MAINE STATE LEGISLATURE

Report to the Joint Standing Committee on Environment and Natural Resources

Board of Environmental Protection Recommendations to the Legislature for Changes in Water Quality Classification of Certain Maine Waters

January 2019

Contact: Cynthia Bertocci, Board Executive Analyst
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MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION
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STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

JANET T. MILLS
GOVERNOR

Mark C. Draper, Chair
Cynthia S. Bertocci
Executive Analyst
Ruth Ann Burke
Board Clerk

May 15, 2019

Senator Brownie Carson
Representative Ralph Tucker
Members of the Joint Standing Committee on
Environment and Natural Resources
100 State House Station
Augusta, Maine 04333

Re: LD 1743 "An Act to Reclassify Certain Maine Waters"
Board Recommendations for Changes in Water Quality Classification

Dear Senator Carson, Representative Tucker, Committee Members:

I have enclosed the Board of Environmental Protection's "Recommendations to the Legislature for Changes in the Water Quality Classification of Certain Maine Waters" dated January 2019 and the accompanying cover letter approved by the Board at its December 2018 meeting. These recommendations are incorporated in LD 1743 which has been presented for your consideration. A column has been added to Table 1 of the Board's report to provide cross references to the appropriate sections of LD 1743 to assist your review.

Questions on this submission may be directed to Cynthia Bertocci, the Board's Executive Analyst, at 287-2452 or cynthia.s.bertocci@maine.gov.

Respectfully submitted,

Mark C. Draper, Chair
Board of Environmental Protection

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

JANET T. MILLS
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January 2019

Senator Brownie Carson
Representative Ralph Tucker
Members of the Joint Standing Committee on Environment and Natural Resources
100 State House Station
Augusta, Maine 04333

Re: Recommendations for Changes in Water Quality Classification

Dear Senator Carson, Representative Tucker, Committee Members:

Changes to the classification of waters of the State are governed by Title 38 M.R.S. § 464. This law requires the Department of Environmental Protection to conduct water quality studies and the Board of Environmental Protection to hold public hearings periodically and propose, if appropriate, changes to the classification of State waters. The Board's recommendations for changes in the water classification of a number of waterbodies and the Department's response to comments received on these recommended changes are enclosed. The Board's recommended changes to water quality classification are being incorporated into a Department bill which will be proposed for the Committee's consideration in the first Regular Session of the 129th Legislature.

At this time, the Board is recommending the following changes in water quality classification: three upgrades from Class C to Class B, seven upgrades from Class B to Class A, the correction of a classification error on an impounded segment of the East Branch Penobscot River, and an amendment to the statutory language to recognize expansion of the free-flowing nature of the Penobscot River due to the removal of the Veazie Dam. The Board is not recommending the following four citizen-initiated proposals: West Branch Penobscot River from the outlet of Quakish/Ferguson Lakes to its confluence with Millinocket Stream, Androscoggin River main stem from Lisbon Falls to Merrymeeting Bay, Blackman Stream and tributaries in Bradley, and Limestone Stream in Limestone.

In making these recommendations, the Board would like to highlight certain concerns raised in testimony at the public hearing and in written comments received by the Board and Department with respect to upgrades that the Board is recommending for the upper Penobscot River watershed in the vicinity of Millinocket (for portions of the West Branch Penobscot River, Millinocket Stream, and the upper main stem of the Penobscot River), for the West Branch Mattawamkeag River in the vicinity of Island Falls, and for Fish Stream in the vicinity of Patten. These comments expressed concerns over how upgrades might limit or affect current and future

development efforts in the Millinocket, Island Falls, and Patten areas. Because the water quality data reviewed by the Department support attainment findings for these segments and none of the commenters submitted any evidence or arguments calling into question the Department's attainment findings or underlying data, the Board is recommending these upgrades to the Legislature pursuant to the requirements of 38 M.R.S. § 464(4)(F)(4).[1] In considering these recommendations, however, the Legislature may also wish to review and consider the types of economic development concerns expressed in the comments, including the timing of the upgrades and their effect on current and future development efforts in the Millinocket, Island Falls, and Patten areas.

Questions on this submission may be directed to Cynthia Bertocci, the Board's Executive Analyst, at 287-2452 or cynthia.s.bertocci@maine.gov.

Respectfully submitted,

James W. Parker, Chair
Board of Environmental Protection

[1] 38 M.R.S. § 464(4)(F)(4) states, "When the actual quality of any classified water exceeds the minimum standards of the next highest classification, that higher quality must be maintained and protected. The board shall recommend to the Legislature that the water be reclassified in the next higher classification."

Report to the Joint Standing Committee on Environment and Natural Resources

Recommendations to the Legislature for Changes in Water Quality Classification for Certain Maine Waters

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BOARD OF ENVIRONMENTAL PROTECTION
RECOMMENDATIONS TO THE LEGISLATURE FOR CHANGES
IN WATER QUALITY CLASSIFICATION OF CERTAIN MAINE WATERS
JANUARY 2019

I. INTRODUCTION

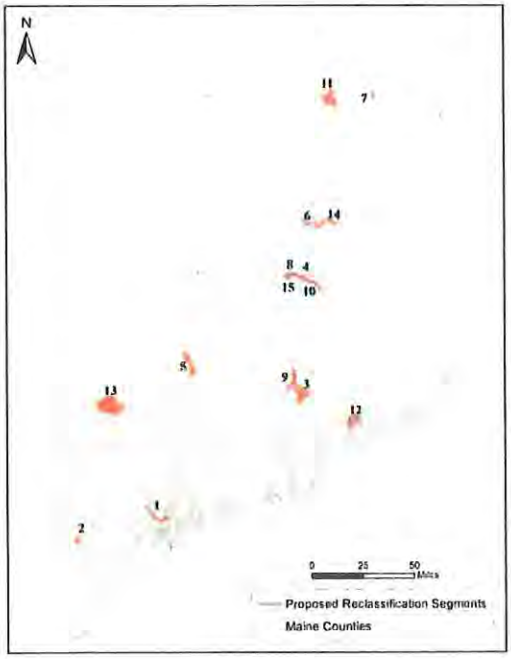
The recommendations contained in this report have been incorporated into a Department bill (LD 1743 "An Act to Reclassify Certain Waters of the State") for your consideration.

Changes to the classification of waters of the State are governed by Title 38 M.R.S., §§ 464 et seq. This statute requires the Department of Environmental Protection (MDEP) to conduct water quality studies, and the Board of Environmental Protection to hold hearings to receive public comment on proposals made by the Department. The public also has an opportunity to propose changes in water classification for the Department's consideration. The Board's recommendations are forwarded to the Legislature for its review and decision. The Legislature has sole authority to change the classification of State waters. The U.S. Environmental Protection Agency must ultimately give final approval to any changes made by the State of Maine.

II. PROCESS

The last comprehensive review of classification occurred in 2008 with final passage by the Maine State Legislature in 2009. For the current initiative, Department staff actively sought input during the summer and fall of 2017 through surveys of staff at MDEP and other natural resource agencies including the Maine Departments of Inland Fisheries and Wildlife; Marine Resources; and Agriculture, Conservation and Forestry, as well as the National Marine Fisheries Service. Many water quality interest groups were directly contacted, including numerous environmental and conservation groups, watershed councils, watershed associations, municipalities, and the four federally recognized Indian tribes. Fifteen proposals were received, see Figure 1; those not recommended are shaded in the key to Figure 1.

Figure 1. Overview Map Showing Locations of Proposals



Key	Segment	Class	
		Current	Proposed
1	Androscoggin River (Lower)	C	B
2	Back Brook and Tributaries (Limington)	B	A
3	Blackman Stream and Tributaries	B	A
4	East Branch Penobscot River (Mattaceunk impoundment)	AA	B
5	East Branch Wesserunsett Stream and Tributaries	B	A
6	Fish Stream	B	A
7	Limestone Stream below Long Rd	C	B
8	Millinocket Stream (Millinocket)	C	B
9	Penobscot River (Lower)	B	B
10	Penobscot River from confluence to Mattawamkeag River	C	B
11	Salmon Brook and Tributaries (Portions)	B	A
12	Tunk Stream and Tributaries	B	A
13	Webb Lake Tributaries	B	A
14	West Branch Mattawamkeag River (Island Falls)	B	A
15	West Branch Penobscot River (Lower)	C	B

Department staff reviewed all information submitted on the individual proposals in conjunction with information provided in water quality studies conducted in recent years [e.g. Biennial Integrated Water Quality Monitoring and Assessment Report required by §§ 305(b) and 303(d) of the Clean Water Act, waste load studies, permitting activities, etc.], management activities such as the construction of wastewater treatment facilities, and the acquisition of lands for recreation and conservation purposes surrounding certain waters. Following this review, the Department developed a set of draft recommendations which sought to achieve all purposes and objectives described in the law including "promoting general welfare; preventing disease; promoting health; providing habitat for fish, shellfish and wildlife; as a source of recreational opportunity; and as a resource for commerce and industry" by establishing a more balanced distribution of water classes statewide.

The Department's draft recommendations were available to the public for comment from April 20 through June 5, 2018. During this time, the Department also held two public meetings (May 22, Augusta; May 24, Millinocket) to receive input. After consideration of all comments received, the Department staff developed an updated set of draft recommendations for consideration by the Board of Environmental Protection. The Board held a public hearing on the proposed recommendations on September 20, 2018 in Bangor. The public comment period ended on October 9, 2018. During this period, Department staff also communicated directly with commenters to provide factual information regarding individual proposals and their likely effect on stakeholders. At the November 1, 2018 Board meeting, the Board reviewed with staff the testimony and

comments received on the proposed changes. The enclosed recommendations were approved by the Board at its December 6, 2018 meeting.

III. RECOMMENDATIONS

The Board is recommending ten upgrades in water quality classification: (7) Class B to Class A, and (3) Class C to Class B. Descriptions of these classifications and the underlying Water Quality Classification System can be found in Appendix A. The Board is also recommending an amendment to existing statutory language for the lower Penobscot River, and the correction of an unintentional classification error on the lower East Branch Penobscot River. The Board is not recommending three public proposals for upgrade: Androscoggin River main stem from Worumbo Dam to Merrymeeting Bay, Blackman Stream and tributaries in Bradley and surrounding towns, and Limestone Stream in Limestone and Caribou.

The Board's recommendations are presented in Table 1 and the following maps. The maps depict the location and current classification of each waterbody considered. The proposed change to statutory language appears with the relevant map. The maps/recommendations are arranged in the order in which the proposals were presented to the Board for consideration. Table 1 provides a cross-reference to the appropriate sections in LD 1743. Appendix A provides background information on the water quality classification system, including a table showing the designated uses and criteria for the AA, A, B, and C river and stream classifications. Appendix B summarizes the comments received on the various proposals and responses thereto. The appendices were prepared by Susanne Meidel, Biologist, of the Department's staff.

Board of Environmental Protection
Recommendations to the Legislature for Changes in Water Quality Classification for Certain Maine Waters

Table 1: List of Proposals Received

Proposals recommended for upgrade

LD 1743	Class Change	Waterbody	Town	Proposed by	Recommendation
Androscoggin River Basin					
Sec. 1	B to A	Tributaries to Webb Lake/Webb River	Weld, Township 6 North of Weld, Philips, Avon, Temple, Perkins TWP, Carthage, Roxbury	Maine DEP	DEP monitoring data for three tributaries indicate Class A aquatic life criteria are attained. Very good salmonid spawning, nursery, and adult habitat. Watershed is ~90% forested and a significant portion is protected as conservation land. Webb River below Webb Lake is Class A.
Kennebec River Basin					
Sec. 2	B to A	East Branch Wesserunsett Stream above the downstream Rt. 150 (Harmony Road) crossing, and all tributaries	Mayfield TWP, Brighton Plantation, Athens	Maine DEP	DEP monitoring data on the main stem East Branch Wesserunsett Stream indicate that Class A aquatic life criteria are attained. The watershed is ~86% forested. A licensed discharge exists in the lower watershed. MDEP has no water quality data for this segment and thus the lowest 2.7 miles of the main stem are excluded from the upgrade.
Penobscot River Basin					
Sec. 3	C to B	Penobscot River, confluence of East and West Branches to confluence with Mattawamkeag River	Medway, Molunkus TWP, Woodville, Mattawamkeag	Penobscot Nation and The Nature Conservancy	Water quality monitoring data show that Class B criteria are attained, including in the Mattaseunk impoundment. Closure of two upstream mills has significantly improved the water quality of this segment. Segment is critical for restoration of Atlantic salmon and other diadromous fish species. A Class B designation of this segment will ensure good quality habitat along the entire main stem of the river.

LD 1743	Class Change	Waterbody	Town	Proposed by	Recommendation
Sec. 5	C to B	West Branch Penobscot River, confluence with Millinocket Stream to confluence with East Branch Penobscot River	Millinocket, T3 Indian Purchase TWP, East Millinocket, TA R7 WELS, Medway	Penobscot Nation	Water quality monitoring shows that Class B criteria are attained in this segment, including in impoundments. Closure of mills on Millinocket Stream and the West Branch has significantly improved water quality in Millinocket Stream below Millinocket and in the West Branch below confluence with Millinocket Stream. Re-development efforts at former mill site on Millinocket Stream are continuing and may result in new discharges. MDEP modeling indicates that new discharges at actual 2005-2009 discharge levels at this site will not prevent attainment of Class B standards.
Sec. 5	C to B	Millinocket Stream, confluence of West Branch Canal to confluence with West Branch Penobscot River	Millinocket	Maine DEP	Closure of a pulp and paper mill has significantly improved water quality in this segment. Re-development efforts at former mill site are continuing and may result in new discharges. MDEP modeling indicates that new discharges at actual 2005-2009 discharge levels for this site will not prevent attainment of Class B standards.
Sec. 6	B to A	West Branch Mattawamkeag River, I-95 to confluence with Mattawamkeag Lake	Island Falls	Maine DEP	Data indicate attainment of Class A aquatic life criteria. Former discharge ended in 2009. Remainder of River and its tributaries (except for Fish Stream) are Class A; Fish Stream is also proposed for upgrade from Class B to Class A. River below Mattawamkeag Lake has salmon rearing habitat. Reasonably expected to attain Class A standards.
Sec. 6	B to A	Fish Stream	Mount Chase, Patten, Crystal, Island Falls	The Nature Conservancy	Fish Stream borders and drains the northern portion of TNC's Crystal Bog Preserve, a unique hydrologic feature in northern Maine. Previously existing wastewater discharge has been discontinued. MDEP monitoring data show that the stream attains Class A aquatic life criteria. Tributaries to Fish Stream are all Class A; West Branch Mattawamkeag River, which Fish Streams flows into, is also proposed for an upgrade from Class B to Class A. The watershed is largely forested.

LD 1743	Class Change	Waterbody	Town	Proposed by	Recommendation
Saco River Basin					
Sec. 7	B to A	Back Brook and tributaries	Limington	Maine DEP	Attains Class A aquatic life criteria. Supports a population of wild brook trout and is being stocked with Atlantic salmon. Watershed is ~90% forested and a significant portion is protected as conservation land. Valuable opportunity to increase Class A segments in the southern Maine region.
St. John River Basin					
Sec. 8	B to A	Salmon Brook and tributaries above Rt. 228 crossing on main stem in Perham, and West Branch Salmon Brook and tributaries above Washburn/Wade town line	Westmanland, T14 R5 WELS, Perham, Wade	The Nature Conservancy	Preserved land in upper Salmon Brook watershed. Very high quality wild trout stream. Reasonably expected to attain Class A standards.
Minor Drainages					
Sec. 9 to 11	B to A	Tunk Stream and tributaries, upstream of Route 1(Steuben)	T10 SD, Sullivan, T7 SD BPP, Cherryfield	Maine DEP	Very high quality water with potential for restoration of Atlantic salmon. Tunk Lake supports landlocked salmon. Significant portion of the watershed in Public Reserve Land; watershed is ~80% forested. Tunk Stream attains Class A aquatic life criteria, tributaries reasonably expected to attain Class A standards. Waters above Rt. 1 in Steuben were inadvertently omitted in 2003 upgrade of lower section of Tunk Stream and tributaries.

Amendment to statutory language (no change to classification)

LD 1743	Class Change	Waterbody	Town	Proposed by	Recommendation
Penobscot River Basin					
Sec. 3	N/A	Penobscot River, from Milford Dam to Veazie Dam – expand free-flowing language	Milford, Old Town, Bradley, Orono, Eddington and Veazie	Penobscot Nation and The Nature Conservancy	With the recent removal of the Great Works and Veazie Dams the upper boundary of the special 'free-flowing habitat' designation should be moved upstream to the Milford Dam. This amendment will not change the current Class B designation up and downstream of the Milford Dam, it only provides protection for the free-flowing nature of the segment below the dam. Recent fish returns following dam removals attest to the high value of this fish habitat and its restoration potential affecting several diadromous species.

Correction of classification error

LD 1743	Class Change	Waterbody	Town	Proposed by	Recommendation
Penobscot River Basin					
Sec. 4	AA to B	East Branch Penobscot River, Mattaceunk impoundment	Medway	Maine DEP	This item corrects an error in the 1990 re-classification of this river segment from Class B to Class AA. At the time, the most downstream 1.6-mile segment of the river was already impounded by the Mattaceunk Dam on the upper main stem Penobscot River and so did not meet the Class AA criterion that the 'habitat must be characterized as free-flowing and natural'. This was an oversight by the Department and will be resolved by returning the segment in question to the original Class B designation. This correction is only intended to rectify the classification with respect to the habitat criterion; no new discharges or dams will be allowed.

Proposals not recommended for upgrade at this time (cross-reference to LD section not applicable)

Class Change	Waterbody	Towns	Proposed by	Recommendation
Androscoggin River Basin				
C to B	Androscoggin River, Worumbo Dam in Lisbon Falls to Merrymeeting Bay (line between Pleasant Pt., Topsham and North Bath)	Lisbon, Durham, Topsham, Brunswick	Friends of Merrymeeting Bay	2010 MDEP monitoring data indicated that Class B standards were not always attained. Modeling results confirmed this finding during critical conditions, even when discharges were removed from model. Inputs from upstream tributaries and non-point source pollution, and effects of impoundments prevented attainment of standards. In the lowest section of river, inputs from Merrymeeting Bay and Sediment Oxygen Demand also contributed to non-attainment. MDEP is not aware of any changes in conditions.
Penobscot River Basin				
B to A	Blackman Stream and tributaries	Clifton, Dedham, Holden, Eddington, Bradley	The Nature Conservancy	Water quality appears to be affected by logging activities and some agricultural landuse. Biological communities did not meet Class GPA aquatic life standards in Davis Pond in 2016. Ponds in the watershed show some indication of nutrient enrichment. In-stream monitoring data from Blackman Stream and some tributaries needed to determine likelihood of attainment of Class A standards.
St. John River Basin				
C to B	Limestone Stream, below Long Road Crossing	Limestone, Fort Fairfield	Citizen proposal	Water quality in this segment appears to be affected by agricultural landuse, which is widespread upstream of and along the section of stream proposed for upgrade. MDEP monitoring data show that biological communities only meet Class C aquatic life criteria, and that nutrient concentrations in the stream are elevated. Given the intensive agricultural landuse in the watershed, it is not expected that Limestone Stream below Long Road can attain Class B standards.

UPGRADES OF CLASSIFICATION
(38 M.R.S. §§ 467 and 468)

ANDROSCOGGIN RIVER BASIN

Tributaries to Webb Lake/Webb River, Weld and surrounding towns.
Propose Class B to Class A (200 miles approx.).

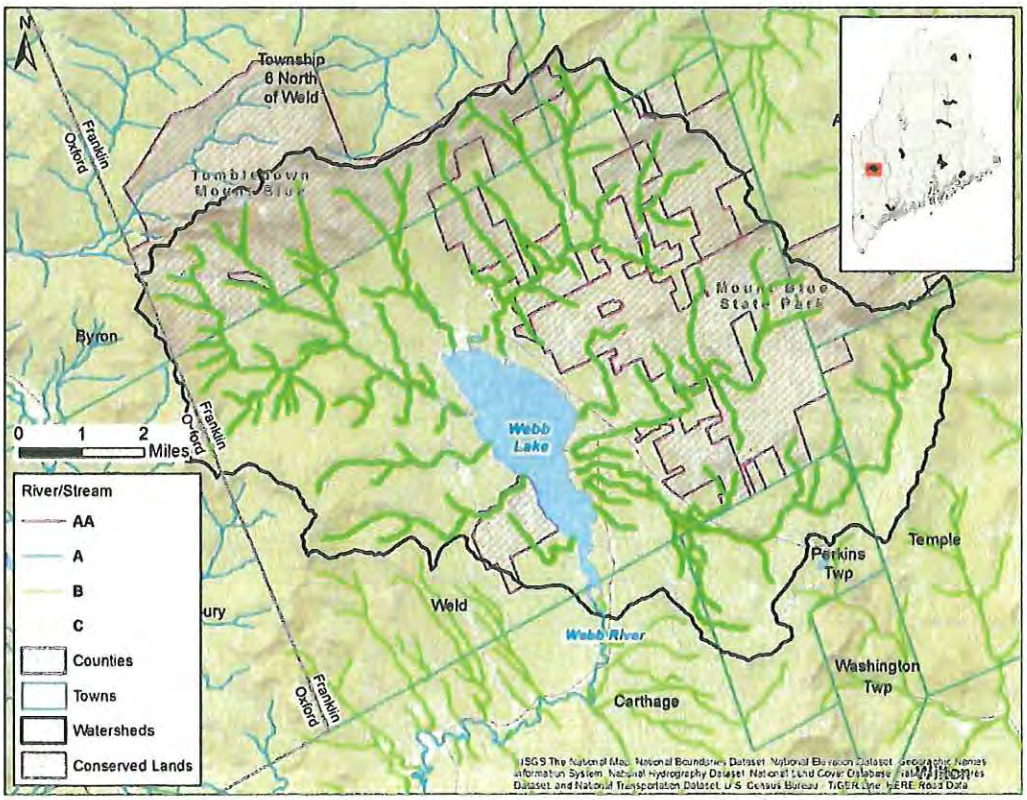
Proposal: Department of Environmental Protection.

Basis: MDEP monitoring data for three tributaries indicate that Class A aquatic life criteria are attained. The Maine Department of Inland Fisheries and Wildlife (MDIF&W) recognizes the tributaries to Webb Lake to be of special importance to the area and the State because they offer very good salmonid spawning, nursery, and adult habitat; brown trout are present in some tributaries. The watershed is ~90% forested and a significant portion is protected as conservation land by the Bureau of Parks and Lands in the Maine Department of Agriculture, Conservation and Forestry (Tumbledown Mount Blue Public Land and Mount Blue State Park). Webb River below Webb Lake is Class A.

Issues affected by reclassification: None. Tributaries are reasonably expected to attain Class A standards.

Recommend revising § 467(1)(D) as follows:

D. Androscoggin River, minor tributaries - Class B unless otherwise specified.
(9) Tributaries to Webb Lake – Class A.



KENNEBEC RIVER BASIN

East Branch Wesserunsett Stream above the downstream Rt. 150 (Harmony Road) crossing, and all tributaries, Mayfield TWP, Brighton Plantation and Athens.

Propose Class B to Class A (44 miles approx.).

Proposal: Department of Environmental Protection.

Basis: MDEP monitoring data on the main stem East Branch Wesserunsett Stream indicate that Class A aquatic life criteria are attained. The watershed is ~86% forested.

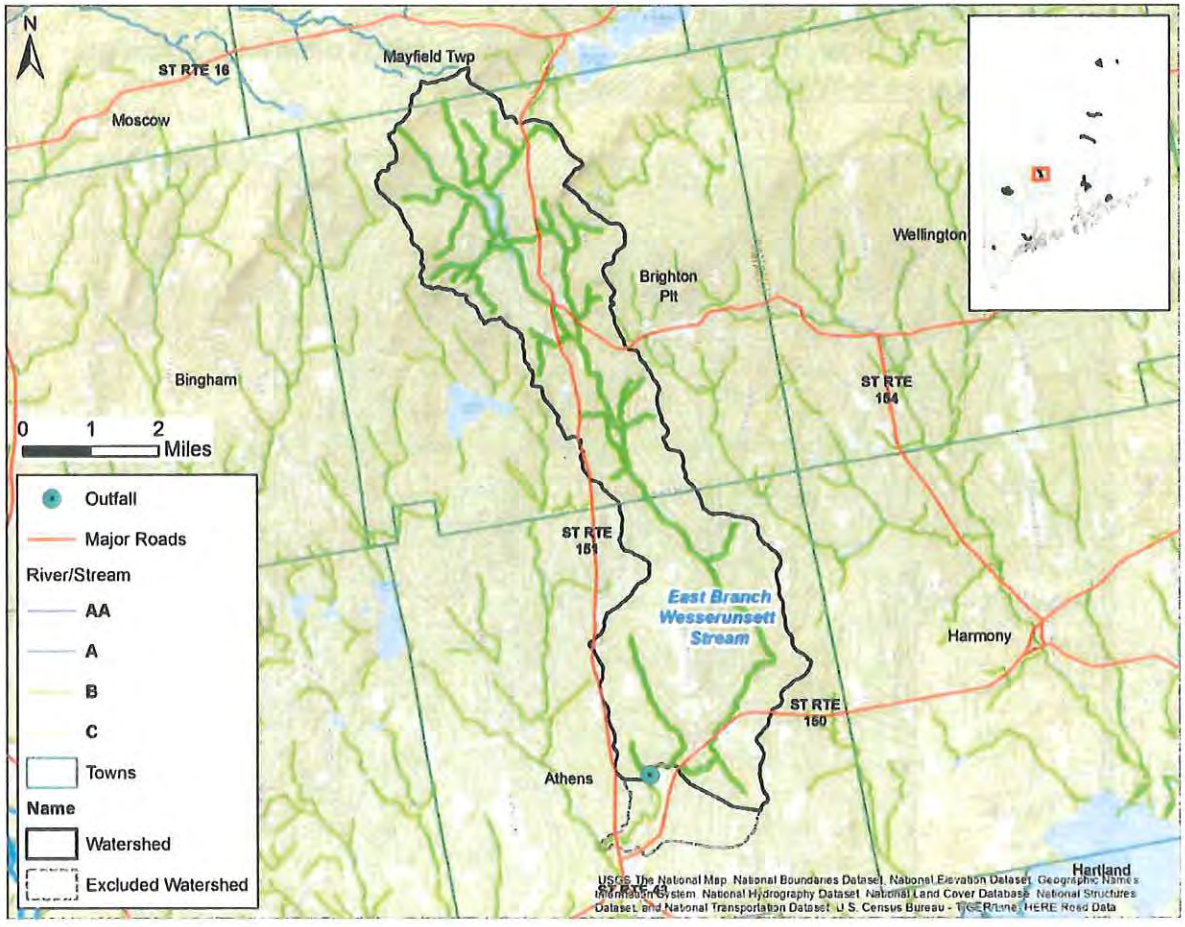
Issues affected by reclassification: One discharge is located below the downstream Rt. 150 crossing. No water quality data exist for this lowest 2.7-mile segment of the main stem and it is thus excluded from the upgrade. Tributaries are reasonably expected to attain Class A standards.

Recommend revising § 467(4)(I) as follows:

I. Kennebec River, minor tributaries - Class B unless otherwise specified.

(6) East Branch Wesserunsett Stream above the downstream Rt. 150 (Harmony Road) crossing in Athens – Class A.

(7) Tributaries to East Branch Wesserunsett Stream – Class A.



PENOBSCOT RIVER BASIN

Penobscot River, from the confluence of the East and West Branches to the confluence with the Mattawamkeag River, including all impoundments; Medway, Molunkus TWP, Woodville, and Mattawamkeag.
Propose Class C to Class B (13 miles approx.).

Proposal: Penobscot Nation (PN) and The Nature Conservancy.

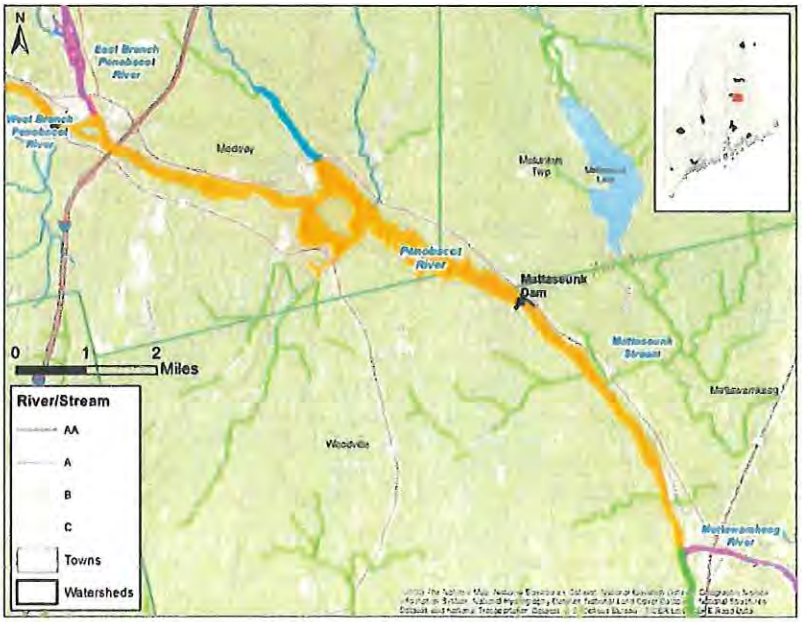
Basis: Water quality monitoring by the PN demonstrates that Class B criteria are currently attained in this segment at all five locations monitored, and have been for at least the past ten years. This segment is critical for restoration of Atlantic salmon and other diadromous fish species that use the upper main stem Penobscot River, the East Branch and tributaries. Closure of the two mills upstream on Millinocket Stream and the West Branch Penobscot River has significantly improved the water quality of this upper main stem. The East Branch is Class AA, recognizing its excellent water quality and important ecological and recreational values. A Class B designation of the upper main stem will ensure good quality habitat along the entire main stem of the river.

Issues affected by reclassification: The majority of the segment proposed for upgrade is occupied by the Mattaseunk (Mattaceunk) Dam impoundment. MDEP macroinvertebrate monitoring indicates that Class B aquatic life criteria were attained below the dam in 2014. Data collected by the dam owner in the impoundment indicate attainment of Class B dissolved oxygen criteria. Minor tributaries to this segment are predominantly Class B; the lower segment of the West Branch Penobscot River is Class C but most of this segment is proposed for upgrade to Class B. .

Recommend revising § 467(7)(A)(1) as follows:

A. Penobscot River, main stem.

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



West Branch Penobscot River from the confluence with Millinocket Stream to its confluence with the East Branch Penobscot River, Millinocket, T3 Indian Purchase TWP, Medway.

Propose Class C to Class B (9.3 miles approx.).

Proposal: Penobscot Nation (PN).

Basis: Water quality monitoring by the PN demonstrates that Class B water quality standards are currently attained in this segment at all locations monitored (including impoundments), and have been for at least the past ten years. Closure of a pulp and paper mill on Millinocket Stream near the confluence with the West Branch, and of one on the West Branch itself, has significantly improved the water quality in Millinocket Stream below Millinocket and in the West Branch below the confluence with Millinocket Stream.

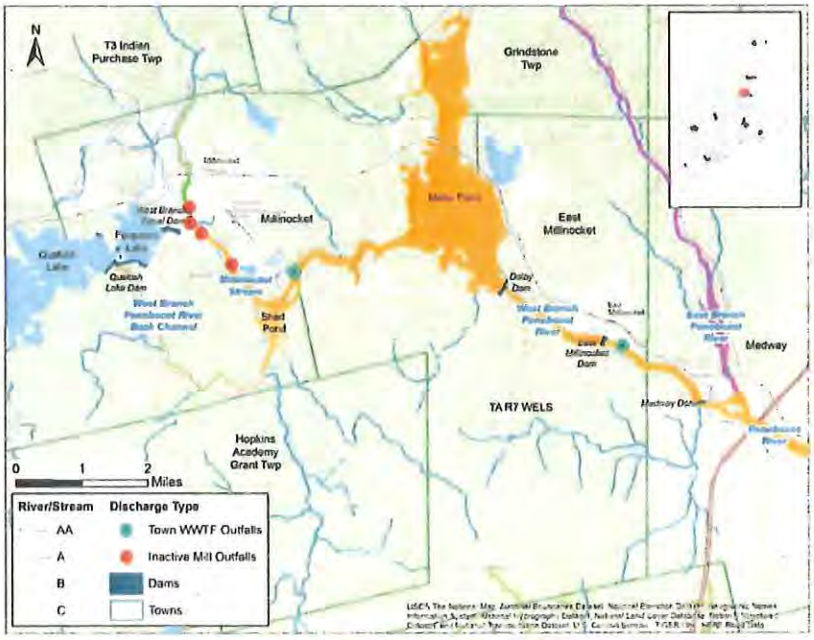
Issues affected by reclassification: Two municipal dischargers (Towns of Millinocket and East Millinocket waste water treatment facilities, WWTF/POTW) operate in this segment. Re-development efforts at the former mill site on Millinocket Stream are underway and may result in new discharges and a re-issuance of the license. MDEP modeling indicates that new discharges at the actual discharge level that occurred between 2005 and 2009 at this site will not prevent attainment of Class B standards. Re-development efforts are also underway at the former mill site on the West Branch; this site discharges to the Town of East Millinocket POTW and any re-development would fall under current license conditions.

Recommend revising § 467(7)(C)(1)(f) as follows:

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

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

(g) From the confluence with Millinocket Stream to its confluence with the East Branch of the Penobscot River, including all impoundments - Class B.



Millinocket Stream from its confluence with the West Branch Canal to its confluence with the West Branch of the Penobscot River, Millinocket.
Propose Class C to Class B (2.4 miles).

Proposal: Department of Environmental Protection.

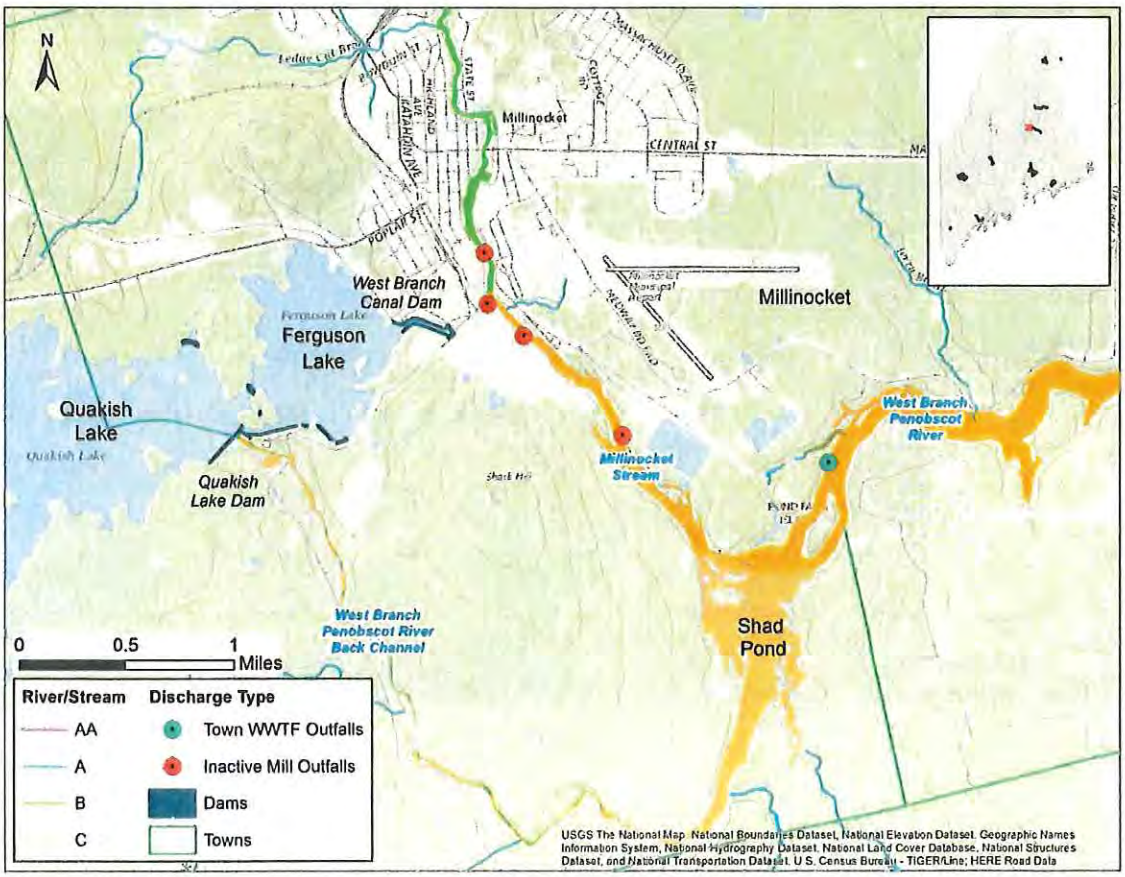
Basis: Closure of a pulp and paper mill has significantly improved the water quality in this segment. Millinocket Stream upstream of the West Branch Canal is Class B. The stream flows into a Class C section of the West Branch Penobscot River; this section is also proposed for upgrade.

Issues affected by reclassification: There are currently no discharges to this section of the stream. However, re-development efforts at the former mill site are underway and may result in new discharges and a re-issuance of the license. MDEP modeling indicates that new discharges at the actual discharge level that occurred between 2005 and 2009 at this site will not prevent attainment of Class B standards in both Millinocket Stream and the West Branch Penobscot River below its confluence with Millinocket Stream.

Recommend revising § 467(7)(C)(2)(d) as follows:

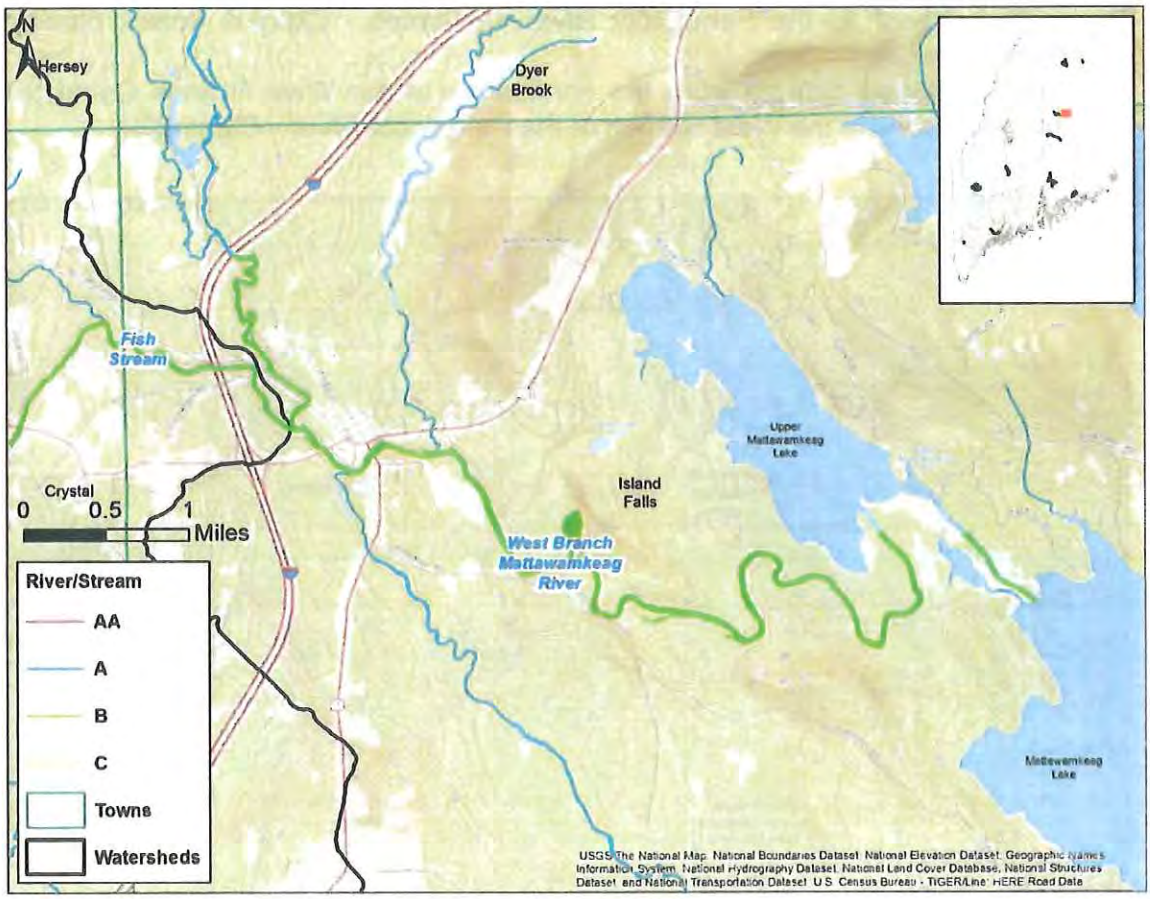
(2) West Branch of the Penobscot River, tributaries - Class A unless otherwise specified.

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



West Branch Mattawamkeag River from Interstate 95 to its confluence with Mattawamkeag Lake, Island Falls.
Propose Class B to Class A (9.2 miles).
Proposal: Department of Environmental Protection.
Basis: Data indicate attainment of Class A water quality standards. Previously existing wastewater discharge ended in 2009. Remainder of West Branch Mattawamkeag River and all of its tributaries, except for Fish Stream, are Class A; Fish Stream is also proposed for upgrade from Class B to Class A. The River below Mattawamkeag Lake has salmon rearing habitat.
Issues affected by reclassification: None.
Recommend revising § 467(7)(D)(2)(b) as follows:

(2) Mattawamkeag River, tributaries - Class A unless otherwise specified.
~~(b) West Branch Mattawamkeag River from Interstate 95 to its confluence with Mattawamkeag Lake - Class B.~~



Fish Stream, Mount Chase, Patten, Crystal and Island Falls.
Propose Class B to Class A (25 miles approx.).

Proposal: The Nature Conservancy (TNC).

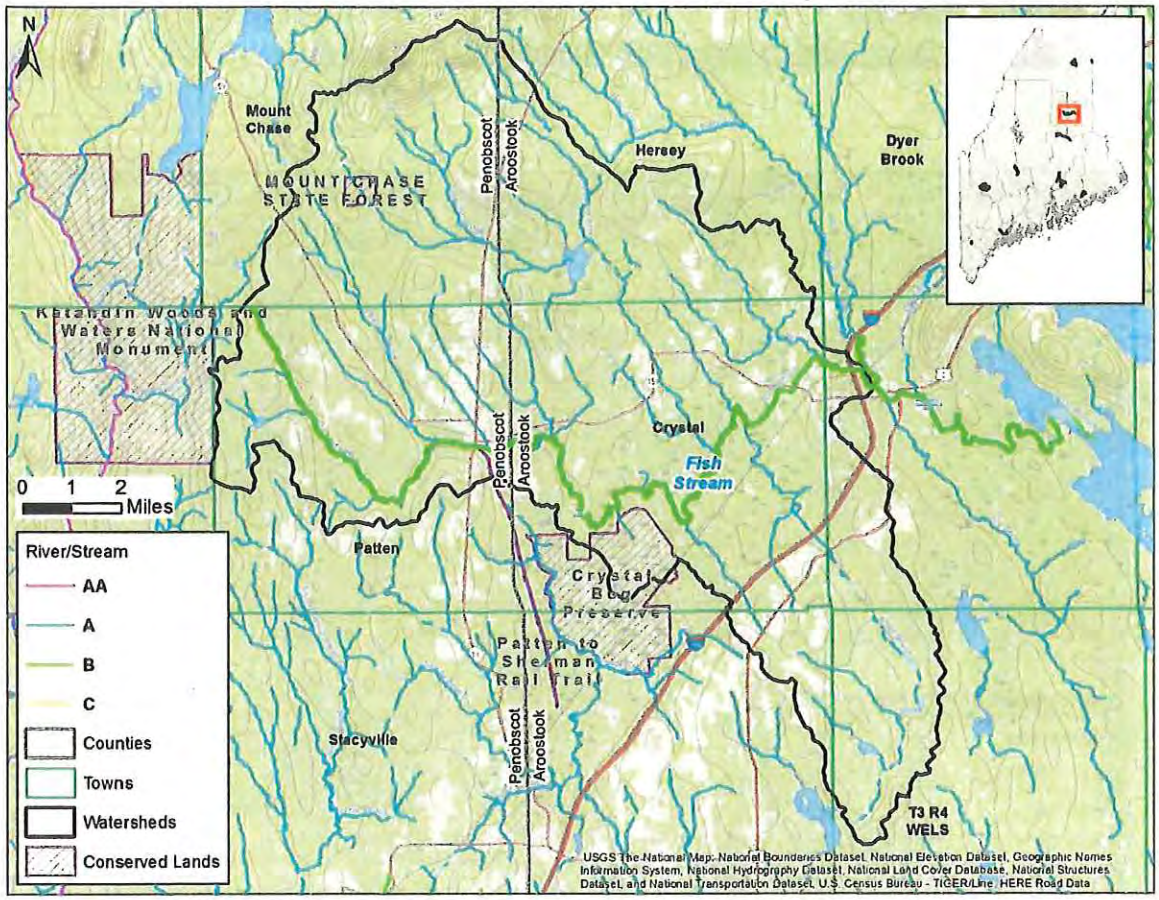
Basis: Fish Stream borders and drains the northern portion of TNC's Crystal Bog Preserve, a unique hydrologic feature in northern Maine. Previously existing wastewater discharge has been discontinued. MDEP monitoring data show that the stream attains Class A aquatic life criteria. Tributaries to Fish Stream are all Class A; West Branch Mattawamkeag River, which Fish Streams flows into, is Class B but is also proposed for upgrade to Class A. The watershed is largely forested.

Issues affected by reclassification: None.

Recommend revising § 467(7)(D)(2)(c) as follows:

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

~~(c) Fish Stream – Class B.~~

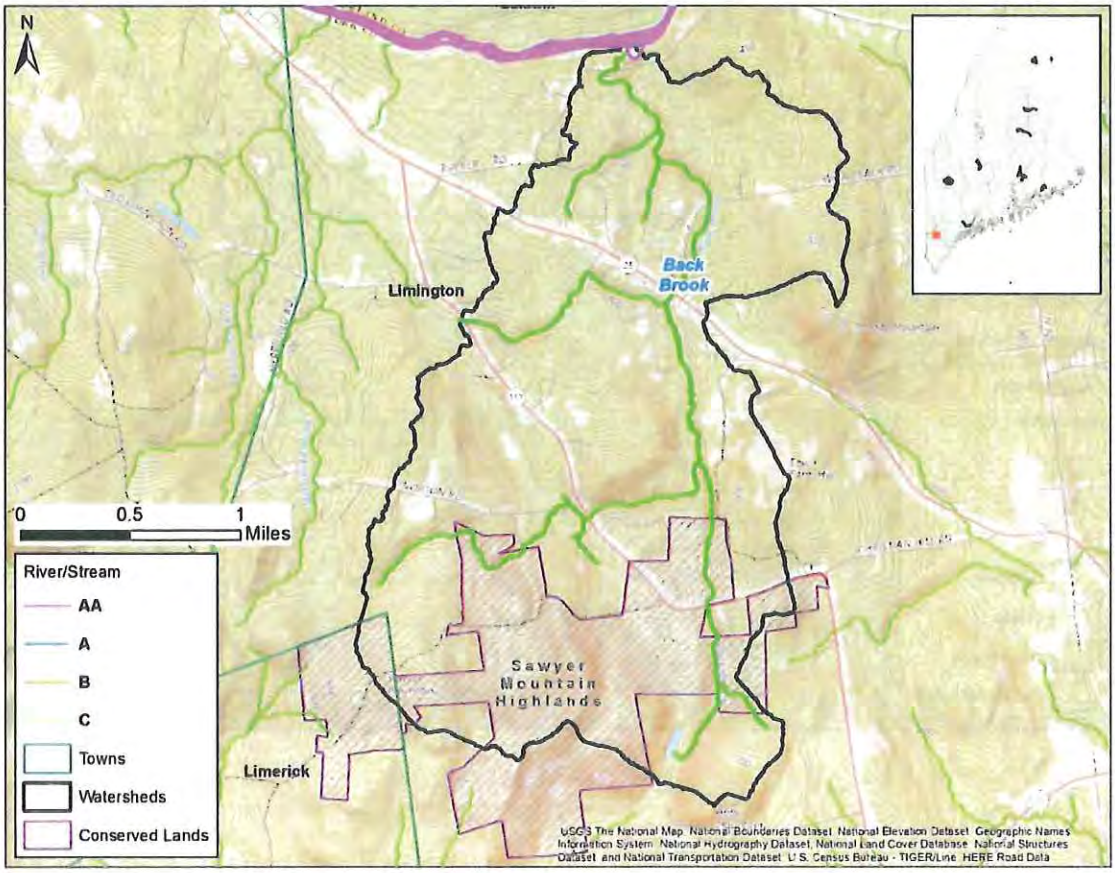


SACO RIVER BASIN

Back Brook and tributaries, Limington.
Propose Class B to Class A (13 miles approx.).
Proposal: Department of Environmental Protection.
Basis: Back Brook, a Class B tributary to a Class AA section of the Saco River, attains Class A aquatic life criteria. The brook supports a population of wild brook trout and is being stocked with juvenile Atlantic salmon. The watershed is ~90% forested and a significant portion is protected as conservation land by the Francis Small Heritage Trust, Inc. (Sawyer Mountain Highland). This represents a valuable opportunity to increase Class A segments in the southern Maine region.
Issues affected by reclassification: None. Tributaries are reasonably expected to attain Class A standards.
Recommend revising § 467(12)(B) as follows:

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

(5) Back Brook and its tributaries (Limington) – Class A.



ST. JOHN RIVER BASIN

Salmon Brook and tributaries above Rt. 228 crossing on main stem in Perham (Perham and Westmanland), and West Branch Salmon Brook and tributaries above the Washburn/Wade town line (T14 R5 WELS, Perham, Wade).
Propose Class B to Class A (48 miles approx.).

Proposal: The Nature Conservancy; Salmon Brook and its tributaries in Perham and surrounding towns.

Basis: Salmon Brook is the site of a dam removal and stream restoration project. Headwaters of Salmon Brook arise in the Salmon Brook Lake Public Reserve lot. Farms in the watershed have been the beneficiaries of significant nonpoint source control strategies. The MDIF&W recognizes the brook as a very high quality wild trout stream. The Maine Department of Marine Resources considers Salmon Brook and tributaries to be of special importance

Issues affected by reclassification: MDEP biological and chemical data indicate water quality issues in the lower watershed due to agricultural landuse. MDEP recommends limiting the waters to be upgraded to Salmon Brook above Rt. 228 and West Branch Salmon Brook above the Washburn-Wade town line (both including tributaries). Limited water quality data available but reasonably expected to attain Class A standards.

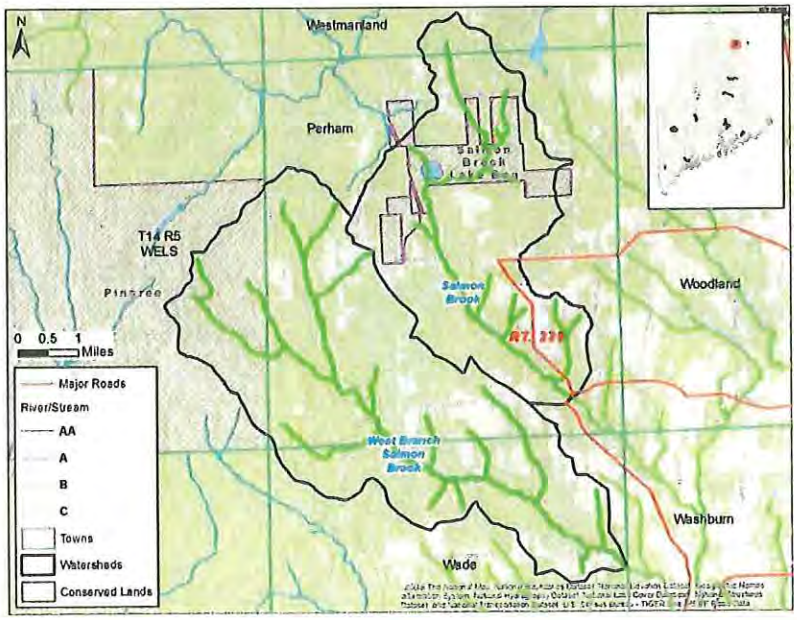
Recommend revising § 467(15)(C)(2) as follows:

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

(a) All tributaries of the Aroostook River entering below the confluence of the Machias River that are not otherwise classified - Class B.

(n) Salmon Brook and its tributaries (Perham, Westmanland) above Rt. 228 crossing on main stem in Perham – Class A.

(o) West Branch Salmon Brook and its tributaries (Wade, Perham, T14 R5 WELS) above the Washburn-Wade town line – Class A.

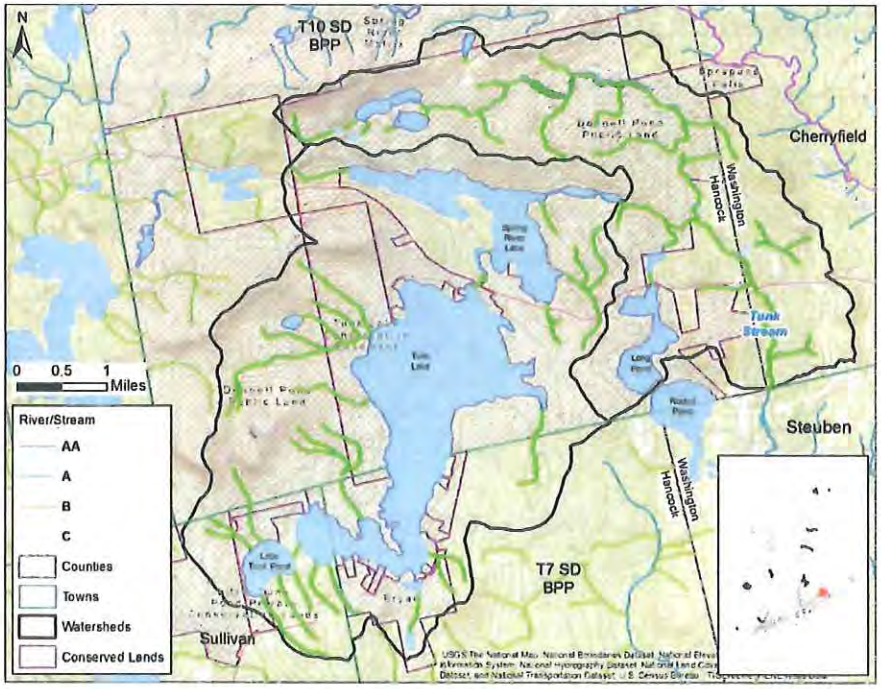


EASTERN COASTAL BASIN

Tunk Stream and tributaries (T7 SD, Sullivan, T10 SD, Cherryfield) upstream of Route 1, Steuben.
Propose Class B to Class A (68 miles approx.).
Proposal: Department of Environmental Protection.
Basis: Very high quality water with potential for restoration of Atlantic salmon. Tunk Lake supports landlocked salmon. Significant portion of the watershed in Public Reserve Land; watershed is ~80% forested. Tunk Stream attains Class A aquatic life criteria. Waters above Rt. 1 in Steuben were inadvertently omitted in 2003 upgrade of lower section of Tunk Stream and tributaries.
Issues affected by reclassification: None. Tributaries are reasonably expected to attain Class A standards.
Recommend revising §§ 468(2) and 468(8) as follows:

2. Hancock County.
N. Township 7 Southern Division.
(2) Tributaries to Tunk Stream – Class A.
O. Sullivan
(1) Tributaries to Tunk Stream – Class A.
P. Township 10 Southern Division.
(1) Tunk Stream and its tributaries – Class A.

8. Washington County.
P. Cherryfield.
1) Tunk Stream and its tributaries – Class A.



AMENDMENT TO STATUTORY LANGUAGE

PENOBSCOT RIVER BASIN

Penobscot River in Milford, Old Town, Bradley, Orono, Eddington and Veazie. Propose amendment to language (9.4 miles approx.).

Proposal: Penobscot Nation and The Nature Conservancy.

Basis: Currently, the classification of the river downstream of the former Veazie Dam provides that 'Further, the Legislature finds that the free-flowing habitat of this river segment provides irreplaceable social and economic benefits and that this use must be maintained'. With the recent removal of the Great Works and Veazie Dams it is recommended that the upper boundary of this special designation be moved upstream to the Milford Dam. This amendment will not change the current Class B designation of the segments upstream and downstream of the Milford Dam, it only provides protection for the free-flowing nature of the segment below the dam. Recent fish returns following the dam removals attest to the high value of this fish habitat and its restoration potential affecting several diadromous species, including Atlantic salmon, Atlantic sturgeon and shortnose sturgeon, which are all listed as endangered under the Endangered Species Act.

Issues affected by reclassification: There are three dams on the Stillwater Branch and this section of the Penobscot River is excluded from the expansion of the free-flowing designation.

Recommend revising § 467(7)(A)(5) as follows:

A. Penobscot River, main stem.

(5) From the West Enfield Dam, including the Stillwater Branch, to the ~~Veazie~~ Milford Dam, including all impoundments - Class B.

(6) From the ~~Veazie~~ Milford Dam, but not including the ~~Veazie~~ Milford Dam, to the Maine Central Railroad bridge in Bangor-Brewer - 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 must be maintained.

CORRECTION OF CLASSIFICATION ERROR

PENOBSCOT RIVER BASIN

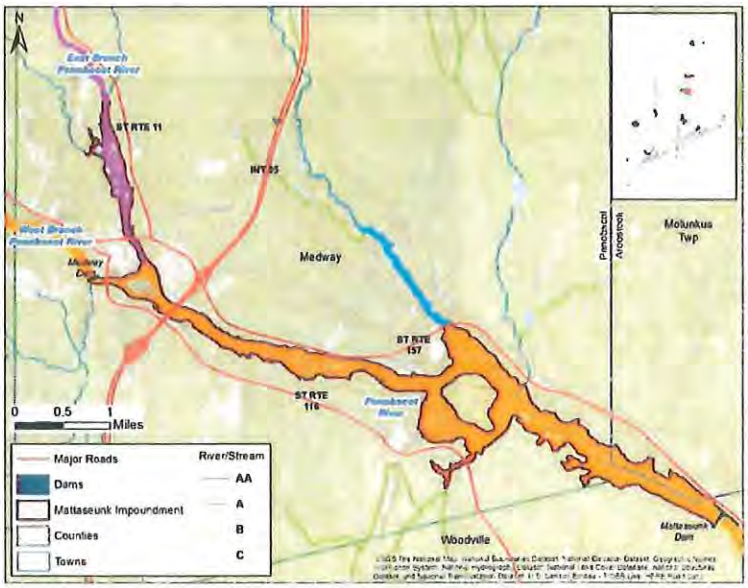
East Branch Penobscot River from its confluence with the Mattaceunk impoundment to its confluence with the West Branch Penobscot River, Medway. Correction of classification error (1.6 miles approx.).

Proposal: Department of Environmental Protection.

Basis: This item corrects an error in the 1990 (effective date 7/14/1990) re-classification of the East Branch Penobscot River from Class B to Class AA. This re-classification extended from a point located 1,000 feet downstream from the dam at the outlet of Grand Lake Mattagamon to its confluence with the West Branch Penobscot River. At the time of re-classification, the most downstream 1.6-mile segment of the East Branch Penobscot River was already impounded by the Mattaceunk Dam on the upper main stem Penobscot River and so did not meet the Class AA narrative criterion that the 'habitat must be characterized as free-flowing and natural'. This was an oversight by the Department that resulted in a drafting inaccuracy with respect to this impounded segment during the 1989/1990 re-classification effort; it will be resolved in the current effort by returning the segment in question to the original Class B designation.

Issues affected by reclassification: The Mattaceunk Dam on the upper main stem Penobscot River is currently undergoing relicensing. At the time of the last re-licensing of the dam in 1988, the lower East Branch Penobscot River was classified as Class B, as it had been since the current classification system had been instituted in 1985. Because that section of the East Branch is now Class AA, and thus must be 'free-flowing and natural', water quality standards in the Mattaceunk impoundment in the East Branch are not met, preventing relicensing of the dam. Water quality in that section of the impoundment does meet Class B criteria. The impounded sections in the main stem and the West Branch Penobscot River (below the Medway/Rockabema Dam) also attain Class B water quality standards and are proposed for upgrades from Class C to Class B.

This correction is only intended to clarify that the 1990 upgrade to the segment in question was not intended to necessarily prohibit the impoundment created by the existing Mattaceunk Dam. The segment in question does not, and did not at the time of the 1990 re-classification, meet the Class AA free-flowing and natural habitat criterion. This correction is not meant to allow the permitting of new licenses or development of new dams. There are no current discharges or dams in the section of river in question.



Recommend revising § 467(7)(B)(1) as follows:

B. Penobscot River, East Branch Drainage.

(c) From a point located 1,000 feet downstream from the dam at the outlet of Grand Lake Mattagamon to its confluence with the ~~West Branch~~ Mattaceunk (Mattaseunk) impoundment as it existed on July 14, 1990 - Class AA.

(d) From its confluence with the Mattaceunk (Mattaseunk) impoundment as it existed on July 14, 1990 to its confluence with the West Branch - Class B. Further, there may be no new direct discharges to this segment after January 1, 2019.

PROPOSALS NOT RECOMMENDED AT THIS TIME

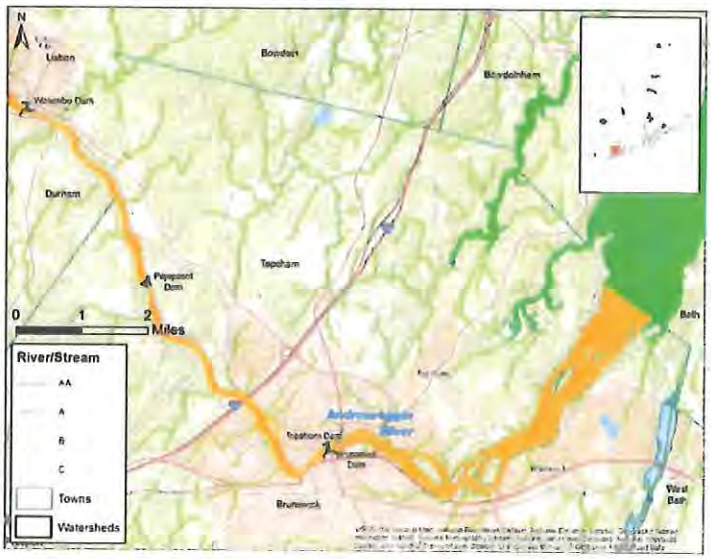
ANDROSCOGGIN RIVER BASIN

Androscoggin River main stem, Lisbon Falls, from Durham Boat Launch or Worumbo Dam, to mouth of the Androscoggin in Merrymeeting Bay (line between Pleasant Pt., Topsham and North Bath)
Propose Class C to Class B (14 miles approx.).

Proposal: Proposed by Friends of Merrymeeting Bay (FOMB)

Basis: According to FOMB data, water quality on this section of the Androscoggin River meets Class B standards and has largely done so since 2006.

Issues affected by reclassification: FOMB submitted 'Androscoggin River Data Reports' for 2009-2016. These reports are based on FOMB data and compiled by DEP's Volunteer River Monitoring Program for FOMB. They document that Class B criteria for early morning dissolved oxygen (DO) are not always attained in the lower Androscoggin River. Mean bacteria concentrations also attain Class B criteria but single-sample concentrations exceed Class B on occasion. The reports also document that a number of sources of pollution and stressors exist in the watershed, such as various point-source discharges, non-point source (NPS) pollution, impoundments, and natural wetlands. The watershed also has densely populated areas. These stressors exist not only within the segment itself but also upstream of the segment. Looking at the River more comprehensively, it is entirely Class C from the confluence with the Ellis River to Merrymeeting Bay (~100 miles), has a total of 14 dams, numerous dischargers, urban centers (including Lewiston, Auburn, Brunswick and Topsham) and significant agriculture.



An upgrade of this section of the river was proposed during the 2008-2009 re-classification initiative but was not recommended by the Department due to a lack of monitoring data and an up-to-date water quality model. With the intent of facilitating a future upgrade, the legislature directed MDEP to conduct water quality sampling on the lower Androscoggin River. Monitoring occurred in 2010 and the 'Lower Androscoggin River Basin Water Quality Study Modeling Report' was completed in March 2011. MDEP data showed that Class B water quality standards were met at certain times in certain segments of the river, but that DO and aquatic life failed to attain Class B criteria on various occasions. Modeling results indicated that no river segments proposed for upgrade would attain Class B DO criteria during critical conditions of high water temperature, low flow, and maximum licensed discharge levels. These critical

conditions are the conditions that the Department must consider when reissuing any of the several waste discharge licenses that currently exist in this segment. Non-attainment was also indicated even when licensed discharges were removed from the model. Class B non-attainment was attributable to upstream sources (including sources affecting tributaries), non-point sources and the effects of the three dams located in this section of the river. Below the Brunswick-Topsham Dam, incoming tides from Merrymeeting Bay and Sediment Oxygen Demand further contributed to Class B non-attainment, while the licensed discharge in this section had little impact. Because of the results of the Lower Androscoggin River Basin Water Quality Study, the Department testified in opposition to two upgrade bills before the legislature in 2011 and 2013, and neither bill advanced.

The Department is not aware of any changes in the watershed of this segment since 2010 that would significantly alter the conclusions of the current model. Therefore, the Department does not propose an upgrade of this section of the river at this time.

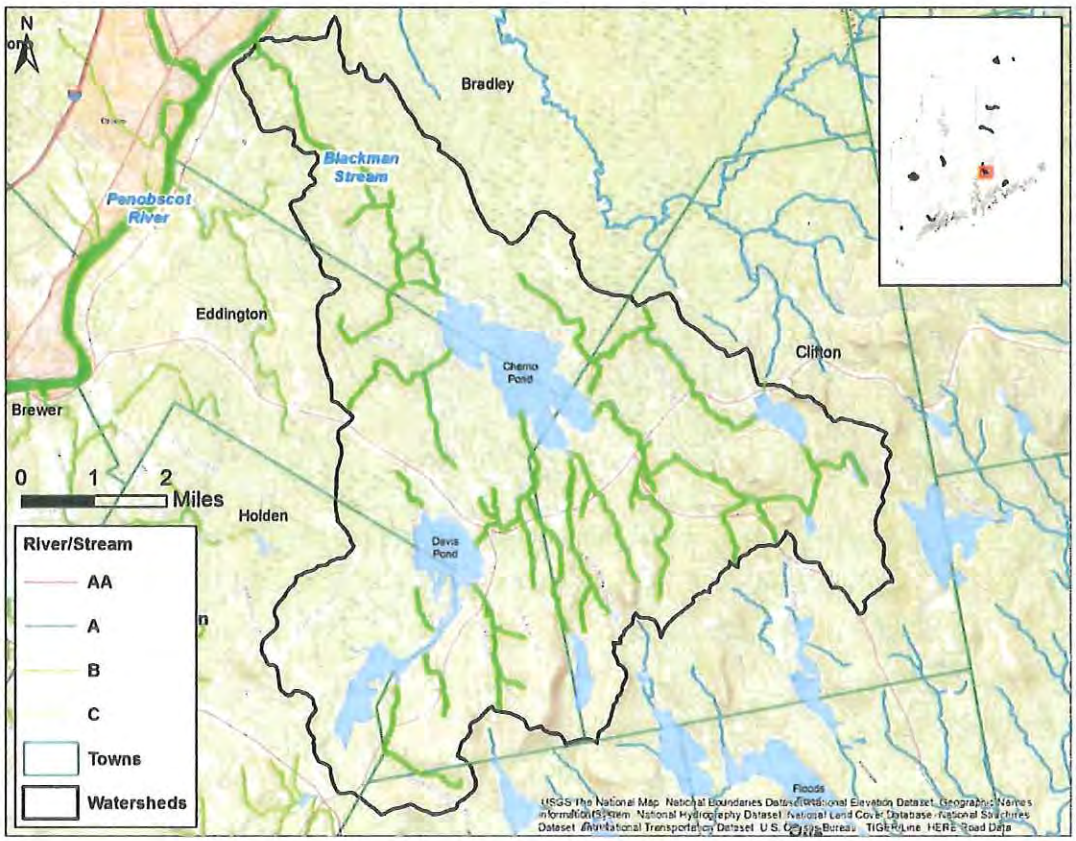
PENOBSCOT RIVER BASIN

Blackman Stream and tributaries, Bradley and surrounding towns.
Propose Class B to Class A (66 miles approx.).

Proposal: The Nature Conservancy.

Basis: Blackman Stream is the site of a highly successful fish restoration project, the site of the Maine Forest and Logging Museum, and has its watershed largely within the University of Maine Foundation's Penobscot Experimental Forest.

Issues affected by reclassification: Water quality in this segment appears to be affected by logging activities and some agricultural landuse. Biological communities did not meet Class GPA aquatic life standards in Davis Pond in 2016. Ponds in the watershed are all moderately productive suggesting some nutrient enrichment. In-stream monitoring data from Blackman Stream and some tributaries are needed to determine the likelihood of attainment of Class A standards.



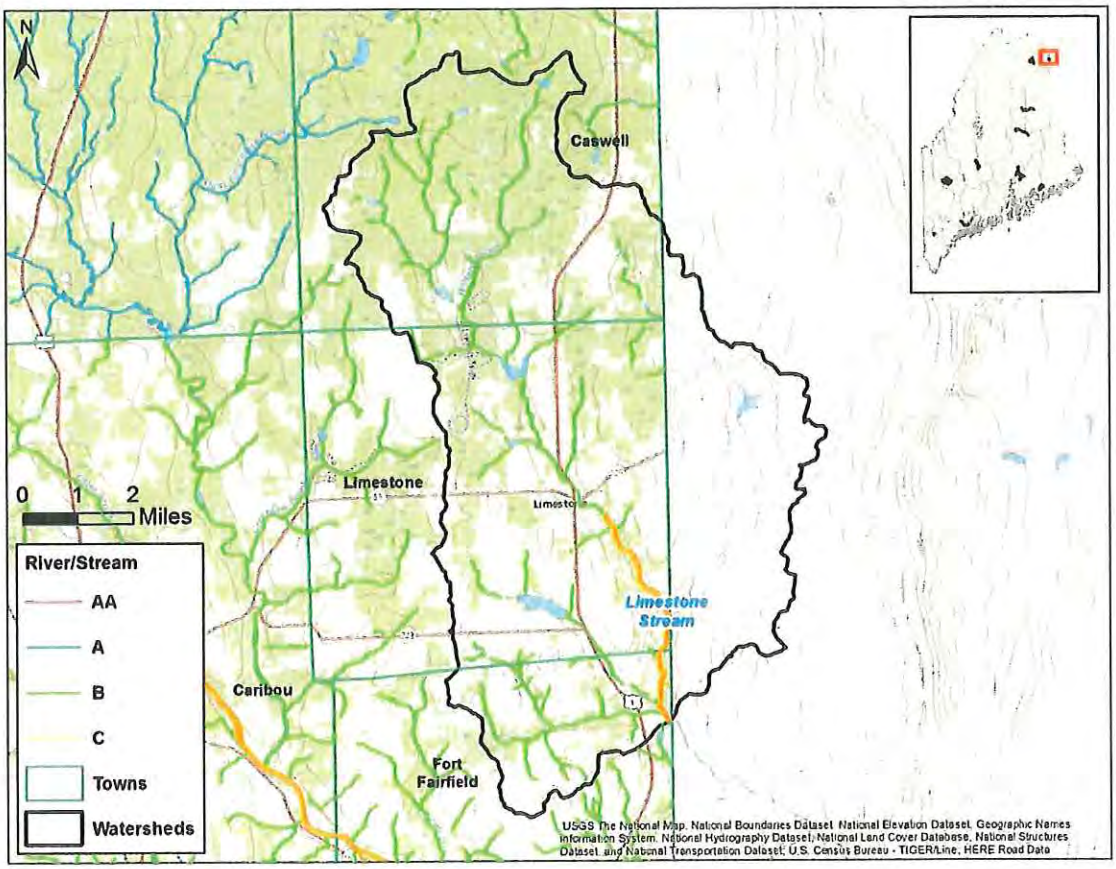
ST. JOHN RIVER BASIN

Limestone Stream, below Long Road, Limestone.
Propose Class C to Class B (4.5 miles).

Proposal: Citizen proposal.

Basis: Treatment plant was closed in 2010, the macroinvertebrate community met Class B aquatic life criteria in 2004 at two locations.

Issues affected by reclassification: Water quality in this segment appears to be affected by agricultural landuse, which is widespread upstream of and along the section of stream proposed for upgrade. Macroinvertebrates did attain Class B aquatic life criteria in 2004 at two locations, but only Class C criteria in 2014 at one location. Algae only attained Class C criteria in 2004 at two locations and in 2014 at one location. Nutrient concentrations in the stream are elevated. Given the intensive agricultural landuse in the watershed, it is not expected that the section of Limestone Stream below Long Road can attain Class B standards and thus MDEP does not recommend an upgrade at this time.



Appendix A: Summary of Water Quality Classification System

Maine's Water Quality Classification System

Purpose of Classification

Maine has had a water classification system since the 1950s. The classification system establishes water quality goals for the State. The classification system is used to direct the State in the management of its surface waters, protect the quality of those waters for the purposes intended by the Legislature, and where standards are not achieved, restore the quality to achieve those purposes. As directed by the federal Clean Water Act, the classification standards establish designated uses, related characteristics of those uses, the criteria necessary to protect those uses, and an antidegradation policy.

While it is desirable for the actual quality of a water to achieve the standards in any proposal to upgrade a classification, classification assignments can and should be made where there is a reasonable expectation for higher uses and quality to be attained. In accordance with the Clean Water Act, upgrades to classification are appropriate where it is socially or ecologically desirable to attain higher standards and where the technological and financial capacity exists to achieve those higher standards within a reasonable time. Any waste discharge licenses for the upgraded waters must be drafted by the Department with discharge limits for any pollutants that would prevent the water from meeting the higher standards. Once a classification assignment is made, and the uses and criteria are achieved, that goal is protected by the antidegradation provisions of the water quality statute, thus the law provides a mechanism for the State to continually move forward in the improvement and protection of water quality. Downgrades to classification have been infrequent and, as directed in State and federal law, are limited to situations where existing conditions do not afford the possibility to achieve the assigned class.

Water Quality Classes

The State has four classes for freshwater rivers and streams (AA, A, B and C), three classes for marine and estuarine waters (SA, SB and SC), and one class for lakes and ponds (GPA). The general statutory structure of each standard is that the first paragraph contains designated uses and characteristics, the second paragraph sets water quality criteria and the third paragraph establishes Maine's antidegradation policy (i.e. special provisions or restrictions on discharges or other activities). While there are some differences among the designated uses of the various classes, all classes include the minimum fishable-swimmable designated uses established in the federal Clean Water Act. The criteria established for each designated use in many cases will vary among classes. A summary of the river and stream criteria is provided in Table 1, below.

The classification system is goal-oriented where the Maine legislature has designated desired uses within water quality standards arrayed in a hierarchy of assigned classes. Considerations in assigning waterbodies to a class include existing water quality and

technical capability, economic and social aspects. A further consideration is the risk of degradation of a waterbody due to natural or human-caused events. Ecosystems that are more natural in their structure and function can be expected to be more resilient to a new stress and to show more rapid recovery. The highest classes, AA, SA and GPA, support the broadest range of uses, have the most restrictive limits on wastewater discharges and other human activities, and thus support the best water quality. Because of extensive restrictions on human activities, Class AA, SA and GPA waters experience a very small risk of degradation due to natural or human-caused events. Each successively lower class (Class B and SB, and C and SC) supports a narrower range of uses, has less restrictive limits on wastewater discharges and other human activities, and thus supports slightly lower water quality. The risk of degradation of a water body increases as limits on human activities decrease. In Classes C and SC, the margin for error before significant degradation might occur in the event of an additional stress being introduced (such as a spill or a drought) is the least. The Department's mandate under Maine's Water Classification Program is to manage water quality to meet the classification standards through application of its rules and programs.

While criteria are generally met for the designated uses when considering proposals for classification upgrades, one exception exists with respect to the fishing use. The Maine Center for Disease Control & Prevention has issued a fish consumption advisory for all Maine surface freshwaters due to the presence of mercury in fish tissue. The Center has also issued an advisory for fish and shellfish (including lobster tomalley) for all marine waters due to dioxins, mercury, and PCBs[1]. Mercury is a legacy pollutant that generally reaches Maine waters from sources beyond the region. Maine has taken aggressive action to reduce sources of mercury within the State's jurisdiction, but action from sources outside the State's boundaries will be required to provide the desired reduction of mercury in Maine's waters. Dioxins were primarily from Maine sources which have been reduced to legacy levels, while PCB sources have been both from Maine and beyond and are slowly diminishing to legacy levels. Non-attainment of the fishing use is thus not considered in re-classification proposals.

[1] PCBs are Polychlorinated Biphenyls.

Table 1: Designated Uses and Criteria for Maine River and Stream Classifications as of 8/1/2018.

Class	Designated Uses	Dissolved Oxygen Numeric Criteria	Bacteria (E. coli) Numeric Criteria	Habitat Narrative Criteria	Aquatic Life (Biological) Narrative Criteria**
Class AA	Aquatic Life Drinking Water Fishing Agriculture Recreation in/on the Water Navigation	As naturally occurs	As naturally occurs but may not exceed geometric mean of 64/100 ml over 90-day interval or 236/100 ml in more than 10% of samples in any 90-day interval	Free flowing and natural	No direct discharge of pollutants*; as naturally occurs**
Class A	Aquatic Life Drinking Water Fishing Agriculture Recreation in/on the Water Navigation Hydropower Industrial Process/Cooling Water	7 ppm or 75% saturation From 10/1 to 5/14, 7-day mean concentration not less than 9.5 ppm and 1-day minimum concentration not less than 8.0 ppm in identified fish spawning areas	As naturally occurs but may not exceed geometric mean of 64/100 ml over 90-day interval or 236/100 ml in more than 10% of samples in any 90-day interval	Natural	As naturally occurs**
Class B	Aquatic Life Drinking Water Fishing Agriculture Recreation in/on the Water Navigation Hydropower Industrial Process/Cooling Water	7 ppm or 75% saturation From 10/1 to 5/14, 7-day mean concentration not less than 9.5 ppm and 1-day minimum concentration not less than 8.0 ppm in identified fish spawning areas	May not exceed geometric mean of 64/100 ml over 90-day interval or 236/100 ml in more than 10% of samples in any 90-day interval from 4/15 to 10/31	Habitat for fish and other aquatic life, unimpaired	Discharges may not cause adverse impact to aquatic life in that the receiving waters must be of sufficient quality to support all indigenous aquatic species without detrimental changes to the resident biological community.**
Class C	Aquatic Life Drinking Water Fishing Agriculture Recreation in/on the Water Navigation Hydropower Industrial Process/Cooling Water	5 ppm or 60% saturation 6.5 ppm (monthly average) at 22° and 24°C	May not exceed geometric mean of 64/100 ml over 90-day interval or 236/100 ml in more than 10% of samples in any 90-day interval from 4/15 to 10/31	Habitat for fish and other aquatic life	Discharges may cause some changes to aquatic life, but the receiving waters must be of sufficient quality to support all species of indigenous fish and maintain the structure and function of the resident biological community.**

* Limited exceptions apply.

** Numeric biocriteria in Maine rule Chapter 579, Classification Attainment Evaluation Using Biological Criteria for Rivers and Streams.

Appendix B: Summary of Comments Received and Responses to Comments

Appendix B is organized in the order the proposals were presented to the Board for consideration.

Maine Department of Environmental Protection

2018 Water Quality Re-classification Initiative

Summary of Public Comments to the Board of Environmental Protection, and MDEP Responses

COMMENTS RECEIVED ON UPGRADE PROPOSALS

All Upgrade Proposals

Statewide, recommend revising 38 M.R.S. Sections 467 and 468. Proposed by various entities.

General expression of support: John Burrows, Atlantic Salmon Federation (ASF) and Maine Council of the ASF, Brunswick; Jean Berman, citizen, Peaks Island; Ben Boudreau, citizen; Chloe Chunn, citizen, Swanville; David Cloutier, citizen, South Portland; Peter Crockett, citizen, Argyle TWP; Representative Robert Duchesne, Maine Legislature, Hudson; David Kaufman, Energy Solutions, Waldoboro; Jordan Emerson, citizen; Allison Fleck, citizen, Castine; Ann Gass, citizen, Gray; Isaiah Gillis, citizen; Mary Goldsmith, citizen; Scott Guzman, citizen, Acton; Cynthia Handlen, citizen, Portland; Lesley M. Jones, citizen, Portland; Marissa Keminidi, citizen Susan Lauchlan, citizen, Waldo; Rachel Lyn, citizen; Emily MacGibeny, citizen, Belfast; Landis Hudson, Maine Rivers, Yarmouth; Alan Plummer, citizen; Elizabeth Rodriguez, citizen; Matt Scott, citizen, Belgrade; Gopi Donale Shelton, citizen; Kathleen Skilling, citizen; Karin Spitfire, citizen, Belfast; Greg Ponte, Trout Unlimited, Kennebec Valley chapter, West Gardiner; Paula Urbach, citizen; David Wessels, citizen, Knox; Eileen Wolper, citizen, Belfast.

Paraphrased comments in support: 185 citizens who signed a form letter of the Natural Resources Council of Maine (NRCM); see Appendix Table 1 for list of names.

1. DEP has proposed to upgrade more than 400 miles of rivers and streams (including tributaries to Webb Lake; Wesserunsett Stream and tributaries; West Branch Mattawamkeag River; Fish Stream). All of these water bodies are outstanding resources for Maine people and deserve increased protection.
2. Penobscot River Watershed:
   a. Upgrading the Penobscot River main stem from Medway to Mattawamkeag, the West Branch Penobscot River from the Millinocket area to Medway, and the lower part of Millinocket Stream to Class B is especially noteworthy and long overdue as these water bodies meet Class B standards and have for many years.
   b. MDEP modeling shows that substantial new industry could locate in Millinocket, discharge reasonable amounts of appropriately treated waste, and still meet Class B standards.
   c. Class B strikes a balance that would allow industry that is respectful of the river while still protecting it for the large numbers of people living downstream and the newly expanding populations of sea-run fish travelling upstream.
3. The Legislature deserves the opportunity to discuss these upgrades; we urge the BEP to pass the upgrades on to the Legislature as proposed.

Paraphrased comments in support: 34 citizens who signed the NRCM form letter but altered portions of it; see Appendix Table 2 for list of names.

1. Comments as noted above.
2. Maine contains the most extensive wild lands in all of the eastern part of our country. Besides the great people of our State, our unspoiled natural places are among our greatest assets. Clean lakes, rivers and streams contribute to the health of the entire environment and its inhabitants, including us. The importance of protecting water quality for future generations cannot be overemphasized.
3. Clean water is one of the basic requirements for life. In Maine we have worked hard to restore and preserve our rivers and streams, returning them to their more natural state where they have been industrialized and polluted, and keeping them wild and healthy where they have been able to thrive. For example, on the Penobscot River many stakeholders came to the table for a common cause, which has proved to be a success, bringing wildlife, fisheries and water quality back to healthy levels, and citizens back to recreation on the water. This story, carried nationwide, has made Maine an example of what can be accomplished. Supporting the proposed upgrades is timely and prudent, and will help strengthen the protections they need in this time of climatic upheaval and resource extraction pressure.
4. We have paddled and fished many Maine rivers for a long time, including some of the rivers proposed for upgrades. We know their recreational, restorative and scenic value first hand and consider this a rare opportunity to significantly increase the recreational paddling and fishing opportunities.
5. As small business owners relying on tourism, we are acutely aware of how important it is to protect the beauty and health of our waters and environment. Our clean lakes, rivers and streams bring many sportsmen to Maine (fishers, kayakers, canoers, and others who enjoy being on the water) and upgrading these waterbodies is beneficial to everyone and will help sustain and increase the tourism industry, including a guiding tradition that is unique to Maine.
6. I am a 79-year old, lifelong resident of Maine and dearly love our still open, clean sort of wild state. I have seen and smelled the effects of pollution created by careless disposal of industrial, municipal, residential and agricultural waste and observed the loss of habitat for fish and wild life caused by industrial development. Jobs are hard to find in this state and the loss of the paper industry is hard on many but the gains that have been made to our environment over the more recent years are encouraging. Letting the "big money" interests treat our state as a "third world nation to be exploited" may sound great to someone looking for a job but the low wages paid and the loss of our natural resources hardly justify any such spoilage of our real wealth. It's a complicated world and we need to value and keep our "green quality" and never turn back to the waste and spoilage of prior years.
7. As residents and visitors, business owners and nature lovers, fishers, other water-enthusiasts and conservationists, we are excited and hopeful about this opportunity to further the protection of the rivers and streams in this beautiful state. We urge the Board of Environmental Protection to forward MDEP's upgrade proposals to the Legislature. It is time for action. Thank you very much for caring about Maine's future health and economy, and for acting in Maine's best interests.

ANDROSCOGGIN RIVER BASIN

Tributaries to Webb Lake/Webb River

Tributaries to Webb Lake/Webb River in Weld and surrounding towns; upgrade from Class B to Class A (approx. 200 miles). Proposed by MDEP.

Recommend revising 38 M.R.S. Section 467(1)(D) as follows:

D. Androscoggin River, minor tributaries - Class B unless otherwise specified.
(9) Tributaries to Webb Lake – Class A

Paraphrased comments in support: Nick Bennett, Natural Resources Council of Maine, Augusta; Benjamin Hout, Selectman, Town of Weld.

1. The tributaries to Webb Lake are largely on public land in the Tumbledown Mountain watershed. Tumbledown may be the most hiked mountain in Maine and it receives very heavy use from hikers. The area also receives very heavy use from hunters and fishermen and these tributaries are first class brook trout streams. They are largely forested, with no discharges, so an upgrade is warranted.
2. The lake is the ecological heart of our area, and the economic engine of the Town of Weld. Its preservation is the perfect melding of ecological and economic concerns. I applaud your consideration of the tributaries that feed the lake, especially as sawdust, erosion, and other human activities are dramatically affecting the lake bottom and the lake as a whole.

No comments in opposition.

KENNEBEC RIVER BASIN

East Branch Wesserunsett Stream and Tributaries

East Branch Wesserunsett Stream above the downstream Rt. 150 crossing (Harmony Road), and all tributaries in Mayfield TWP, Brighton Plantation and Athens; upgrade from Class B to Class A (approx. 44 miles). Proposed by MDEP.

Recommend revising § 467(4)(I) as follows:

I. Kennebec River, minor tributaries - Class B unless otherwise specified.
(6) East Branch Wesserunsett Stream above the downstream Rt. 150 (Harmony Road) crossing in Athens – Class A.
(7) Tributaries to East Branch Wesserunsett Stream – Class A.

No comments in support or in opposition

Paraphrased general comment: Paul Porada, Woodard & Curran, Portland.

1. The description of the reclassification for the main stem East Branch Wesserunsett Stream is not sufficiently clear and could possibly lead to confusion. The description 'East Branch Wesserunsett Stream above the downstream Rt. 150 crossing' is unclear if

there is ambiguity about where the East and West Branch combine to form a main stem. The ambiguity can be removed by replacing "above the downstream Rt. 150 crossing" with "above the downstream Harmony Road crossing in Athens".

MDEP response
To ensure absolute clarity about the extent of the main stem upgrade, the description has been expanded to '...above the downstream Rt. 150 (Harmony Road) crossing...'.

PENOBSCOT RIVER BASIN

Upper Penobscot River Watershed

Upper main stem Penobscot River, West Branch Penobscot River, Millinocket Stream

General comments in support: Joanne Boynton, citizen, Belfast; Andrew Cadot, citizen, Portland; Natalie Charles, citizen, Belfast; Senator Geoff Gratwick, Bangor; Dennis King, citizen, Freeport; Bill Kreamer, citizen, Belfast; Susan Lauchlan, citizen, Waldo; Barbara Moore, Penobscot Nation, Indian Island; Angie Reed, citizen, Linneus; Bucky Owen, citizen, Orono; Michael Maybury, Penobscot River and Bay Institute/Penobscot Riverkeepers; Catherine Schmitt, citizen, Bangor; David Thanhauser, Penobscot River Paddling Trail, Swanville.

Paraphrased comments in support: Susan Dickson-Smith, citizen, Gouldsboro; Stephen Miller, Islesboro Island Land Trust, Islesboro; Janet Anderson, Archibald Gillies, Hanna Kerr, Sandra Oliver, Gabriel Pendleton, Phil Seymour, Town of Islesboro; Nick Bennett, Natural Resources Council of Maine, Augusta; Laurie Osher, Town of Orono; Dan Kusnierz, Kirk Francis and Maulian Dana, Penobscot Nation, Indian Island; Judith Simpson, citizen, Belfast.

1. Maine's Water Quality Resource Management law was enacted because of great public interest and concern in the State in promoting the general welfare, in preventing disease, in promoting health, in providing habitat for fish, shellfish and wildlife, as a source of recreational opportunity and as a resource for commerce and industry. Title 38 M.R.S. Section 464 declares that it is the State's objective to restore and maintain the chemical, physical and biological integrity of the State's waters and to preserve certain pristine state waters. Section 464 also states when the actual quality of any classified water exceeds the minimum standards of the next highest classification that higher water quality must be maintained and protected. The Board shall recommend to the Legislature that that water be reclassified in the next higher class. This reclassification process is long overdue. The Clean Water Act requires that states and tribes review their water quality standards every three years. The last time that Maine conducted a comprehensive reclassification review was in 2008.
2. Penobscot Nation
    a. Most of the Penobscot River basin proposals were submitted by the Penobscot Nation to MDEP during its solicitation process in 2017. They are based on the results of extensive water quality monitoring (for dissolved oxygen, temperature, bacteria, and aquatic insects) conducted by the Penobscot Nation Water Resources Program over many years at many locations and during a wide variety of conditions, including during the time when the East Millinocket Great Northern mill was operational. Aquatic insect monitoring shows that Class B aquatic life criteria were met downstream of the mills in Millinocket and East Millinocket as far back as 1995 when both mills were operating. Our data for the lower West Branch and upper main stem Penobscot River clearly demonstrate that these segments have been meeting

Class B criteria for at least the past 10 years; thus these segments meet the requirements under 38 M.R.S. Section 464 and they should be recommended to the Legislature for upgrade.

b. The recovery of Penobscot River over the past 10 to 15 years is remarkable. Areas of the river that once smelled bad, had sheets of foam, and were so dark that you could not see the bottom are now clean and clear. Blooms of algae or cyanobacteria that extended all the way from Dolby Pond to the coast are no longer present. Through huge investments in money and efforts, barriers to fish migration have been removed and numerous species of native sea run fish are now returning to their historical spawning areas and restoring the aquatic ecosystems.
c. As a riverine people, the Penobscot Tribe depends upon the resources of the Penobscot River for food, medicine, ceremonies and it is a huge part of our cultural identity and survival as a people. We have an inherent and sovereign right to sustenance fishing in the river and many of our citizens hunt the island and gather natural materials and medicines on the lands and waters. We also have entrepreneurs and business owners who guide and utilize the territory in responsible and harmonious ways. The river is simply the life blood of the Tribe and the health of the Penobscot people is critically dependent on the health of the Penobscot River. It is our responsibility to look after and care for it so it can take care of us. We take this responsibility very seriously and have developed and invested in our natural resource programs to carry out this work. Historically, industry and others have not been so respectful to the river and their use of it. Dams have blocked passage of fish to carry out their life cycles, log drives have littered the bottom of the river with logs, water pollution from discharges have caused much damage to the water quality of the river and prevented us from eating fish for sustenance purpose, which we have depended on for thousands of years.
d. We understand and are sensitive to the need for economic development in communities here in Maine. We too have our own challenges in regards to jobs. However, we believe that economic development should not be done at the expense of degrading our environment and there needs to be a balance. Instead, we should recognize the importance and tremendous value of clean water and what it has to offer not only the Penobscot Tribe, but all people in Maine. A healthy river that supports the fish, wildlife and ecosystem is good for our economy. These proposed upgrades still would allow for new economic and industrial development at a level that is respectful to the river.

3. Other commenters
   a. Maine's Water Quality Resource Management law is especially important to Islesboro and the region around it. What comes down the Penobscot River affects Islesboro and thus improvements in water quality represent improvements in the quality of the water around the island. Clean water forms the lifeblood of town economy and many businesses and private parties depend on the actual and perceived sparkling aquatic environment that encircles our archipelago. The Town of Islesboro Select Board consistently supports efforts to improve and protect water quality in the watershed, and voted unanimously to request that the BEP support these proposals and recommend them to the Legislature.
   b. MDEP has a special responsibility to protect the Penobscot River, because the nation that bears its name has been poisoned over the years by industrial pollution in the river they consider sacred. The river should be able to provide them with a subsistence fishery. The Penobscot Nation has been such good stewards to the river, keeping the waters clear, safe and beautiful based upon their wisdom of health and beauty, and doing outstanding water quality science to try to maintain the health

of their river. It is our responsibility, as a state, to support them in their efforts to restore their river to a state of health.

c. Class B is not a no-discharge classification. The lower West Branch Penobscot River and the upper main stem have been meeting Class B standards for many years, even while the mills in Millinocket and East Millinocket were discharging. It is time for the classifications in law to reflect the classifications in reality. MDEP modeling results show that a discharge of around 4,000 pound per day of biochemical oxygen demand (BOD) from the Millinocket area to the river is possible and not preclude Class B standards downstream. 4,000 pounds of BOD allows for a big discharge, although not as big as the discharges from the local mills as they were in the 1950s. For comparison, the Verso Jay mill is a big facility with a significant discharge and during the last three years it never discharged more than 3,000 pounds per day of BOD. MDEP estimates that a BOD discharge of 4,000 pounds per day in the Millinocket area is compatible with Class B standards. That is a big discharge, and NRCM does not anticipate that the types of industries coming into that area are going to have anything like that discharge.

4. The Board does not have the final say on water quality standards and water quality classifications, the Legislature does and that is the right place for those decisions to be made. These proposals deserve a hearing before the Legislature and we respectfully ask that the Board recommend them to the Legislature.

Upper Main Stem Penobscot River

Confluence of East and West Branches to confluence with Mattawamkeag River, including all impoundments; Medway, Molunkus TWP, Woodville, and Mattawamkeag; upgrade from Class C to Class B (approx. 13 miles). Proposed by Penobscot Nation and The Nature Conservancy.

Recommend revising § 467(7)(A)(1) as follows:

A. Penobscot River, main stem.

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

General comment in support: Paul Sheridan, citizen, Northport.

Paraphrased comments in support: John Burrows, Atlantic Salmon Federation (ASF) and Maine Council of the ASF (MC-ASF), Brunswick; Landis Hudson, Maine Rivers, Yarmouth.

1. As long-time advocates and proponents for restoring sea-run fisheries to the Penobscot River, ASF/MC-ASF are particularly pleased to see a number of proposed upgrades in the upper portions of the Penobscot watershed, including the mainstem Penobscot from Medway to Mattawamkeag. These upgrades are warranted and long overdue.
2. Maine Rivers in particular endorses this proposal, which is warranted by the evidence collected by the Department. Class B would still leave room for ecologically sound economic development.

Paraphrased comments in opposition: John Davis, Town of Millinocket – see 'Paraphrased comments in opposition' under 'West Branch Penobscot River and Millinocket Stream', below.

MDEP response
See '**MDEP response**' under 'West Branch Penobscot River and Millinocket Stream', below.

West Branch Penobscot River – Back Channel Reach

West Branch Penobscot River from the outlet of Quakish/Ferguson Lakes to its confluence with the East Branch Penobscot River, Millinocket, T3 Indian Purchase TWP, and Medway; upgrade from Class C to Class B (approx. 14.3 miles). Proposed by Penobscot Nation (PN).

Recommend revising § 467(7)(C)(1)(f) as follows:

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

(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~~B.

Paraphrased comment in opposition: Kelly Maloney, Brookfield Renewable, Lewiston.

1. We are providing MDEP with our analysis for generation and annual revenue impacts associated with the proposal to increase Back Channel flows by 50 cfs (cubic feet per second), 300 cfs, 350 cfs, and 15% of station flow. Annual impacts amount to $132,000, $800,000 and $932,000, and $1,912,000, respectively.
2. Our analysis accounts for the impending conversion of three Millinocket Hydro 40 Hz generator units to 60 Hz units. Our analysis is based on the long term average generation, converted to flow given that North Twin is a storage facility that provides flow to Millinocket Hydro. The capacity of North Twin is 4,100 cfs and Millinocket Hydro will be 4,600 cfs following the conversion so all flow from North Twin up to its maximum capacity is used entirely by Millinocket Hydro and any flows diverted to the Back Channel would have a direct impact to generation, particularly since long term average monthly flows typically do not exceed the station capacities. Any effect to the reserve and capacity markets and to ancillary services would be negligible.
3. We understand that MDEP used StreamStats for monthly flows to determine that the watershed should be able to produce enough water to meet power generation needs at 2,000 cfs and aquatic habitat needs at 300 cfs in the West Branch. Our analysis is based on actual long term averages, and as stated above our capacities are much greater than 2,000 cfs at both facilities.
4. As previously stated, given MDEP's waiver of certification of this reach given existing hydrologic conditions, the proposal would not technically represent an upgrade from Class C to B.

MDEP response
The Department acknowledges the comments and has reconsidered the previously recommended upgrade for the West Branch Penobscot River Back Channel reach (i.e. outlet of Quakish/Ferguson Lakes to confluence with Millinocket Stream). The Back Channel reach is the only portion of the prior proposal that does not presently meet its current Class C classification due to low water flow issues created by operations at the Millinocket Hydro facility, which has also resulted in a general lack of meaningful data available for Department analysis of the Back Channel. This situation will need to be addressed during the Millinocket Hydro

facility's water quality recertification process, which is expected to occur in 2024 in connection with federal relicensing of that facility. The Department recommends deferring consideration of any re-classification proposal for the West Branch Penobscot River Back Channel reach until after recertification and relicensing of the Millinocket Hydro facility are complete. Accordingly, the Department has removed the Back Channel reach from the revised recommendations. With this removal, the revised upgrade recommendations for the lower West Branch Penobscot River are now as follows:

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

(f) From the outlet of Ferguson and Quakish Lakes to its confluence with ~~the~~ Millinocket Stream - Class C.

(g) From the confluence with Millinocket Stream to its confluence with the East Branch of the Penobscot River, including all impoundments - Class B.

The fact that the Department may have waived water quality certification in 1993 for the West Branch Penobscot River Back Channel reach during the Millinocket Hydro facility's last federal license renewal process does not mean that it will waive certification again in 2024. Any claim of waiver of State water quality certification with respect to that prior relicensing process did not and cannot affect the statutory status of the Back Channel reach as part of the West Branch Penobscot River, which currently remains classified as Class C under 38 M.R.S. § 467(7)(C)(1)(f). Per 38 M.R.S. § 464(2)(D), the Maine Legislature has the sole authority to make any such classification changes, which were not implicitly changed through any prior State water quality certification process by the Department.

West Branch Penobscot River and Millinocket Stream

West Branch Penobscot River

West Branch Penobscot River from the outlet of Quakish/Ferguson Lakes to its confluence with the East Branch Penobscot River, Millinocket, T3 Indian Purchase TWP, and Medway; upgrade from Class C to Class B (approx. 14.3 miles). Proposed by Penobscot Nation.

As noted in the preceding item, the Department is amending the extent of the West Branch Penobscot River segment proposed for upgrade to this sub-section:
West Branch Penobscot River from the confluence with Millinocket Stream to its confluence with the East Branch Penobscot River, Millinocket, T3 Indian Purchase TWP, and Medway; upgrade from Class C to Class B (approx. 9.3 miles). Proposed by Penobscot Nation and amended by MDEP.

Recommend revising § 467(7)(C)(1)(f) as follows:

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

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

(g) From the confluence with Millinocket Stream to its confluence with the East Branch of the Penobscot River, including all impoundments - Class B.

Millinocket Stream

Confluence with West Branch Canal to confluence with West Branch Penobscot River, Millinocket; upgrade from Class C to Class B (approx. 2.4 miles). Proposed by MDEP.

Recommend revising § 467(7)(C)(2)(d) as follows:

(2) West Branch of the Penobscot River, tributaries - Class A unless otherwise specified.
(d) Millinocket Stream from the confluence of the West Branch Canal to its confluence with the West Branch of the Penobscot River - Class ~~C~~B.

General expression of support: Algirdas Nakas, citizen, Millinocket; Marissa Keminidi, citizen.

Paraphrased comments in support: John Burrows, Atlantic Salmon Federation (ASF) and Maine Council of the ASF (MC-ASF), Brunswick; Landis Hudson, Maine Rivers, Yarmouth; Barbara Moore, Penobscot Nation, Indian Island.

1. As long-time advocates and proponents for restoring sea-run fisheries to the Penobscot River, ASF/MC-ASF are particularly pleased to see a number of proposed upgrades in the upper portions of the Penobscot watershed, including the West Branch from Millinocket to Medway and the lower reach of Millinocket Stream. These upgrades are warranted and long overdue.
2. Maine Rivers in particular endorses the West Branch proposal, which is warranted by the evidence collected by the Department. Class B would still leave room for ecologically sound economic development
3. I am in favor of upgrading all waterbodies and especially those which are more northern, which empty into all of the other lower bodies. Excluding one particular area, especially because it is at the northern part that empties into all of the others would not make any sense to me.

Paraphrased comments in opposition: Michael J. Murphy, Katahdin Motors, Millinocket; Steve Sanders, Our Katahdin, Millinocket; John Davis and Michael Madore, Town of Millinocket.

1. We oppose the Board's proposal to change the water quality classification in our region. We have lost half our population and our unemployment rate is one of the highest in the state. We feel that the proposed re-classification would have an adverse effect on Our Katahdin, development of our mill site, our community and Penobscot County as a whole, while ignoring the economic needs of this entire region. The dampening effect of the uncertainty created by the current re-classification proposal creates uncertainty for serious prospects, and precludes countless other potential prospects from even considering Millinocket as a site location.
2. Katahdin Motors regards the re-classification proposal as a thinly veiled attempt at discouraging prospective tenants of the "Our Katahdin" industrial park. We take pride in the health of the river as it is, and do not want or need a change in the classification of Millinocket Stream. The best thing for this region and state is to leave the classification alone. Any uncertainty coming from bureaucratic wrangling is like a giant iron hand clasp upon the mouths and nostrils of our economy.
3. Since closure of the mill in 2008, substantial efforts have commenced to locate industry on the former mill site, and recently a public/private partnership comprised of the Town and Our Katahdin took on the task of moving the region's economy forward. Our attempts are coordinated and comprehensive seeking to place suitable industries of a diverse nature to rebalance and energize the region's economy. While the tourism

economy has made excellent strides it cannot be the sole cornerstone of our new economy.

4. When Our Katahdin purchased the company GNP West, it assumed ownership of existing liabilities and assets. One asset is an active wastewater discharge license with an application for renewal in accordance with Class C standards. This permit is of interest to several of the 54 businesses that are interested in our development. We firmly believe that we can redevelop the mill site with modern industries that do not discharge in the same manner as the former pulp and paper mills. However, several interested industries represent emerging technologies that do not have permitted facilities anywhere in the world, so the discharge requirements are unknown. We do not want to be hampered by having restrictions placed on something that has not developed yet.
5. The numeric criteria for bacteria would decrease under Class B and make it more difficult for our wastewater treatment plant to meet water quality standards. We will then need to find money to upgrade the facility in the absence of a tax base that could undertake such an endeavor.
6. While we do support examining the potential for water reclassification at the recommended intervals, we are asking for a delay in the reclassification of Millinocket Stream until we have started developing the former mill site. We hope that within three years we have more clarity on discharge requirements of the industries located at the site. Once businesses are in place and Class B standards are met, it may be prudent to change the classification from Class C to Class B.

MDEP response

The commenters raise various concerns regarding how upgrades may affect future development efforts in the Millinocket region. However, both the monitoring data and modeling results that the Department considered in evaluating these proposals indicate that Class B water quality standards are currently being attained. In the West Branch Penobscot River, Class B standards have been attained for at least the past 10 years. The commenters generally do not make any arguments or submit any evidence calling into question the Department's attainment findings for these segments. Under a provision of Maine's statutory antidegradation policy (38 M.R.S. § 464(4)(F)(4))[1], "(w)hen the actual quality of any classified water exceeds the minimum standards of the next highest classification, that higher water quality must be maintained and protected. The board shall recommend to the Legislature that that water be reclassified in the next higher classification." Given this statutory directive, and in light of the lack of evidence and arguments calling into question the Department's attainment findings, the Department believes that it must recommend to the Legislature that it make these proposed classification upgrades to the West Branch Penobscot River (as revised, without the Back Channel reach) and to Millinocket Stream. Because monitoring data and modeling results considered by the Department also show that Class B standards have similarly been attained for at least the past 10 years in the upper main stem Penobscot River (from the confluence of the East and West Branches to the confluence with Mattawamkeag River), the Department is also recommending an upgrade for that segment from Class C to Class B.

The Department's modeling shows that new discharges at the actual levels discharged at the former mill site between 2005 and 2009 would not prevent attainment of upgraded Class B standards in these segments, and the Department expects that any modern development would be able to obtain a discharge license for that segment under Class B standards.

[1] The federal Clean Water Act has a corresponding provision in 40 C.F.R. § 131.12(a)(2).

In terms of the effect of an upgrade on the Millinocket wastewater treatment facility (WWTF), which discharges to the West Branch Penobscot River, discharge licenses use *Escherichia coli* geometric mean criteria for monthly average bacteria limits. The Class B *E. coli* geometric mean criterion is 64 CFU/100 ml while the Class C criterion is 100 CFU/100 ml (Table 1)[2]. Between May 2015 and September 2018, the monthly average bacteria values for the Millinocket WWTF ranged from 1 to 34 CFU/100 ml, and were thus significantly below the Class B limit of 64 CFU/100 ml. It is noted that the Class B limit of 64 CFU/100 ml is routinely met by numerous treatment facilities across the state using a disinfection process similar to the Millinocket WWTF.

Daily maximum permit limits are typically 427 CFU/100 ml for Class B and 949 CFU/100 ml for Class C, but these limits assume and are dependent on the levels of dilution at the point of discharge, as reflected in Table 1 below. During the same timeframe as noted above, daily maximum values ranged from 2 to 816 CFU/100 ml, with three records exceeding the typical Class B limit of 427 CFU/100 ml. However, because of the relatively large dilution (617:1) at the point of discharge for the Millinocket WWTF, and in consideration of the re-classification upgrade, the Department expects to be able to carry the current Millinocket WWTF daily permit maximum of 949 CFU/100 ml forward in the next license renewal (in 2021) and still meet all Class B standards, thus eliminating concerns about the impact of an upgrade on the facility.

Both Class B and C bacteria criteria have the same seasonality as well as duration and frequency components.

Table 1: Bacteria (*E. coli*) permit limits and Millinocket WWTF records; values are given in CFU/100 ml.

	Monthly average	Facility range (5/15 - 9/18)	Daily maximum	Facility range (5/15 - 9/18)
Class B	64	1 - 34	427 (if dilution >1.1)	2 - 816
Class C	100		949 (if dilution >6.5)	

West Branch Mattawamkeag River

From Interstate 95 to confluence with Mattawamkeag Lake, Island Falls; upgrade from Class B to Class A (approx. 9.2 miles). Proposed by MDEP.

Recommend revising 467(7)(D)(2)(b) as follows:

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

~~(b) West Branch Mattawamkeag River from Interstate 95 to its confluence with Mattawamkeag Lake - Class B.~~

[2] The Class C criterion of 100 CFU/100 ml became law on August 1, 2018. Previously the Class C criterion was 126 CFU/100 ml. Permit limits are being adjusted upon renewal to reflect this change.

Paraphrased comment in support: John Burrows, Atlantic Salmon Federation (ASF) and Maine Council of the ASF, Brunswick.

1. As long-time advocates and proponents for restoring sea-run fisheries to the Penobscot River, we are particularly pleased to see a number of proposed upgrades in the Penobscot watershed, including a significant portion of the West Branch Mattawamkeag River near Island Falls. These upgrades are warranted and long overdue.

Paraphrased comments in opposition: Jutta Beyer, Laura Farnsworth, Darrel Hartin, Clarissa Porter, and Frank Porter, Town of Island Falls.

1. We are deeply concerned that an upgrade to Class A can only be counter to our economic development efforts in attracting new business to our area and along this stream.
2. The Town has many questions: Will re-classification impact development along the riverfront? What businesses could move into the buildings of the old factory? Will re-classification affect buildings on the edge of the river through shoreline zoning? Will we need to eliminate septic systems and build a wastewater treatment plant? Is road runoff into the river a problem? Can we build a river walk? Will Town policies be affected? Will re-classification affect land valuations?

MDEP response

The commenters raise various concerns regarding how an upgrade to Class A may affect future development efforts in the Island Falls area.[3] While the Department is unaware of any pending discharge license applications or current development efforts in the immediate area, any new development or re-development of an existing site might be affected if it required a license for a discharge to the West Branch Mattawamkeag River because Class A standards are stricter than Class B standards. However, the monitoring data that the Department considered in evaluating this proposed upgrade indicates that Class A water quality standards are currently being attained in this segment, and the commenters generally do not make any arguments or submit any evidence calling into question the Department's attainment finding. Under a provision of Maine's statutory antidegradation policy (38 M.R.S. § 464(4)(F)(4)), "(w)hen the actual quality of any classified water exceeds the minimum standards of the next highest classification, that higher water quality must be maintained and protected. The board shall recommend to the Legislature that that water be reclassified in the next higher classification." Given this statutory directive, and in light of the lack of evidence and arguments calling into question the Department's attainment finding for this segment, the Department believes that it must recommend to the Legislature that it make this proposed upgrade to Class A.

Shoreland zoning is independent of water classification. Based on the Department's general understanding of the conditions in the Town of Island Falls, it does not believe that the recommended upgrade will require the construction of a new wastewater treatment plant. The Department is unable to respond to hypothetical questions and scenarios regarding other potential effects of the recommended upgrade, which would depend on the Department's consideration of actual and specific facts and circumstances.

[3] Following up on a recommendation by Board Chairman Parker at the 9/20/2018 re-classification hearing, the Department had a conference call with the Town of Island Falls on 10/3/2018, to discuss the Town's questions regarding this particular upgrade proposal before the end of the public comment period.

Fish Stream

Mount Chase, Patten, Crystal and Island Falls; upgrade from Class B to Class A (approx. 25 miles). Proposed by The Nature Conservancy.

Recommend revising 467(7)(D)(2)(c) as follows:

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

~~(c) Fish Stream - Class B.~~

General comment in support: Paul Sheridan, citizen, Northport.

Paraphrased comments in support: Chloe Chunn, citizen, Swanville; Nick Bennett, Natural Resources Council of Maine, Augusta.

1. Much of Fish Stream goes through Crystal Bog, which is a bog and fen with many rare plants and animals. It has 16 different species of orchids and the eastern-most stand of the white fringed prairie orchid. Of the approximately 50 species of sphagnum that occur in Maine about half are in that one area. Crystal Bog is recognized nationally and by the Maine Natural Areas Program as a very outstanding natural feature in Maine.
2. Fish Stream in Patten has very high-quality habitat. This is a very worthwhile upgrade proposal and NRCM supports it strongly.

Paraphrased comments in opposition: Raymond Foss, Martin McCarthy, Ken Perkins, Reginald Porter Sr., Lana Tucker, Gregg Smallwood, Town of Patten.

1. The Town of Patten opposes the proposed upgrade.
2. The waterways were and remain the lifeblood of our communities. Fish Stream was the center of commerce for early mills; currently Haymart occupies the old mill and uses it for grain storage. An upgrade could create undue burdens on future development. We are concerned about the need for the classification change and about possible impacts this change could have on: downtown development; other industrial or commercial usage upstream such as the Pickett Mountain mining site; future use of the closed municipal landfill that abuts Fish Stream; sewer and septic systems: and other commercial and industrial development, the manner and extent of which cannot be foreseen.
3. Neither The Nature Conservancy (TNC), which submitted this upgrade proposal, nor the Department coordinated or discussed the proposed changes with the Town. We regret that we were not informed about the proposal and the potential impacts of the change.
4. According to the proposal, there is no problem with water quality and there is no current discharge. The rationale for an upgrade is to protect and secure TNC's investment. Based on information available to the Town, the stream already meets Class A quality under the existing Class B designation. Why does the stream need to be upgraded when it already meets Class A standards?

MDEP response

The commenters raise various concerns regarding how an upgrade to Class A may affect future development efforts in the Patten area. While the Department is unaware of any pending discharge license applications or concrete development efforts in the immediate area, any new development or re-development of an existing site might be affected if it required a license for a discharge to Fish Stream because Class A standards are stricter than Class B standards. However, the monitoring data that the Department considered in evaluating this proposed upgrade indicates that Class A water quality standards are currently being attained in this segment, and the commenters generally do not make any arguments or submit any evidence

calling into question the Department's attainment finding. The Department's monitoring data and attainment finding are acknowledged and accepted in the Town of Patten's comments. Under a provision of Maine's statutory antidegradation policy (38 M.R.S. § 464(4)(F)(4)), "(w)hen the actual quality of any classified water exceeds the minimum standards of the next highest classification, that higher water quality must be maintained and protected. The board shall recommend to the Legislature that that water be reclassified in the next higher classification." Given this statutory directive, and in light of the lack of evidence and arguments calling into question the Department's attainment finding for this segment, the Department believes that it must recommend to the Legislature that it make this proposed upgrade to Class A.

The Department notes that development of the Pickett Mountain mining site would not be affected by this upgrade because the site is not within the Fish Stream watershed; all potential runoff from that site would enter the West Branch Mattawamkeag River upstream of the confluence with Fish Stream. Based on the Department's general understanding of the conditions in the Town of Patten, it does not believe that the recommended upgrade will require the construction of a new wastewater treatment plant. The Department is unable to respond to hypothetical questions and scenarios regarding other potential effects of the recommended upgrade, which would depend on the Department's consideration of actual and specific facts and circumstances.

SACO RIVER BASIN

Back Brook and tributaries

Back Brook and tributaries, Limington; upgrade from Class B to Class A (approx. 13 miles). Proposed by MDEP.

Recommend revising § 467(12)(B) as follows:

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

(5) Back Brook and its tributaries (Limington) – Class A.

No comments in opposition.

Paraphrased comment in support: Nick Bennett, Natural Resources Council of Maine, Augusta.

1. Back Brook is a good trout stream and also has the potential for Atlantic salmon restoration. It is in the Saco watershed, and NRCM strongly supports this proposal.

ST. JOHN RIVER BASIN

Salmon Brook and tributaries

Salmon Brook and tributaries above Rt. 228 crossing on main stem in Perham (Perham and Westmanland), and West Branch Salmon Brook and tributaries above the Washburn/Wade town line (T14 R5 WELS, Perham, Wade); upgrade from Class B to Class A (approx. 48 miles). Proposed by The Nature Conservancy and MDEP.

Recommend revising 467(7)(D)(2)(c) as follows:

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

(a) All tributaries of the Aroostook River entering below the confluence of the Machias River that are not otherwise classified - Class B.

(n) Salmon Brook and its tributaries (Perham, Westmanland) above Rt. 228 crossing on main stem in Perham – Class A.

(o) West Branch Salmon Brook and its tributaries (Wade, Perham, T14 R5 WELS) above the Washburn-Wade town line – Class A.

No comments in opposition.

General comments in support: Kathryn Olmstead, Caribou; Paul Sheridan, citizen, Northport.

EASTERN COASTAL BASIN

Tunk Stream and tributaries

Tunk Stream and tributaries (T7 SD, Sullivan, T10 SD, Cherryfield) upstream of Route 1, Steuben; upgrade from Class B to Class A (approx. 68 miles). Proposed by MDEP.

Recommend revising §§ 468(2) and 468(8) as follows:

2. Hancock County.

N. Township 7 Southern Division.

(2) Tributaries to Tunk Stream – Class A.

O. Sullivan

(1) Tributaries to Tunk Stream – Class A.

P. Township 10 Southern Division.

(1) Tunk Stream and its tributaries – Class A.

8. Washington County.

P. Cherryfield.

1) Tunk Stream and its tributaries – Class A.

No comments in opposition.

Paraphrased comments in support: John Burrows, Atlantic Salmon Federation (ASF) and Maine Council of the ASF (MC-ASF), Brunswick; Jean Beckley, citizen; Jeff Beckley and Sarah Brandon, citizens, Unionville; Russell Heath, Downeast Salmon Federation, Columbia Falls; Gabby, citizen; Joseph Huber, citizen, Steuben; Kathryn Olmstead, citizen, Caribou; Sheila Unvala, citizen, Steuben; Mark Whiting, citizen.

1. An upgrade is justified by the free-flowing, scenic and high quality waters in this watershed. Tunk Stream had historical sea-run Atlantic salmon as recently as the 1980s. This watershed is part of the Downeast Salmon Habitat Recovery Unit (SHRU) and could (and should) play a role in salmon recovery. The headwaters of this watershed are in the Tunk Lake Public Reserve Lands (and adjacent to the Donnell Pond Public Reserve Lands).
2. Tunk Stream remains an important brook trout stream with other important recreational fisheries that are managed by the Maine Department of Inland Fisheries & Wildlife in Tunk and Spring River Lakes. Steuben has an important commercial alewife fishery in these waters. An upgrade to Class A will provide protection for this important resource.
3. ASF and MC-ASF fully support the proposal. The Tunk watershed is an ecologically and recreationally valuable resource that is largely undeveloped and well-forested, and it is an area that many of our members appreciate and enjoy. The proposed upgrade is well-deserved and highly appropriate for this valuable stream network.
4. Given the connections with Atlantic salmon, the historic fishery, and the potential for a role in salmon recovery, a classification to Class AA is justified.

MDEP response

The Department received a number of comments supporting an upgrade of these waters to Class A, and no comments in opposition. Several of the commenters also urged consideration of a further upgrade of Tunk Stream to Class AA.

A further upgrade to Class AA would protect habitat for the endangered Atlantic salmon at the highest level. An upgrade would generally preclude the construction of dams and other water control structures because of the Class AA requirement that habitat be characterized as "free-flowing and natural." In addition, under Class AA conditions, no direct discharge of pollutants would generally be allowed, although limited exceptions would apply. Class AA conditions might also place more stringent limits on water withdrawal, which could affect agriculture operations in the area of the upgrade.

In response to these comments, and based on additional review and analysis of applicable data and conditions, the Department believes that a further upgrade to Class AA could be supported in the future. However, because the Department did not originally propose an upgrade to Class AA and took no public comment on such a recommendation, the Department cannot make such a recommendation now.

COMMENTS RECEIVED ON AMENDMENT TO STATUTORY LANGUAGE

PENOBSCOT RIVER BASIN

Lower Penobscot River

Penobscot River in Milford, Old Town, Bradley, Orono, Eddington and Veazie; amend statutory language (approx.9.4 miles). Proposed by Penobscot Nation and The Nature Conservancy.

Recommend revising § 467(7)(A)(5) as follows:

A. Penobscot River, main stem.

(5) From the West Enfield Dam, including the Stillwater Branch, to the ~~Veazie~~ Milford Dam, including all impoundments - Class B.

(6) From the ~~Veazie~~ Milford Dam, but not including the ~~Veazie~~ Milford Dam, to the Maine Central Railroad bridge in Bangor-Brewer - 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 must be maintained.

No comments in opposition.

General comments in support: Natalie Charles, citizen, Belfast; Marissa Keminidi, citizen; Dennis King, citizen, Freeport; Susan Lauchlan, citizen, Waldo; Paul Sheridan, citizen, Northport.

Paraphrased comments in support: John Burrows, Atlantic Salmon Federation (ASF) and Maine Council of the ASF, Brunswick; Andrew Cadot, citizen, Portland; Landis Hudson, Maine Rivers, Yarmouth; Nick Bennett, Natural Resources Council of Maine, Augusta; Laurie Osher, Town of Orono; Dan Kusnierz and Kirk Francis, Penobscot Nation, Indian Island.

1. Sea-run fish like alewives and shad are returning in huge numbers after the removals of the Veazie and Great Works dams. Maine needs to protect and capitalize on the enormous investment (about $60 million) of public and private funds in the Penobscot restoration by requiring that the river stay free-flowing below the Milford Dam. Keeping this segment of the river free-flowing will not only perpetuate the massive ecological gains achieved by the Penobscot River Restoration Project, but also support and grow Maine's natural resource-based economy, boosting commercial fishing, sport fishing and outdoor recreation.
2. With the return of millions of sea-run fish to their native waters, members of the Penobscot Nation are now seeing fish species that their ancestors historically fished for and that had not been seen in their reservation for over 100 years. Penobscot Nation members are starting to fish for some of these fish once again and hope that there will be large enough populations of all species that they can be fished again soon.
3. The Town of Orono has benefited from the dam removal by having a free-flowing river, for example when the Penobscot Nation hosted the national White Water River races for three years in a row and brought a lot of people into town.

COMMENTS RECEIVED ON CORRECTION OF CLASSIFICATION ERROR

PENOBSCOT RIVER BASIN

East Branch Penobscot River

East Branch Penobscot River from its confluence with the Mattaceunk impoundment to its confluence with the West Branch Penobscot River, Medway; correct classification error (approx. 1.6 miles). Proposed by MDEP.

Recommend revising § 467(7)(B)(1) as follows:

B. Penobscot River, East Branch Drainage.

(c) From a point located 1,000 feet downstream from the dam at the outlet of Grand Lake Mattagamon to its confluence with the ~~West Branch~~ Mattaceunk (Mattaseunk) impoundment as it existed on July 14, 1990 - Class AA.

(d) From its confluence with the Mattaceunk (Mattaseunk) impoundment as it existed on July 14, 1990 to its confluence with the West Branch - Class B. Further, there may be no new direct discharges to this segment after January 1, 2019.

Paraphrased comment in opposition: Diane Oltarzewski, citizen, Belfast.

1. I would like to see this downgrade reversed! Our goal should always be to enhance the natural purity of the waters so I find the downgrading from AA to B disturbing. Please continue to work for ever cleaner waters for Maine and especially for Wabanaki people who depend on these waters for sustenance to a greater extent than non-Natives. Please put their health and well-being as your top priority.

MDEP response

This proposal does not constitute a downgrade but rather an error correction. In 1990, when a large stretch of the East Branch Penobscot River was upgraded from Class B to Class AA, the most downstream 1.6-mile segment of the River was already impounded by the Mattaceunk Dam on the upper main stem Penobscot River and so did not meet the Class AA narrative criterion that the "habitat must be characterized as free-flowing and natural". This was an oversight by the Department that resulted in a drafting inaccuracy with respect to this impounded segment during the 1989/1990 re-classification effort. This error will be corrected in the current effort by returning the segment in question to the original Class B designation.

COMMENTS RECEIVED ON UPGRADE PROPOSALS NOT RECOMMENDED BY THE DEPARTMENT AT THIS TIME

ANDROSCOGGIN RIVER BASIN

Androscoggin River Main Stem

Androscoggin River main stem, Lisbon Falls, from Durham Boat Launch or Worumbo Dam, to mouth of the Androscoggin in Merrymeeting Bay (line between Pleasant Pt., Topsham and North Bath); upgrade from Class C to Class B (approx. 14 miles). Proposed by Friends of Merrymeeting Bay.

General expression of support of upgrade: Marissa Keminidi, citizen; Matt Scott, citizen, Belgrade.

MDEP response
Monitoring data from Friends of Merrymeeting Bay and MDEP, as well as modeling results from MDEP, indicate that Class B water quality standards are not always attained. This situation is attributable to upstream sources (including sources affecting tributaries), non-point sources and the effects of the three dams located in this section of the river. Below the Brunswick-Topsham Dam, incoming tides from Merrymeeting Bay and Sediment Oxygen Demand further contribute to Class B non-attainment, while the licensed discharge in this section has little impact. The Department is not aware of any changes in the watershed of this segment that would significantly alter the conclusions of MDEP's current model. Therefore, the Department does not support an upgrade of this section of the river at this time.

PENOBSCOT RIVER BASIN

Blackman Stream

Blackman Stream and tributaries, Bradley and surrounding towns; upgrade from Class B to Class A (approx. 66 miles). Proposed by The Nature Conservancy.

General expression of support of upgrade: Marissa Keminidi, citizen; Paul Sheridan, citizen, Northport.

MDEP response
Water quality in this segment appears to be affected by logging activities and some agricultural landuse. Biological communities did not meet Class GPA aquatic life standards in Davis Pond in 2016. Ponds in the watershed are all moderately productive suggesting some nutrient enrichment. In-stream monitoring data from Blackman Stream and some tributaries are needed to determine the likelihood of attainment of Class A standards. Therefore, the Department does not support an upgrade of these waters at this time.

ST. JOHN RIVER BASIN

Limestone Stream

Limestone Stream, below Long Road, Limestone; upgrade from Class C to Class B (approx. 4.5 miles). Proposed by a citizen.

General expression of support of upgrade: Marissa Keminidi, citizen; Kathryn Olmstead, citizen, Caribou.

MDEP response
Water quality in this segment of the Stream appears to be affected by agricultural landuse, which is widespread upstream of and along the section of stream proposed for upgrade. Biological communities do not always attain Class B aquatic life criteria and nutrient concentrations in the stream are elevated. Given the intensive agricultural landuse in the watershed, it is not expected that the section of Limestone Stream below Long Road can attain Class B standards and thus the Department does not recommend an upgrade at this time.

Appendix

Table 1. List of 185 citizens who signed an identical form letter of the Natural Resources Council of Maine (listed by date/time received, oldest to most recent)

Name	Town (ME unless otherwise noted)
Beth Comeau	Richmond
Bonnie Faith	Cambridge, MA
George Whitridge	Castine
Darvin Schild	North Arlington, NJ
Walter Elery Keene	Winslow
Tatyana Eckstrand	Waldoboro
Gretchen Stanton	Portland
Arthur& Charlotte Mary	Topsham
Vinnedge Lawrence	West Baldwin
Maryann Smale	Steuben
Eileen Purdy	Portland
Dorothy Anderson	Weymouth, MA
Denis Cote	Alfred
Sandra Hempe	Bath
Tracey Allen	Scarborough
Rosalind Ivens	Bucksport
Janet Laird-Lagassee	Auburn
Kathryn Begg	Auburn
David A. Woolsey	Ellsworth
Karralena Castaway	Limestone
Randi Smith	Industry
Michelle Henkin	Bristol
Semena Curlik	Blue Hill
Sharon Finley	Kennebunk
Beth Pauls	Falmouth
Martha Goodale	Westbrook
Rebecca Tripp	Searsport
Ronald Ross	Boothbay
Hannah Kreitzer	Bangor
Margot Carpenter	Belfast
Debbie McCarthy	Phillips
Nancy Babcock	Newry
Alan Liska	Portland
Natasha Mayers	Whitefield
Steve Heinz	Cumberland
Antonio Blasi	Hancock
Ellen Rice	Brunswick
Don and Leslie Bush	Cherryfield

Name	Town (ME unless otherwise noted)
Roger Panek	Damariscotta
Mercedes Grandin	Brunswick
Adinah Barnett	Portland
Angus Fake	Newcastle
Mary Meier	Topsham
Maria Cruz	South China
Doreen Mann	Lisbon
Marjorie Monteleon	Southwest Harbor
Nancy Earle	Bangor
Mark Koenig	Farmingdale
David Blais	Portland
Douglas Hardy	Brunswick
Susan Allison	Greene
Marian F. McAleenan	Rockport
Doris Luther	Hollis
Nancy Prince	Wilton
George Smith	Mount Vernon
Randy Mraz	Freeport
Martha Dickinson	Ellsworth
Joe Lendvai	Brooklin
Richard Stevens	Portland
Sally Greene	Brunswick
Karen Mook	Newcastle
Elizabeth Chapman	Cumberland
Christa Schwintzer	Orono
Rebecca Wood	South Portland
Kevin Macdonald	Belgrade Lakes
Earle Kasregis	Roxbury
Hannah McGhee	Newcastle
Bob Kohl	Liberty
John Wyatt	Winterport
Barbara McPherson	Pittsfield
Louisa Beckett	South Portland
Todd Towle	Kingfield
Linda Woods	Waterville
Wanda Whitten	Limington
Martha Briggs	Windham
Donna Wheeler	Farmington
Janine Moore	Waterville
Linda Stevens	Scarborough

Name	Town (ME unless otherwise noted)
David Hedrick	Waterville
Michael Haskell	Scarborough
Marie Underwood	Searsport
Suzanne Brewer	Portland
Julie Nolon	Bath
Bonnie Dean	Blue Hill
Nina Gimond	Waterville
Lenore Sivulich	New Gloucester
David Dodson	Camden
John Bernard	South Portland
Barry Smith	Island Falls
Cheryl Evangelos	Warren
Jim Murton	Vassalboro
Gordon Smith	Brunswick
Janice Kasper	Swanville
Marion Freeman	Freeport
Jenni Reis	Corinth
Christine Burgin	New York, NY
Richard A. Hesslein Jr.	Brownfield
Sarah Brown	Kittery
Gabrielle Grunkemeyer	Bryan, TX
Joanna Holland	Bristol
Lorrel Nichols	Brunswick
Paula Lepore	Berwick
Jaren Willey	Chelsea
Hannah Osborne	Freeport
Richard Roelofs	Blue Hill
Andrea O'Neill-Knarr	Carmel
Stephanie Pruzansky	Phippsburg
Theresa Neill	Ogunquit
Ken Converse	Bridgton
Jacqueline Davidson	Deer Isle
David Palmer	Portland
David Miller	Newcastle
Janet Williams	Searsport
Robert Zuidema	Standish
Glenn Tikkanen	Norway
Sharon Dolleman	West Paris
Deborah Bastian	New Gloucester
Greg Kimber	Temple

Name	Town (ME unless otherwise noted)
Thomas Kellogg	Deer Isle
Belinda Pendleton	Belfast
Robert Fritsch	Dexter
Edward Walworth MD	Lewiston
Barbara Nathanson	Northport
Catherine Syrett	Owls Head
Lucie Springman	South Portland
Peg Hobbs	Washington
Mary Griffith	Freeport
Pam Lombard	Hallowell
Drew Porter	Westport Island
Barbara Goodbody	Portland
Eliot Paine	Bar Harbor
Sarah Harvey	Woolwich
Jae Min Yoo	Brunswick
Sheila Schoolcraft	Garland
Peggy York	Portland
Eve Sawyer	Portland
Ann Pistell	Pittston
Greg Runge	Isle Au Haut
Peter Abello	Freedom
John Perna	Milford
Jeff Mac Donald	Brownville
Honora Brehm	Ellsworth
Patricia Boston	Biddeford
Sharon Martin	Turner
Mariellen Whelan	Newcastle
Eleanor Wright	Sargentville
Gary Burke	East Wilton
Jaremy Lynch	Harpswell
Len Clarke	Port Clyde
Jerry Provencher	Bath
Juliette Dzija	Auburn
Bill Garcelon	Portland
Sarah Oldham	Portland
Joyce A Bailey	Windham
Helen Anderson	Portland
Heather Sharkey	Brunswick
Carol Dana	Old Town
Christine West	Orland

Name	Town (ME unless otherwise noted)
Barbara McClure	Hancock
Tait Nygaard	Bath
John Smedley	Lewiston
Ian Gordon	Stetson
Sandra Howard	Caratunk
Nicole Hamlin	Augusta
Nancy Galland	Stockton Springs
Patricia Kaplan	Belmont
Shirley Hager	Chesterville
Beedy Parker	Camden
William Nelson	Belfast
Phyllis Coelho	Belfast
Courtney Byers	Waldo
Mariana Tupper	Yarmouth
Ron Huber	Rockland
Natalie Charles	Belfast
Edward Farwell	Holden
Mary Hartley	Blue Hill
Meredith Bruskin	Swanville
Nancy Button	Warren
Nancy Kelly	Stockton Springs
Wayne Cobb	Portland
Lynne Gilbert	Bristol
Kate Harris	Belfast
Nancy Kane	Belfast
Shri Verrill	East Machias
Erin Covey-Smith	Freeport

Table 2. List of 34 citizens who signed a form letter of the Natural Resources Council of Maine but altered portions of it (listed by date/time received, oldest to most recent)

Name	Town (ME unless otherwise noted)
Brian Gingras	Braintree, MA
George St. Clair	Portland
Pamela Matthews	Phillips
Carolyn Bryant	Brunswick
Julia Brown	Portland
Harrah Lord	Rockport
Elliot Robinson	Scarborough
Kathy Missal	Woolwich
Barbara Clark	Brunswick

Name	Town (ME unless otherwise noted)
Carol Howell	Jefferson
Laura Patterson RN	Waterville
Tia Simon	Gorham
Jane Whitney	Brooklin
Wanda Allen	Brownfield
Thomas Fallon	Rumford
Tony Owens	Cape Elizabeth
Steve Plumb	Nobleboro
William Leavenworth	Searsmont
Joan Bromage	Mount Desert
David Butler	Windham
Al Mendelsohn	Kennebunk
Arilda Densch	Kittery
Greg and Catharine Moser	Portland
Joel Tompkins	Brunswick
Susan Kepner	York
Leah Cook	Grand Isle
Chuck Dinsmore	Damariscotta
Barbara Kates	Bangor
Linda Swackhamer	Veazie
Susan Dickson-Smith	Gouldsboro
Susan Smith	Gouldsboro
Brian Athorp	Dedham
Karl Watkins	Belfast
Steve Cartwright	Tenants Harbor