a point located one mile above the foot of Big Rapids in Allagash to the ~~Frenchville/Madawaska boundary~~ international bridge in Fort Kent those waters lying within the State, including all impoundments - Class ~~B~~/ A.

(3) From the international bridge in Fort Kent to the international bridge in Madawaska, those waters lying within the State, including all impoundments - Class B.

~~(3)~~ (4) From the ~~Frenchville/Madawaska boundary~~ international bridge in Madawaska to where the international boundary leaves the river in Hamlin, those waters lying within the State, including all impoundments - Class C.

B. Allagash River Drainage.

(1) Allagash River, main stem.

(a) From Churchill Dam to a point located 1000 feet downstream from Churchill Dam - Class A.

(b) From a point located 1000 feet downstream from Churchill Dam to its confluence with Gerald Brook in Allagash - Class AA.

(c) From its confluence with Gerald Brook in Allagash to its confluence with the St. John River - Class A.

(2) Allagash River, tributaries - Class A unless otherwise specified.

~~(a)~~ All tributaries of the Allagash River which are not otherwise classified / Class A

~~(b)~~ (a) Allagash Stream, from the outlet of Allagash Lake to its confluence with Chamberlain Lake - Class AA.

~~(c)~~ (b) Chemquasabamticook Stream, from the outlet of Chemquasabamticook Lake to its confluence with Long Lake - Class AA.

~~(d)~~ (c) Musquacook Stream, from the outlet of Third Musquacook Lake to its confluence with the Allagash River - Class AA.

C. Aroostook River Drainage.

(1) Aroostook River, main stem.

(a) From the confluence of Millinocket Stream and Munsungan Stream to its confluence with the Machias River - Class AA.

(b) From its confluence with the Machias River to the Sheridan Dam - Class B.

(c) From the Sheridan Dam to its confluence with Presque Isle Stream, including all impoundments - Class B.

(d) From its confluence with Presque Isle Stream to a point located 3.0 miles upstream of the intake of the Caribou water supply including all impoundments - Class C.

(e) From a point located 3.0 miles upstream of the intake of the Caribou water supply to a point located 100 yards downstream of the intake of the Caribou water supply, including all impoundments - Class B.

(f) From a point located 100 yards downstream of the intake of the Caribou water supply to the international boundary, including all impoundments - Class C.

(2) Aroostook River, tributaries, those waters lying within State - Class A unless otherwise specified.

(a) All tributaries of the Aroostook River entering ~~above~~ below the confluence with ~~St. Croix Stream~~ of the Machias River which are not otherwise classified - Class ~~A/~~ B.

~~(b) Limestone Stream from the Long Road bridge to the international boundary / Class C/~~

~~(c) (b) Little Machias River and its tributaries - Class A.~~

~~(d) (c) Little Madawaska River and its tributaries including Madawaska Lake tributaries above the Route 161 bridge in Stockholm - Class A.~~

~~(e) (d) Machias River, from the outlet of Big Machias Lake to the Garfield Plantation-Ashland boundary - Class AA.~~

~~(f) Machias River tributaries entering above the Garfield-Ashland boundary / Class A/~~

~~(g) (e) Millinocket Stream, from the outlet of Millinocket Lake to its confluence with Munsungan Stream - Class AA.~~

~~(h) (f) Munsungan Stream, from the outlet of Little Munsungan Lake to its confluence with Millinocket Stream - Class AA.~~

~~(i) Pattee Brook (Fort Fairfield) and its tributaries above the dam just upstream of the Route 167 bridge / Class A/~~

~~(j) (g) Presque Isle Stream and its tributaries above its confluence with, but not including, the North Branch of Presque Isle Stream - Class A.~~

~~(k) St. Croix Stream from the outlet of St. Croix Lake to its confluence with Hall Brook in T.9, R.5, W.E.L.S. / Class A/~~

~~(l) (h) St. Croix Stream from its confluence with Hall Brook in T.9, R.5, W.E.L.S. to its confluence with the Aroostook River - Class AA.~~

~~(m) St. Croix Stream tributaries / Class A/~~

~~(n) Salmon Brook, from the dam immediately above Washburn to its confluence with the Aroostook River / Class C/~~

~~(o) Squapan Stream and its tributaries above the B&A Railroad bridge / Class A/~~

~~(p) Unnamed Stream (Presque Isle) near Vining Station on Washburn Road / Class C/~~

D. Fish River Drainage.

(1) Fish River, main stem.

(a) From the outlet of Mud Pond to its confluence with St. Froid Lake - Class AA.

(b) From the outlet of St. Froid Lake to the Route 11 Bridge its confluence with Eagle Lake - Class A.

(c) From the Route 11 Bridge to the bridge at Fort Kent Mills / Class B/

(d) From the Bridge at Fort Kent Mills the outlet of Eagle Lake to its confluence with Soldier Pond - Class C/ A.

(d) From the outlet of Soldier Pond to its confluence with the St. John River - Class B.

(2) Fish River, tributaries - Class B unless otherwise specified.

(a) All tributaries entering above the Route 11 Bridge - Class A.

E. Meduxnekeag River Drainage.

(1) Meduxnekeag River, main stem.

(a) From the outlet of Meduxnekeag Lake to the international boundary - Class B.

(2) Meduxnekeag River, tributaries - Class B unless otherwise specified.

(a) North Branch of the Meduxnekeag River and its tributaries above the Monticello - T.C, R.2 boundary - Class A.

F. St. John River, minor tributaries, those waters lying within the State - Class A unless otherwise specified.

(1) Except as otherwise classified, all minor tributaries of the St/ Francis River/ the drainage areas of which are wholly within the State / Class A/ St. John River entering below the international bridge in Fort Kent, those waters lying within the State - Class B.

(2) 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/

(3) (2) Baker Branch, from a point located 1.5 miles below Baker Lake to its confluence with the Southwest Branch - Class AA.

~~(4)~~ (3) Big Black River, from the international boundary to its confluence with the St. John River - Class B/ AA.

~~(5)~~ (4) Northwest Branch, from the outlet of Beaver Pond in T. 12, R. 17, W.E.L.S. to its confluence with the St. John River - Class AA.

~~(5)~~ Prestile Stream from its source to Route 1A in Mars Hill - Class A.

~~(6)~~ (6) Southwest Branch, from a point located 5 miles downstream of the international boundary to its confluence with Baker Branch - Class AA.

~~(7)~~ Martin Brook (Madawaska) downstream of the bridge on the Back Settlement Road - Class C/

~~(8)~~ Negro Brook (Allagash Plantation) and its tributaries - Class A/

~~(9)~~ Thibodeau Brook (Grand Isle) from Route 1 to the St. John River - Class C/

~~(10)~~ Violette Brook (Van Buren) below the railroad to its confluence with Violette Stream - Class C/

~~(11)~~ Violette Stream (Van Buren) below Champlain Street to its confluence with the St. John River - Class C/

16. Salmon Falls River Basin.

A. Salmon Falls River, main stem.

(1) From the outlet of Great East Lake to tidewater, those waters lying within the State - Class B.

B. Salmon Falls River, tributaries, those waters lying within the State - Class B.

17. Sheepscot River Basin.

A. Sheepscot River, main stem.

(1) From its origin in Montville to ~~tidewater~~ Route 17 - Class B. Further, the Legislature finds that the free flowing habitat of this river segment provides irreplaceable social and economic benefit and that this use shall be maintained.

(2) From Route 17 to tidewater - Class AA.

B. Sheepscot River, tributaries - Class B unless otherwise specified.

(1) West Branch of the Sheepscot River, main stem, from the outlet of Branch Pond to its confluence with the Sheepscot River - Class AA.

18. Union River Basin.

A. Union River, main stem.

(1) From the outlet of Graham Lake to the Route 1A bridge in Ellsworth Falls / Class B/

(2) From the Route 1A bridge in Ellsworth Falls to tidewater - Class C/ B.

B. Union River tributaries - Class A unless otherwise specified.

(1) Tributaries entering below the outlet of Graham Lake - Class B.

(2) Outlet of Green Lake (Ellsworth) - Class B.

Sec. 2. 38 M.R.S.A. § 468 as enacted by PL 1985, C. 698 § 15, is amended as follows:

§468. Classifications of minor drainages.

All surface waters lying within the boundaries of the State of Maine which are in basins having a drainage area less than 100 square miles and which are not classified as lakes or ponds and which are not otherwise classified in this section are Class B waters/

1. Cumberland County. Those waters draining directly or indirectly into tidal waters of Cumberland County with the exception of the Androscoggin River Basin, the Presumpscot River Basin, the Royal River Basin and tributaries of the Androscoggin River Estuary and Merrymeeting Bay entering above the Chops - Class B unless otherwise specified.

A/ All minor drainages of Cumberland County which are not otherwise classified / Class C/

B/ Brunswick/

(1) Unnamed Stream entering tidewater of New Meadows River at Middle Bay / Class A/

C/ Cape Elizabeth/

(1) Alewife Brook / Class A/

D/ Falmouth/

(1) Mill Creek and tributaries thereof / Class B/

E/ A Freeport.

(1) Harvey Brook / Class B/

(2)(1) Frost Gully Brook - Class A.

(3) Merrill Brook and its tributaries entering below the Maine Central Railroad crossing / Class B/

(4) *Collins Brook and its tributaries / Class B/*

(5) *Mill Stream and its tributaries / Class B/*

(6) *Little River and its tributaries / Class B/*

F/ B. Portland.

(1) All minor drainages unless otherwise specified - Class C.

(1)(2) *Stroudwater River from its origin to tidewater its confluence with Indian Camp Brook - Class B.*

G/ C. Scarboro.

(1) All minor drainages - Class C unless otherwise specified.

(1) (2) *Finnard Brook - Class B.*

(2) (3) *Stuart Brook - Class B.*

H/ D. South Portland.

(1) *Red Brook and tributaries thereof from the Rye Pond outlet dam to its origin / Class B/* All minor drainages - Class C.

I/ *Yarmouth/*

(1) *Pratts Brook / Class B/*

2. Hancock County. *Those waters draining directly or indirectly into tidal waters of Hancock County with the exception of the Union River Basin - Class B unless otherwise specified.*

A. All brooks, streams and segments thereof which are within the boundaries of Acadia National Park - Class AA.

B/ *All minor drainages entering tidewater between the Bucksport/Orrington boundary and a point located due east from Fort Point / Class C/*

C/B. Blue Hill.

(1) Carleton Stream, main stem, between First Pond and Second Pond - Class C.

(2) Carleton Stream, main stem, from the outlet of First Pond to tidewater at Salt Pond - Class C.

(3) *Unnamed stream at edge of Blue Hill Village entering tidewater near 'Big Rock' / Class C/*

(4) *Unnamed stream flowing from near 'Old Cemetery' to the Town Wharf / Class C/*

(5) Unnamed Stream about 100 yards east of Mill Brook Stream / Class C/

D/ Brooksville/

(1) Shepardson Brook (or Mill Brook), main stem, from Route 176 to its outlet at tidewater / Class C/

E/ Bucksport/

(1) All minor drainages which enter tidewater between the head of tide on Marsh Stream and the head of tide on the Orland River which are not otherwise classified / Class C/

(2) Silver Lake Outlet, above the village limits of Bucksport / Class B/

F/ Ellsworth/

(1) Unnamed Stream south of Laurel Street in Ellsworth / Class C/

G/ Franklin/

(1) Unnamed Stream flowing near railroad station in Franklin Village to Hog Bay / Class C/

H/ Gouldsboro/

(1) All coastal streams, direct and indirect segments, discharging to tidewater on the easterly mainland of Gouldsboro / Class C/

I/ Lamoline/

(1) Spring Brook below washer at Grindle's gravel pit / Class C/

J/ Penobscot/

(1) Winslow Stream, main stem, from tidewater to dam at the sawmill of S/C/ Condon / Class C/

K/ Sedgwick/

(1) Sargent Brook at Sargentville Village, main stem, from tidewater to a point 300 feet upstream of the highway / Class C/

(2) Three Unnamed Streams entering tidewater immediately north of Sedgwick Village / Class C/

L/ Trenton/

(1) Stony Brook from Route 3 crossing to tidewater / Class C/

M/ Winter Harbor/

(1) Coastal streams / brooks and segments thereof between the Winter Harbor / Gouldsboro boundary and the boundaries of Acadia National Park / Class C/

B. Orland.

(1) Alamoosook Lake tributaries - Class A.

3. Knox County. Those waters draining directly or indirectly into tidal waters of Knox County with the exception of the St. George River Basin - Class B unless otherwise specified.

A/ Friendship/

(1) Goose River/ main stem/ tidewater to dam at the Herbert Tibbetts/ sawmill / Class C/

B/ Owls Head/

(1) All coastal streams/ direct and indirect segments of those streams/ draining to tidewater in the Town of Owls Head / Class C/

C/ Rockland/

(1) All coastal streams/ direct and indirect segments of those streams/ draining to tidewater in the City of Rockland / Class C/

D/ Rockport/

(1) All coastal streams/ direct and indirect segments thereof/ draining to tidewater in the Town of Rockport/ unless otherwise described or classified / Class C/

(2) Goose River and its tributaries / Class B/

(3) Lily Pond Outlet / Class B/

E/ St/ George/

(1) All coastal streams/ direct and indirect segments of those streams/ draining to tidewater in the Town of St/ George/ unless otherwise described or classified / Class C/

F/ South Thomaston/

(1) All coastal streams/ direct and indirect segments of those streams/ draining to tidewater in the Town of South Thomaston / Class C/

G/ Thomaston/

(1) Mill River/ main stem/ from tidewater to a point 0.5 mile above tidewater / Class C/

(2) Oyster River/ main stem/ from tidewater to a point 200 feet upstream of Packard's Mill / Class C/

H/ Warren/

(1) 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/

4. Lincoln County. Those waters draining directly or indirectly into tidal waters of Lincoln County with the exception of the Sheepscot River Basin and tributaries of the Kennebec River Estuary and Merrymeeting Bay entering above the Chops - Class B unless otherwise specified.

A/ Bristol/

(1) Penaquid River/ main stem/ from dam upstream of Bristol Village to the entrance of Boyd Pond / Class C/

B/ Waldoboro/

(1) Goose River/ main stem/ from tidewater to the dam at Herbert Tibbetts/ sawmill / Class C/

C/ Westport/

(1) All coastal streams and segments of those streams draining to tidewaters in the town of Westport / Class C/

5. Penobscot County. Those waters draining directly or indirectly into tidal waters of Penobscot County with the exception of tributaries of the Penobscot River Estuary entering north of a line extended in an east-west direction from the outlet of Reed Reeds Brook in the Village of Hampden Highlands - Class B unless otherwise specified.

A/ Minor drainages of Penobscot County which are not otherwise classified / Class C/

B/ Reed Brook (Hampden) / Class C/

6. Sagadahoc County. Those waters draining directly or indirectly into tidal waters of Sagadahoc County with the exception of tributaries of the Androscoggin River Estuary, the Kennebec River Estuary and Merrymeeting Bay entering above the Chops - Class B unless otherwise specified.

A/ All minor drainages of Sagadahoc County which are not otherwise classified / Class C/

7. Waldo County. Those waters draining directly or indirectly into tidal waters of Waldo County - Class B unless otherwise specified.

A/ All minor drainages of Waldo County which are not otherwise classified and which enter tidewater between head of tide on the Goose River and head of tide on Marsh Stream in Frankfort / Class C/

B/ Belfast/

(1) Goose River/ below the upstream crossing of Route 141 / Class C/

C/ Searsport/

(1) Mill Brook and its tributaries upstream of a bridge site on an abandoned road about 1.5 miles northerly of Searsport village / Class B/

(2) Unnamed Stream and its tributaries entering tidewater at the northwest corner of Long Cove / Class B/

8. Washington County. Those waters draining directly or indirectly into tidal waters of Washington County with the exception of the Dennys River Basin, the East Machias River Basin, the Machias River Basin, the Narraguagus River Basin and the Pleasant River Basin - Class B unless otherwise specified.

A/ Calais/

(1) Unnamed Stream entering tidewater portion of St. Croix River between Beech and Union Streets / Class C/

B/ Columbia/

(1) Dyke Brook/ East Branch/ from tidewater to the crossing of the Maine Central Railroad / Class C/

C/ Columbia Falls/

(1) Unnamed Stream/ from the Maine Central Railroad bridge near the Pleasant River Canning Company plant to tidewater / Class C/

D/ Harrington/

(1) Unnamed Stream passing through the village/ from a point immediately upstream of the school sewer to tidewater / Class C/

E/ A. Jonesboro.

(1) Chandler River and its tributaries above the Highway Bridge on Route 1 - Class A.

F/ Robbinston/

(1) Unnamed Stream entering northerly end of Brooks Cove / Class C/

(2) Unnamed Stream immediately north of Schoolhouse Lane / Class C/

G/ Stuben and T/7/ S/D/

(1) Whitten Parrin Stream / Class C/

H/ Trescott/

(1) Wiggins Brook at South Trescott, main stem, between Route 191 and tidewater + Class C/

II B. Whiting.

(1) Orange River and its tributaries above the highway bridge on Route 1 - Class A.

9. York County. Those waters draining directly or indirectly into tidal waters of York County with the exception of the Saco River Basin, the Salmon Falls River Basin and the Mousam River Basin - Class B unless otherwise specified.

A Kennebubk

(1) Branch Brook - Class A

B. Sanford

(1) Branch Brook - Class A.

(2) Merriland River - Class A.

(C) Wells

(1) Branch Brook - Class A.

(2) Merriland River - Class A.

A/ 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/

B/ All coastal streams and their tributaries not otherwise specified between Walker Point (Kennebunkport) and Fletchers Neck in Biddeford + Class C/

C/ Biddeford/

(1) Moors Brook and its tributaries + Class C/

(2) West Brook and its tributaries above head of tide + Class C/

D/ Saco/

(1) Goosefare Brook from its origin to head of tide + Class C/

(2) Milliken Brook + Class C/

Sec. 3. 38 M.R.S.A. §469 as enacted by PL 1985, c. 698, §15, is amended as follows:

§469. Classifications of estuarine and marine waters.

All estuarine and marine waters lying within the boundaries of the State of Maine and which are not otherwise classified are Class SB waters.

1. Cumberland County

A. Cape Elizabeth.

(1) Tidal waters lying westerly of a line beginning at Portland Head Light and running northerly to the southernmost point of land on Cushing Island / Class SC/

(1) Tidal waters of the Spurwink River system lying north of a line at latitude 43°-33'-44"N. - Class SA

B. Cumberland.

(1) Tidal waters located within a line beginning at a point located on the Cumberland-Portland boundary at approximately latitude 43°-41'-18" N., longitude 70°-05'-48" W. and running northeasterly to a point located on the Cumberland-Harpswell boundary at approximately latitude 43° - 42' -57"N., longitude 70° -03' -50"W.; thence running southwesterly along the Cumberland-Harpswell boundary to a point where the Cumberland, Harpswell and Portland boundaries meet; thence running northeasterly along the Cumberland-Portland boundary to point of beginning - Class SA.

C. Falmouth.

(1) Tidal waters located within a line beginning at a point located on the shore at latitude 43°-42'-03" N. longitude 70°-15'-22" W. and running southwesterly along the Falmouth-Portland boundary to the shore of Mackworth Island; thence running northerly along the western shore of Mackworth Island and the Mackworth Island Causeway to a point located at latitude 43°-41'-42" N., longitude 70°-14'-25" W.; thence running along the shore of the Presumpscot River Estuary to point of beginning - Class SC.

D. Harpswell.

(1) Tidal waters located within a line beginning at a point located on the Cumberland-Harpswell boundary at approximately latitude 43°-42'-57" N., longitude 70°-03'-50" W. and running northeasterly to a point located at latitude 43°-43'-08" N., longitude 70°-03'-36" W.; thence running southeasterly to a point located at latitude 43°-42'-02" N., longitude 70°-00'-00" W.; thence running due south to the Harpswell-Portland boundary; thence running northwesterly along the Harpswell-Portland boundary to a point where the Cumberland, Harpswell and Portland boundaries meet; thence running northwesterly along the Cumberland-Harpswell boundary to point of beginning - Class SA.

E. Portland.

(1) Tidal waters lying northwesterly of a line beginning at Portland Head Light and running northerly to the southernmost point of land on Cushing Island; thence running northerly along the western shore of Cushing Island to the northernmost point of land on Cushing Island; thence northerly to the southernmost point of land on Peaks Island; thence running northerly along the western shore of Peaks Island to a point located at latitude 43°-40'-10" N., longitude 70°-11'-34"

W.; thence running northwesterly to the southernmost point of land on Great Diamond Island; thence running northwesterly along the westerly shore of Great Diamond Island to a point located at latitude 43°-40'-36" W., longitude 70°-11'-34" W.; thence running northwesterly for 0.7 mile to a point where the Falmouth-Portland boundary forms a right angle; thence running northwesterly along the Falmouth-Portland boundary forms a right angle; thence running northwesterly along the Falmouth-Portland boundary to a point located at latitude 43°-42'-03" N., longitude 70°-15'-22" W. - Class SC.

F. Scarborough.

(1) Tidal waters of the Scarborough River system lying north of a line formed between the easternmost point of Pine Point and the westernmost point of Prouts Neck. - Class SA.

(2) Tidal waters of the Spurwink River system lying north of a line extending from Higgins Beach at latitude 43°-33'-44"-N. to the town line. - Class SA.

F E. South Portland.

(1) All tidal waters - Class SC.

G. Yarmouth.

(1) Tidal waters of the Royal River and its tidal tributaries lying westerly of longitude 70°-09'-00" W. Class SC.

2. Hancock County.

A. Bar Harbor.

(1) Tidal waters - except those lying within 500 feet of privately owned shoreline - lying northerly of latitude 44°-16'-36" N., southerly of latitude 44°-20'-27" N., and westerly of longitude 68°-09'-28" W. - Class SA.

B. Bucksport.

(1) All tidal waters - Class SC.

C. Cranberry Isles.

(1) Tidal waters - except those lying within 500 feet of privately owned shoreline - lying within 0.5 mile of the shore of Baker Island - Class SA.

D. Mount Desert.

(1) Tidal waters - except those lying within 500 feet of privately owned shoreline - lying northerly of latitude 44°-16'-36" N. and easterly of longitude 68°-13'-08" W. - Class SA.

(2) Tidal waters of Some Sound lying northerly of a line beginning at a point located at latitude $44^{\circ}-18'-18''$, longitude $68^{\circ}-18'-42''$ N. and running northeasterly to a point located at latitude $44^{\circ}-18'-54''$ N., longitude $68^{\circ}-18'-22''$ W. and lying southerly of a line beginning at a point located at latitude $44^{\circ}-19'-37''$ N., longitude $68^{\circ}-18'-52''$ W. and running northeasterly to a point located at latitude $44^{\circ}-19'-45''$, longitude $68^{\circ}-18'-23''$ W. - Class SA.

E. Orland.

(1) Tidal waters lying northerly of the southernmost point of land on Verona Island - Class SC.

F. Southwest Harbor.

(1) Tidal waters lying northerly of latitude $44^{\circ}-12'-44''$ N., southerly of latitude $44^{\circ}-14'-13''$ N. and westerly of longitude $68^{\circ}-18'-27''$ W. - Class SA.

(2) Tidal waters of Some Sound lying northerly of a line beginning at a point located at latitude $44^{\circ}-18'-18''$ N., longitude $68^{\circ}-18'-42''$ W. and running northeasterly to a point located at latitude $44^{\circ}-18'-54''$ N., longitude $68^{\circ}-18'-22''$ W. - Class SA.

G. Tremont.

(1) Tidal waters lying northerly of latitude $44^{\circ}-12'-44''$ N., southerly of latitude $44^{\circ}-14'-13''$ N. and easterly of longitude $68^{\circ}-20'-30''$ W. - Class SA.

H. Verona.

(1) Tidal waters lying northerly of the southernmost point of land on Verona Island - Class SC.

I. Winter Harbor.

(1) Tidal waters lying south of a line running west from the northernmost tip of Frazer Point to longitude $68^{\circ}-05'-00''$ -W. and east of longitude $68^{\circ}-05'-00''$ -W.- Class SA.

3. Knox County.

A. Isle Au Haut.

(1) Tidal waters - except those lying within 500 feet of privately owned shoreline - lying northerly of latitude $44^{\circ}-00'-00''$ N., southerly of latitude $44^{\circ}-03'-06''$ N., easterly of longitude $68^{\circ}-41'-00''$ W. and westerly of longitude $68^{\circ}-35'-00''$ W. - Class SA.

B. Owls Head.

(1) Tidal waters lying westerly of a line running between the southernmost point of land on Jameson Point and the northernmost point of land on Battery Point - Class SC.

C. Rockland.

(1) Tidal waters lying westerly of a line running between the southernmost point of land on Jameson Point and the northernmost point of land on Battery Point - Class SC.

4. Lincoln County

A. Boothbay.

(1) Tidal waters lying south of the northernmost point of Damariscove Island and west of longitude 69°-36'-00" W.- Class SA.

4/5. Penobscot County

A. Hampden.

(1) Tidal waters lying southerly of a line extended in an east-west direction from the outlet of Reed Brook in the Village of Hampden Highlands - Class SC.

B. Orrington.

(1) Tidal waters lying southerly of a line extended in an east-west direction from the outlet of Reed Brook in the Village of Hampden Highlands - Class SC.

5/6. Sagadahoc County

A. Georgetown.

(1) Tidal waters located within a line beginning at a point on the shore located at latitude 43°-47'-16" N., longitude 69°-43'-09" W. and running due east to longitude 69°-42'-00" W.; thence running due south to latitude 43°-42'-52" N.; thence running due west to longitude 69°-44'-25" W.; thence running due north to a point on the shore located at latitude 43°-46'-15" N., longitude 69°-44'-25" W.; thence running northly along the shore to point of beginning - Class SA.

B. Phippsburg.

(1) Tidal waters east of longitude 69°-50'-05" W. and west of longitude 69°-47'-00" W.- Class SA.

6/7. Waldo County.

A. Frankfort.

(1) All tidal waters - Class SC.

B. Prospect.

(1) All tidal waters - Class SC.

C. Searsport.

(1) Tidal waters located within a line beginning at the southernmost point of land on Kidder Point and ~~running due east to the Searsport/Stockton Springs boundary; thence~~ running southerly along the ~~Searsport/Stockton Springs boundary;~~ western shore of Sears Island to the southernmost point of Sears Island thence running due south to latitude $44^{\circ}-25'-25''$ N.; thence running due west to latitude $44^{\circ}-25'-25''$ N., longitude $68^{\circ}-54'-30''$ W.; thence running due north to the shore of Mack Point at longitude $68^{\circ}-54'-30''$ W.; thence running along the shore in an easterly direction to point of beginning - Class SC.

D. Stockton Springs.

(1) Tidal waters lying northerly of the southernmost point of land on Verona Island - Class SC.

E. Winterport.

(1) All tidal waters - Class SC.

7/8. Washington County.

A. Calais.

(1) Tidal waters of the St. Croix River and its tidal tributaries lying westerly of longitude ~~$67^{\circ}-09'-48''$ W.~~ $67^{\circ}-14'-28''$ W. - Class SC.

B. Beals.

(1) Tidal waters lying east of the line extending from the westernmost point of Three Falls Point to the easternmost point of Crumple Island thence south along longitude $67^{\circ}-36'-47''$ W. - Class SA.

(2) Tidal waters lying south of a line extending from the easternmost point of the southern shore of the Mud Hole thence extending along latitude $44^{\circ}-29'-00''$ N. to the town line. - Class SA.

B/C. Eastport.

(1) Tidal waters lying southerly of latitude $44^{\circ}-54'-50''$ N., easterly of longitude $67^{\circ}-02'-00''$ W. and northerly of latitude $44^{\circ}-53'-15''$ N. - Class SC.

D. Cutler.

(1) All tidal waters except those waters in Machias Bay and Little Machias Bay north of a line running from the town line due east to the southernmost point of Cross Island, thence running northeast to the southeasternmost point of Cape Wash Island, and thence running northeast to the westernmost point of Deer Island, thence running due north to the mainland; and those waters lying northeast of a line running from the easternmost point of Western Head to the easternmost point of Eastern Knubble - Class SA.

E. Edmunds.

- (1) All tidal waters. - Class SA.

C/F. Lubec.

(1) Tidal waters - except those lying within 500 feet of West Quoddy Head Light - located within south of a line beginning at a point located on the northern shore of West Quoddy Head at latitude 44°-49'-18/22" N., longitude 66°-57'-30/59'-17" W. and running due north northeast to the international boundary; thence running southeasterly and southwesterly along the international boundary to latitude 44°-47'-00/ N.; thence running due west to longitude 66°-58'-45/ W.; thence running due north to a point located in Carrying Place Cove at latitude 44°-48'-36/; longitude 66°-58'-45/ W.; thence running along the shore of West Quoddy Head to point of beginning at latitude 44°-49'-45"N., longitude 66°-57'-57"W.- Class SA.

(2) Tidal waters west of a line running from the easternmost point of Youngs Point to the easternmost point of Leighton Neck in Pembroke. - Class Sa.

G. Pembroke.

(1) Tidal waters west of a line running from the easternmost point of Leighton Neck to the easternmost point of Youngs Point in Lubec. Class SA.

H. Millbridge.

(1) Tidal waters south of a line running from the town line along latitude 44°-27"-39" N. to the northernmost point of Currant Island thence running southeasterly to a point 1000 feet from mean high tide on the east shore of Bois Bubert Island thence along a line running 1000 feet from mean high tide along Bois Bubert Island to the southernmost point of the Island thence running due south - Class SA.

I. Steuben.

(1) Tidal waters southeast of a line beginning at Yellow Birch Head at latitude 44°-25'-05" N. and thence running to longitude 67°-55'-00" W. and thence running due south along longitude 67°-55'-00" W. - at Class SA.

(2) Tidal waters southwest of a line beginning at a point located south of Carrying Place Cove at latitude 44°-26'-18" N., longitude 67°-53'-14" W. thence running along latitude 44°-26'-18" N. east to the town line. -Class SA.

D/J. Trescott.

(1) Tidal waters located within a line beginning on the shore at latitude 44°-45'-02/ N.; longitude 67°-04'-16/ W.; and running due east to longitude 67°-03'-00/ W.; thence running due south to latitude 44°-43'-30/ N.; thence running due west to longitude 67°-05'-14/ W.; thence running due north to a point located on the shore at latitude 44°-44'-28/ N.; longitude 67°-05'-14/ W.; thence running along the shore of Eastern Head to point of beginning All tidal waters.- Class SA.

K. Whiting.

- (1) Tidal waters of the Orange River. - Class SA.

8/9. York County.

A. Biddeford.

- (1) Tidal waters of the Saco River and its tidal tributaries lying westerly of longitude 70°-22'-54" W. - Class SC.

B/ Kennebunk/

- (1) Tidal waters of the Kennebunk River and its tidal tributaries lying northerly of latitude 43°-20'-50" N/ - Class SC/

C/ Kennebunkport/

- (1) Tidal waters of the Kennebunk River and its tidal tributaries lying northerly of latitude 43°-20'-50" N/ - Class SC/

D/B. Kittery.

- (1) Tidal waters of the Piscataqua River and its tidal tributaries lying westerly of longitude 70°-42'-52" W.; southerly of Maine Route 103 and easterly of Interstate Route 95 - Class SC.

- (2) Tidal waters lying northeast of a line from Sisters Point thence southalong longitude 70°-40'-00" W. to the Maine New Hampshire border and thence running southeast along the Maine New Hampshire border to Cedar Ledge beyond the Isles of Shoals, except waters within 500 feet of the Isle of Shoal Research Station. - Class SA.

C. Kennebunk.

- (1) Tidal waters of the Little River system lying north of latitude 43°-20'-10" N. - Class SA.

D. Wells.

- (1) Tidal waters of the Little River system lying north of latitude 43°-20'-10" N. - Class SA.

E. York.

- (1) Tidal waters lying southwest of a line from Seal Head Point east along latitude 43°-07'-15" N. - Class SA.

E. Old Orchard Beach.

- (1) Tidal waters of Goosefare Brook and its tidal tributaries lying westerly of longitude 70°-23'-08" W. - Class SC.

F. Saco.

- (1) Tidal waters of Goosefare Brook and its tidal tributaries lying westerly of longitude 70°-23'-08" W. - Class SC.

- (2) Tidal waters of the Saco River and its tidal tributaries lying westerly of longitude 70°-22'-54" W. - Class SC.