



Submission Guidelines

Proposals to Change the Water Quality Classification of Maine Waters

Introduction

You are invited to submit proposals to the Maine Department of Environmental Protection (the Department or MDEP) on changes to the classification of specific surface waters. The Department is required to periodically conduct classification studies and consult with the public and interested state and federal agencies for the purpose of reviewing the appropriateness of assigned water quality classifications and proposing changes in water classification for Maine waterbodies. The last Re-Classification initiative was completed in 2009 and the Department is now embarking on the process to prepare a Water Quality Re-Classification proposal for the 129th Legislature (session opening January 2019).

Maine's Water Classification law is designed to protect and maintain water quality. The law directs the implementation of water management actions for a waterbody or segment of a waterbody based on Maine's tiered classifications (riverine Class AA, A, B and C, and marine Class SA, SB and SC). By state law, all of Maine's lakes are assigned to Class GPA so there are no classification options. All water quality classifications for Maine waterbodies are designed to attain the Interim Goals of the U.S. Clean Water Act or higher. Appendix A provides a summary of the uses and criteria that apply to each waterbody type and water quality classification under Maine law. **Proposals may be submitted to the address below at any time before November 30, 2017.**

What do You Need to Know?

- Maine's Water Quality Classification System is goal-based.
When proposing an upgrade in classification, recommend waters that either presently attain, or with reasonable application of improved treatment or Best Management Practices (BMPs) could reasonably be expected to attain, the standards and criteria of a higher proposed class.
- In Classes AA, A and SA Maine law places significant restrictions on human activities that might pose a risk of degradation of water quality. More allowances for human activities are permitted in Classes B, C, SB and SC. For example Class AA prohibits wastewater discharge and hydropower while Class C allows these activities.
When proposing a waterbody for upgrade in classification consider the interests and activities of other users of the resource and how the proposed change in classification may affect them.
- If you are proposing a downgrade for a water segment, be aware that downgrades are only approved by the Department and the United States Environmental Protection Agency when it can be proven that it is impossible for the waterbody to attain its assigned standards and criteria.

Schedule

Summer - Fall 2017	Receive re-classification proposals
Fall 2017 – Winter 2018	Prepare MDEP draft re-classification package
	Stakeholder group meetings as needed
Spring 2018	Public review of proposed changes at Public Meetings around Maine (2-3)
Spring – early Summer 2018	Board of Environmental Protection (BEP) Public Hearings (2)
Mid-Summer 2018	BEP final vote on Re-Classification proposal
October 2018	Submit statutory changes for Legislative approval
Winter/Spring 2019	Legislative vote on Re-Classification bill

Questions and Where to Submit Proposals

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Subject Line: *“Re-Classification Proposal”*

Information to be Submitted with Re-Classification Proposals

- 1. Waterbody Name**
- 2. Location of proposed change in classification**
 - Provide features easily identified on a DeLorme Atlas map or include Geographic Information System (GIS) coordinates and/or submit a map with the proposed area clearly marked;
 - Provide the geographic limits of the proposed change.
- 3. Write a brief statement that justifies why the waterbody should be considered for classification change.**

For Class AA and SA proposals identify the waterbodies qualifications for: “Outstanding ecological, social, scenic, economic or recreational importance”.
- 4. State how the proposed change will affect other users of the waterbody, for example holders of wastewater or stormwater discharge permits or holders of land-development permits.**
- 5. Provide water quality data, if available (including source of data), that documents the attainment status of the candidate waterbody relative to the designated uses and criteria of the proposed classification.**
- 6. Provide a summary of known human activities in the watershed of the proposed re-classification that might jeopardize attainment of standards of the proposed classification, for example landuse altering activities, landfills, hazardous waste sites, wastewater discharges, etc.**

Appendix A

Note: See M.R.S. Article 4-A Section 464 Classification of Maine Waters for complete text.

Table 1: Designated Uses and Criteria for Maine River and Stream Classifications under Maine Law

Class	Designated Uses	Dissolved Oxygen Numeric Criteria	Bacteria (<i>E. coli</i>) Numeric Criteria	Habitat Narrative Criteria	Aquatic Life (Biological) Narrative Criteria**
AA	Aquatic Life Recreation in/on the water Fishing Drinking Water Navigation Agriculture	As naturally occurs	As naturally occurs	Free flowing and natural	No direct discharge of pollutants; as naturally occurs *
A	Aquatic Life Recreation in/on the water Fishing Drinking Water Navigation Agriculture Hydropower Industrial process and cooling water supply	7 ppm; 75% saturation	As naturally occurs	Natural	As naturally occurs *
B	Aquatic Life Recreation in/on the water Fishing Drinking Water Navigation Agriculture Hydropower Industrial process and cooling water supply	7 ppm; 75% saturation	Not higher than geometric mean of 64/100 ml or instantaneous of 236/100 ml	Unimpaired	Discharges shall not cause adverse impact to aquatic life in that the receiving waters shall be of sufficient quality to support all aquatic species indigenous to the receiving water without detrimental changes to the resident biological community. *
C	Aquatic Life Recreation in/on the water Fishing Drinking Water Navigation Agriculture Hydropower Industrial process and cooling water supply	5 ppm; 60% saturation 6.5 ppm (monthly average) at 22° and 24°F	Not higher than geometric mean of 126/100 ml or instantaneous of 236/100 ml	Habitat for fish and other aquatic life	Discharges may cause some changes to aquatic life, provided that the receiving waters shall be of sufficient quality to support all species of fish indigenous to the receiving waters and maintain the structure and function of the resident biological community. *

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

Table 2: Designated Uses and Criteria for Maine Marine Classifications under Maine Law

Class	Designated Use	Dissolved Oxygen	Bacteria	Aquatic Life
SA	Habitat for fish and estuarine and marine life Recreation in/on the water Fishing Aquaculture (not finfish) Propagation and harvesting shellfish Navigation	As naturally occurs	As naturally occurs	As naturally occurs
SB	Habitat for fish and estuarine and marine life Recreation in/on the water Fishing Aquaculture Propagation and harvesting shellfish Navigation Industrial process and cooling water supply Hydropower	Not less than 85% of saturation	Enterococcus not higher than geometric mean of 8/100ml or instantaneous of 54/100ml from 5/15 to 9/30 Not exceed criteria of National Shellfish Sanitation Program for shellfish harvesting	Support all indigenous estuarine and marine species Discharge not to cause closure of shellfish beds
SC	Habitat for fish and estuarine and marine life Recreation in/on the water Fishing Aquaculture Propagation and restricted shellfish harvesting Navigation Industrial process and cooling water supply Hydropower	Not less than 70% of saturation	Enterococcus not higher than geometric mean of 14/100ml or instantaneous of 94/100ml from 5/15 to 9/30 Not exceed criteria of National Shellfish Sanitation Program for restricted shellfish harvesting	Maintain structure and function of the resident biological community

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