

MAINE STATE LEGISLATURE

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N I N E T Y - S E V E N T H L E G I S L A T U R E

Legislative Document

No. 1300

H. P. 1109

House of Representatives, March 15, 1955

Referred to Committee on Natural Resources, sent up for concurrence and 1,000 copies ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Beal of Lisbon.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-FIVE

AN ACT Amending Laws on Water Pollution Control.

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

Sec. 1. R. S., c. 79, § 1, amended. The 1st sentence of section 1 of chapter 79 of the revised statutes is hereby amended to read as follows:

'The Water Improvement Commission, as heretofore established and hereinafter in this chapter called the "Commission," shall consist of the Commissioner of Health and Welfare who shall serve during his term of office and 6 8 members appointed by the Governor with the advice and consent of the Council, 2 of whom shall represent manufacturing interests of the State, 2 of whom shall be representatives of municipalities and, 2 of whom shall represent the public generally and 2 of whom shall represent the conservation interests in the State.'

Sec. 2. R. S., c. 79, § 1, amended. Section 1 of chapter 79 of the revised statutes is hereby amended by adding at the end thereof a new paragraph to read as follows:

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

Sec. 3. R. S., § 1-A, additional. Chapter 79 of the revised statutes is hereby amended by adding thereto a new section, to be numbered 1-A, to read as follows:

'Sec. 1-A. Authority to accept federal funds. The Department of Health and Welfare shall have authority to accept the provisions of any federal law now

in effect or hereafter enacted which makes federal funds available for water pollution control and to meet such federal requirements with respect to the administration of such funds as are required as conditions precedent to receiving federal funds. The Treasurer of State shall be the appropriate fiscal officer of the State to receive federal grants on account of water pollution control and the State Controller shall authorize expenditures therefrom as approved by the Department of Health and Welfare.'

Sec. 4. R. S., c. 79, § 2, amended. Section 2 of chapter 79 of the revised statutes is hereby amended to read as follows:

'Sec. 2. Standards of classification. The Commission shall have 4 standards for the classification of surface waters and tidal flats.

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

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

~~Class B shall be the second highest classification and the dissolved oxygen content of such waters shall not be less than 75% saturation and contain not more than 300 coliform bacteria per 100 milliliters.~~

~~There shall be no disposal of sewage into such waters except from a sewage treatment plant with disinfected effluent, and no disposal of other wastes except those that will not lower the classification of the water or be injurious to aquatic life or render such dangerous for human consumption if commonly so used. Waters of this class shall be considered acceptable for recreational purposes and, after adequate treatment, for use as a public water supply.~~

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

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

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

B-2. Waters of this class shall be acceptable for recreational boating, fishing, industrial and potable water supplies after adequate treatment. The dissolved oxygen of such waters shall not be less than 75% of saturation and contain no more than 1,000 coliform bacteria per 100 milliliters.

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

Class C, the third highest classification, shall be of such a quality as to be satisfactory for recreational boating, fishing and other uses except potable water supplies and swimming.

~~Class C waters, the third highest Waters of this classification shall be free from scums, slicks, odors and objectionable floating solids, and shall be free from chemicals and other conditions inimical to fish aquatic life. and the The dissolved oxygen content of such waters shall not be less than 5 parts per million for trout and salmon waters and not less than 4 parts per million for non-trout and non-salmon waters. During a period of temporary reduction in the dissolved oxygen content in this class water, due to abnormal conditions of temperature or stream flow for the particular season involved, the commission shall take no action to reduce the amount of pollution from any source which is allowed in such class water under normal conditions.~~

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

~~Class D waters, the lowest classification, shall be considered as primarily devoted primarily to the transportation of sewage and industrial wastes, or both, without the creation of a nuisance condition and such waters shall contain dissolved oxygen at all times.~~

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

Such waters shall contain a determinable amount of oxygen, and shall be free from slicks, odors and surface floating solids of unreasonable kind, quantity or duration, taking into consideration the sources of the sewage or other wastes involved.

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

The waters in each classification shall satisfy all provisions of all lower classifications.'

Sec. 5. R. S., c. 79, § 5, amended. Section 5 of chapter 79 of the revised statutes is hereby amended by adding at the end thereof the following paragraph:

'Any authorized member or employee of the Commission may enter any land or establishment for the purpose of collecting information that may be necessary

to the purposes hereof and no owner of such land or establishment shall refuse to admit such member or employee or refuse to furnish such information as may be requested concerning pollution of waters by such establishment.'

Sec. 6. R. S., c. 79, § 8, amended. Section 8 of chapter 79 of the revised statutes is hereby amended to read as follows :

'Sec. 8. Pollution restricted. No person, firm, corporation or municipality or agency thereof shall discharge into any stream, river, pond, lake or other body of water or watercourse or any tidal waters any waste, refuse or effluent from any manufacturing, processing or industrial plant or establishment or any sewage so as to constitute a ~~new~~ source of pollution to said waters without first obtaining a license therefor from the Water Improvement Commission; provided, however, that no application for a license shall be required hereunder for any manufacturing, processing or industrial plant or establishment, ~~now or heretofore operated, for any such discharge at its present general location, such license being hereby granted~~ established prior to August 1, 1945.

It shall be unlawful for any person or persons to dispose of any sewage or waste into any surface water in excess of the maximum quantity or of a different character than that being discharged during a period of one year prior to July 1, 1955 without first obtaining a license from the Commission, which license shall specify the terms and conditions by which the licensee may further pollute the water.'

Sec. 7. R. S., c. 79, § 11, amended. Section 11 of chapter 79 of the revised statutes is hereby amended to read as follows :

'Sec. 11. Deposit of slabs, edgings, sawdust, etc., in streams. No person, corporation or other party shall place or deposit in the inland waters or tidal waters of this state, or on the banks thereof so that the same shall fall or be washed into such waters, any slabs, edgings, sawdust, chips, bark slash or shavings created in the manufacture of lumber or other wood products, or so deposit any oil regardless of its source, ~~or so as to~~ pollute said waters. ~~The water improvement commission shall make survey concerning pollution of said waters. Whenever said commission finds conditions inconsistent with this section, it shall attempt to correct the same through negotiation; and upon failure to procure correction, it shall apply to any justice of the supreme or superior court, in an action as in equity. Said court, on due notice and hearing, may abate said condition to an extent consistent with the public interest and shall impose limitations on the nature and extent of deposit in said waters consistent with the public interest. Any person, corporation or other party aggrieved thereby may appeal therefrom to the law court as in equity.~~

The following rivers are exempted until the 1st day of September, 1955 and no longer from all of the provisions of this section. Salmon Falls river, Mousam river, Saco river, Presumpscot river, Androscoggin river, Little Androscoggin river, Kennebec river, Penobscot river and the West Branch of the Penobscot river and Millinocket stream up to and including the town of Millinocket, St. Croix river and St. John river, excepting all tributaries of the aforesaid rivers. Whoever violates any provision of this section shall pay a fine of not less than \$25 nor more than \$200, and costs, for each offense.

Nothing contained in this section shall nullify, modify or in any way affect any license granted by said commission or otherwise granted pursuant to or by the provisions of section 8.

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

Any person, corporation or party aggrieved by any order or decision of said commission made pursuant to any of the provisions of this section may appeal from such order or decision to any justice of the superior court in accordance with the procedure outlined in section 10 and all further proceedings upon such appeal shall be in accordance with the provisions of said section 10.

Sec. 8. R. S., c. 79, § 13, repealed and replaced. Section 13 of chapter 79 of the revised statutes is hereby repealed and the following enacted in place thereof:

'Sec. 13. Exceptions. Nothing contained in this chapter shall affect any litigation pending on January 1, 1945 under any other statute nor in any way impair any decrees or orders of court heretofore or hereafter entered in any proceedings so pending, nor shall the granting of any license or authority under the provisions of this chapter limit the powers of the State to initiate, prosecute and maintain actions to abate public nuisances to the extent consistent with the public interest, nor shall any license granted under the provisions of this chapter constitute a defense to any action at law for damages.'

Sec. 9. R. S., c. 79, § 15, amended. That part of section 15 of chapter 79 of the revised statutes under the caption "Kennebec River Basin" is hereby amended by changing the caption to read 'Kennebec River Basin and Adjacent Coastal Areas' and by adding after subsection "V" the following subsections:

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

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

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

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

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

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

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

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

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

XV. Montsweag Brook and tributaries not otherwise defined.—Class B-1.

XVI. All streams and their tributaries not otherwise defined entering tidewater between the head of tide on Montsweag Brook and the head of tide on the Sheepscot River—Class B-1.

XVII. Unnamed stream and tributaries in Wiscasset entering tidewater by way of Chewonke Creek—Class B-2.

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

XIX. Ward Brook and tributaries in Wiscasset—Class B-2.

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

XXI. Sheepscot River, its segments and tributaries not otherwise defined.—Class B-1.

XXII. Sheepscot River, main stem, tidewater to junction of East and West Branches—Class B-2.

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

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

XXV. All streams, segments and tributaries thereof, not otherwise defined, above tidewater, between the head of tide on the Sheepscot River to and including the outlet of Lily Pond in the Town of Edgcomb—Class B-1.

XXVI. Unnamed stream at Head Tide Village (Town of Alna) entering the Sheepscot River about 0.15 miles below the Route 218 crossing—Class B-2.

XXVII. Ben Brook, main stem, in Alna, downstream of the 2nd road crossing above its mouth—Class B-2.

XXVIII. All streams, segments and tributaries thereof, not otherwise defined, above tidewater, between (not including) the outlet of Lily Pond in Edgcomb and Bennett Neck in Edgcomb—Class B-2.

XXIX. Adams Pond in Boothbay—Class B-1.

XXX. Unnamed brook and its tributaries in Boothbay Harbor entering the most easterly cove of Campbell Pond—Class B-1.

XXXI. Meadow Brook and its tributaries entering Lewis Cove in the Town of Boothbay Harbor—Class B-1.

XXXII. All streams and their tributaries, above tidewater, entering tidewater between Bennett Neck and the head of tide on the Damariscotta River—Class B-1.

XXXIII. The Damariscotta River, its segments and tributaries thereof, not otherwise defined, above tidewater—Class B-1.

XXXIV. Damariscotta River, main stem, from the outlet of Damariscotta Lake to tidewater at Salt Bay—Class B-2.

XXXV. Inlet of Damariscotta Lake at Jefferson Village from the outlet of the mill pond above Jefferson Village to the lake—Class B-2.

XXXVI. Coastal Streams, segments and tributaries thereof, not otherwise defined, above tidewater, entering tidewater between the head of tide on the Damariscotta River and the head of tide on the Pemaquid River—Class B-2.

XXXVII. Unnamed stream entering tidewater about one-half mile above Prentiss Cove at the Bristol-S. Bristol boundary—Class B-1.

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

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

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

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

XLII. Coastal streams, segments and tributaries thereof, not otherwise defined, above tidewater, entering tidewater between the head of tide on the Pemaquid River and the head of tide on the Medomak River—Class B-1.

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

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

XLV. Medomak River, main stem, from a point 400 feet above the Route 1 bridge in Waldoboro to the head of tide—Class C.

XLVI. Kahler's Pond, Waldoboro, Little Medomak Pond, Waldoboro; and tributaries of Little Medomak Brook, principally in the town of Washington—Class B-1.

XLVII. Coastal streams, their segments and tributaries thereof, not otherwise defined, above tidewater, entering tidewater between the head of tide on the Medomak River and the head of tide on the Goose River at the Friendship-Waldoboro line—Class B-1.

XLVIII. Goose River, segments and tributaries thereof, not otherwise defined in the towns of Waldoboro, Friendship, and Warren—Class B-1.

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

L. Goose River, main stem, Tibbetts sawmill Dam to the outlet of Havener Pond—Class B-2.

LI. Coastal streams, segments and tributaries thereof, not otherwise defined, above tidewater, between the head of tide on the Goose River and the head of tide on the St. George River—Class B-1.

LII. Unnamed stream to St. George River tidewater near Warren-Cushing boundary between a point 500 feet above the South Warren-North Cushing road to tidewater—Class C.

LIII. Unnamed stream and its tributaries to St. George River tidewater near Warren-Cushing boundary upstream of a point 500 feet above South Warren-North Cushing road—Class B-2.

LIV. Unnamed stream and its tributaries above tidewater, which enters tidewater of the St. George River about one-half mile below the South Warren Bridge—Class B-2.

LV. The St. George River, segments and tributaries thereof, not otherwise defined, above tidewater—Class C.

LVI. North and South Ponds, their tributaries and outlet to the St. George River. (Warren, Waldoboro, etc.)—Class B-1.

LVII. Fuller Brook and its tributaries (Warren, Waldoboro, etc.)—Class B-1.

LVIII. Crawford Pond Outlet, Crawford Pond and all tributaries thereto (Warren, Union, Hope, etc.)—Class B-1.

LIX. St. George River, main stem, between a point immediately upstream of the White Creamery Co. plant to outlet into Seven Tree Pond—Class C.

LX. Castner Brook below Hillcrest Poultry Plant—Class C.

LXI. Ledge Pond in Montville—Class B-1.

LXII. That portion of the St. George River Drainage above the outlet of St. George Lake in Liberty—Class B-1.

LXIII. Oyster River, segments and tributaries thereof, not otherwise defined, above tidewater. (Warren, Thomaston, etc.)—Class B-1.

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

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

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

LXVII. Mill River (Thomaston) segments and tributaries thereof, not otherwise defined, above tidewater—Class B-1.

LXVIII. Mill River, main stem, from tidewater to a point one-half mile above tidewater—Class C.

LXIX. Unnamed stream flowing from Mace's Pond to Chickawauke Pond—Class B-2.

LXX. Coastal streams, segments and tributaries thereof, not otherwise defined, above tidewater, entering tidewater in towns of South Thomaston and St. George—Class C.

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

LXXII. Unnamed stream and its tributaries, above tidewater, entering tidewater at the head of Long Cove (St. George)—Class B-1.

LXXIII. Coastal streams and their tributaries, not otherwise defined, above tidewater, entering tidewater between Ballayhoc Cove at the South Thomaston-Owls Head boundary and the head of tide on the Goose River at Rockport—Class C.

LXXIV. Goose River (Camden, Rockport) segments and tributaries thereof, not otherwise defined, above tidewater—Class B-1.

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

LXXVI. Lily Pond and outlet (Rockport)—Class B-2.

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

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

LXXIX. Small coastal streams, segments and tributaries thereof, not otherwise defined, above tidewater, entering tidewater between the head of tide on the Megunticook and the head of tide on the Ducktrap River in the Towns of Camden and Lincolnville Beach—Class B-1.

Sec. 10. R. S., c. 79, § 15, amended. That part of section 15 of chapter 79 of the revised statutes under the caption "Penobscot River Basin" is hereby amended by changing the caption to read 'Penobscot River Basin and Adjacent Coastal Area' and by adding after subsection "XI" the following subsections:

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

XIII. Little Salmon Stream, the outlet of which is to the Penobscot River in the town of Medway, segments and tributaries above the outlet—Class B-1.

XIV. Salmon Stream, the outlet of which is to the Penobscot River in the Town of Medway, its segments and tributaries above the outlet—Class B-1.

XV. Mattaseunk Stream, the outlet of which is to the Penobscot River in the Town of Mattawamkeag, its segments and tributaries above the outlet—Class B-1.

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

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

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

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

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

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

XXII. Upper Mattawamkeag Lake not including tributaries—Class C.

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

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

XXV. Fish Stream, main stem only, from the entrance of the Crystal Stream tributary to a point one-fourth mile upstream of the Route 11 bridge in Patten—Class D.

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

XXVII. Molunkus Stream, main stem, from its outlet to the Mattawamkeag at Kingman to a point one-fourth mile above the highway bridge at Sherman Mills—Class B-2.

XXVIII. Mattakeunk Stream, main stem, from its outlet to the Mattawamkeag River in Winn to the outlet of Dwinal Pond—Class B-1.

XXIX. Mattakeunk Stream, main stem, from the outlet of Dwinal Pond to and including Mattakeunk Pond—Class C.

- XXX. Baskahegan Stream, main stem, from its outlet to the Mattawamkeag River to the narrows in Crooked Brook Flowage approximate one mile above the village of Danforth—Class C.
- XXXI. Orland River, segments and tributaries thereof, not otherwise defined, above tidewater—Class B-1.
- XXXII. Orland River or Narramissic River from tidewater to a point opposite the Oak Grove Cemetery—Class B-2.
- XXXIII. Coastal streams, segments and tributaries thereof, not otherwise defined, above tidewater, entering tidewater from the head of tide on the Orland River to Billings Cove in Sedgwick—Class B-1.
- XXXIV. Clements Brook, main stem, Penobscot Township, from tidewater to a point 100 feet upstream of Route 166—Class B-2.
- XXXV. Winslow Stream, main stem, Penobscot Township, from tidewater to dam at the sawmill of S. C. Condon—Class D.
- XXXVI. Unnamed Stream, a tributary of Winslow Stream entering from the South at S. Penobscot Village, from its confluence with Winslow Stream to the crossing of Route 177—Class B-2.
- XXXVII. Shepardson Brook (or Mill Brook), main stem, in Brooksville, from Route 176 to its outlet to tidewater—Class C.
- XXXVIII. Outlet of Walker Pond, in the towns of Brooksville and Sedgwick from the dam at Lymeburner's Mill to tidewater—Class B-2.
- XXXIX. Coastal streams, segments and tributaries thereof, above tidewater in the towns of Deer Isle and Stonington—Class B-1.
- XL. Coastal streams, segments and tributaries thereof, not otherwise defined, above tidewater, entering tidewater between Billings Cove in Sedgwick and the head of tide on the Union River at Ellsworth—Class B-1.
- XLI. Sargent Brook at Sargentville Village, main stem, from tidewater to a point 300 feet upstream of the highway—Class C.
- XLII. Three unnamed streams entering tidewater immediately north of Sedgwick Village—Class C.
- XLIII. Unnamed stream entering tidewater at the head of Salt Pond near North Sedgwick—Class B-2.
- XLIV. Carleton Stream, Blue Hill, main stem, from the outlet to tidewater at Salt Pond to the sawmill of G. M. Allen & Son—Class B-2.
- XLV. Unnamed stream at edge of Blue Hill Village entering tidewater near "Big Rock"—Class D.
- XLVI. Unnamed stream flowing from near "Old Cemetery" to the town wharf—Class D.
- XLVII. Mill Brook Stream in Surry from a point just above the sewer of the consolidated school to its outlet at tidewater—Class C.

- XLVIII.** Unnamed stream in Surry about 100 yards east of Mill Brook Stream—Class D.
- XLIX.** Unnamed stream south of Laurel Street in Ellsworth—Class C.
- L.** Union River, segments and tributaries thereof, not otherwise defined, above tidewater—Class B-1.
- LI.** Union River, main stem, from head of Graham Lake to bridge at U. S. Highway No. 1 at Ellsworth Falls—Class B-2.
- LII.** Union River, main stem, from bridge at U. S. Highway No. 1 at Ellsworth Falls to tidewater—Class C.
- LIII.** Webb Brook in Waltham, main stem, from dam immediately down stream of bridge on Route 179 to its outlet to Graham Lake—Class B-2.
- LIV.** Gilpatrick Brook, Ellsworth, main stem, from bridge at U. S. Highway No. 1 to its outlet into the Union River—Class B-2.
- LV.** Unnamed stream entering tidewater at Lincolnville Beach—Class B-2.
- LVI.** Ducktrap River, segments and tributaries thereof, not otherwise described, above tidewater—Class B-1.
- LVII.** Coastal streams, segments and tributaries thereof, not otherwise described, above tidewater, entering tidewater between the head of tide on the Ducktrap River and the head of tide on the Little River at the Northport-Belfast boundary—Class B-1.
- LVIII.** Shaw Brook and its tributaries in Northport—Class B-2.
- LIX.** Little River, Northport-Belfast, segments and tributaries thereof, not otherwise defined, above tidewater—Class B-1.
- LX.** Passagassawaukeag River, segments and tributaries thereof, not otherwise defined, above tidewater—Class B-2.
- LXI.** Mixer Pond in Morrill and Knox and its tributaries—Class B-1.
- LXII.** Sanborn Pond, Dutton Pond and their tributaries in Morrill and Brooks—Class B-1.
- LXIII.** Waters of the Passagassawaukeag River drainage above the outlet of Ellis Pond, to include Ellis Pond, Halfmoon Pond, Passagassawaukeag Lake and their respective tributaries—Class B-1.
- LXIV.** Wescott Stream, entering tidewater in Belfast, segments and tributaries thereof not otherwise defined, above tidewater—Class B-1.
- LXV.** Goose River (Belfast) segments and tributaries thereof, not otherwise defined, above tidewater—Class B-2.
- LXVI.** Goose River (Belfast), main stem, below the upstream crossing of Route 101—Class C.
- LXVII.** Coastal streams, segments and tributaries thereof, not otherwise defined, above tidewater, entering tidewater between the head of tide on Goose

River and the head of tide on Marsh River (Frankfort-Prospect, etc.)—Class C.

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

LXIX. Unnamed stream and its tributaries entering tidewater at the north-west corner of Long Cove—Class B-1.

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

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

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

LXXIII. Coastal streams (Frankfort), segments and tributaries thereof, not otherwise defined, above tidewater, entering tidewater between the head of tide on the Marsh River and head of tide on Marsh Stream—Class C.

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

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

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

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

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

Sec. 11. R. S., c. 79, § 15, amended. That part of section 15 of chapter 79 of the revised statutes under the caption "St. Croix River Basin" is hereby amended by changing the caption to read 'St. Croix River Basin and Adjacent Coastal Area' and by adding after subsection "I" the following subsections:

'II. Coastal streams, segments and tributaries thereof, not otherwise defined, above tidewater, entering tidewater between the head of tide on the Little River at Perry and the head of tide on the St. Croix River at Calais—Class B-1.

III. Unnamed stream entering northerly end of Brooks Cove in Robbinston—Class C.

IV. Unnamed stream immediately north of Schoolhouse Lane in Robbinston—Class C.

V. Unnamed stream entering tidewater portion of St. Croix River at Calais, crossing North Street between Beech and Union Streets—Class D.'

Sec. 12. R. S., c. 79, § 15, amended. That part of section 15 of chapter 79 of the revised statutes under the caption "Meduxnekeag River Basin" is hereby amended by adding thereto the following subsections:

II. Prestile Stream, segments and tributaries thereof, not otherwise defined, above the international boundary—Class B-1.

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

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

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

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

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

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

IX. Meduxnekeag River, South Branch, main stem, from the dam at Hodgdon to the outlet into the Main River—Class C.

X. Pearce Brook tributary in Houlton—Class D.

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

Sec. 13. R. S., c. 79, § 15, amended. Subsection VI under the caption "Coastal Streams" of section 15 of chapter 79 of the revised statutes is hereby amended to read as follows:

~~'VI. Pleasant river and its tributaries above the highway bridge on route 4—Class A.~~ Pleasant river, segments and tributaries thereof, not otherwise described, above tidewater—Class B-1.

Pleasant river, main stem, from tidewater to a point 1,000 feet above tidewater—Class B-2.'

Sec. 14. R. S., c. 79, § 15, amended. Subsection VIII under the caption "Coastal Streams" of section 15 of chapter 79 of the revised statutes is hereby amended to read as follows:

~~'VIII. Tunk lake and Tunk stream drainage system above the Smithville bridge near the section called Unionville—Class A.~~ Tunk Stream, segments

and tributaries thereof, not otherwise defined, upstream of the bridge at Unionville—Class B-1.

Tunk stream, main stem, from its confluence with the stream forming the outlet of Round Pond to the bridge at Unionville—Class B-1.

Tributary of Tunk stream, the outlet of Round Pond, from Round Pond to the confluence with the main stem of Tunk stream—Class B-2.'

Sec. 15. R. S., c. 79, § 15, amended. That part of section 15 of chapter 79 of the revised statutes under the caption "Coastal Streams" is hereby amended by adding thereto the following subsections:

'IX. Coastal streams, segments and tributaries thereof, not otherwise defined, above tidewater, entering tidewater between the head of tide on the Union River at Ellsworth and the head of tide on Card Mill Stream in Franklin—Class B-1.

X. Card Brook, main stem, in Ellsworth from the farm pond about 250 yards west of U. S. highway No. 1 to tidewater—Class D.

XI. Stony Brook, in Trenton, from Route 3 crossing to tidewater—Class C.

XII. Spring Brook, Lamoine, below washer at Grindles Gravel Pit.—Class C.

XIII. Unnamed stream flowing near railroad station in Franklin Village to Hop Bay—Class C.

XIV. Coastal streams, segments and tributaries thereof, not otherwise defined, above tidewater, entering tidewater from and including Card Mill Stream at East Franklin and the most southerly point of the Schoodic Peninsula—Class B-1.

XV. Coastal streams, segments and tributaries thereof, not otherwise defined, above tidewater, entering tidewater between the southerly point of Schoodic Peninsula and including Whitten Parrin Stream in T. 7, S. D. and Steuben—Class C.

XVI. Unnamed stream entering tidewater to Sand Cove near Prospect Harbor—Class C.

XVII. Coastal streams, segments and tributaries thereof, not otherwise defined, above tidewater, entering tidewater from Mt. Desert Island—Class B.

XVIII. Coastal streams, segments and tributaries thereof, not otherwise defined, above tidewater, entering tidewater between the head of tide on Whitten Parrin Stream and the head of tide on the Narraguagus River at Cherryfield—Class B-1.

XIX. Tunk Stream, main stem, from the bridge at Unionville to tidewater—Class B-2.

XX. Narraguagus River, segments and tributaries thereof, not otherwise defined, between the junction of the East and West Branches and tidewater—Class B-1.

XXI. Narraguagus River, main stem, between tidewater and the bridge of the Maine Central Railroad—Class B-2.

XXII. Coastal streams, segments and tributaries thereof, not otherwise defined, above tidewater, entering tidewater between the head of tide on the Narraguagus River at Cherryfield and the head of tide on the Pleasant River at Columbia Falls—Class B-1.

XXIII. Unnamed stream passing through Harrington Village, the segment thereof between tidewater and a point immediately upstream of the school sewer—Class C.

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

XXV. Coastal streams, segments and tributaries thereof not otherwise defined, above tidewater, entering tidewater between the head of tide on the Pleasant River at Columbia Falls and the head of tide on the Chandler River at Jonesboro—Class B-1.

XXVI. Unnamed stream at Easterly edge Columbia Falls Village from tidewater to Maine Central Railroad near Pleasant River Canning Company Plant—Class C.

XXVII. Coastal streams, segments and tributaries, between the head of tide on the Chandler River at Jonesboro and the head of tide on the Machias River at Machias, not otherwise defined, above tidewater and entering tidewater—Class B-1.

XXVIII. Machias River, main stem, between the head of tide and site of the low dam approximately opposite the ends of West Street and Hardwood Street in Machias—Class C.

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

XXX. Coastal streams, segments and tributaries thereof, not otherwise defined, above tidewater, entering tidewater between the head of tide on the Machias River at Machias and the head of tide on the East Machias River at East Machias—Class B-1.

XXXI. Middle River, main stem, between the 2nd upstream crossing of Route 192 and tidewater—Class B-2.

XXXII. East Machias River, segments and tributaries thereof, not otherwise defined, from tidewater at East Machias Village to the bridge at the crossing of Route 191 near Jacksonville, so-called—Class B-1.

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

XXXIV. Coastal streams, segments and tributaries thereof, not otherwise defined, above tidewater, entering tidewater between the head of tide on the East Machias River and West Quoddy Head—Class B-1.

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

XXXVI. Coastal streams, segments and tributaries thereof, not otherwise described, above tidewater, entering tidewater between West Quoddy Head and the head of tide on the Orange River at Whiting—Class B-1.

XXXVII. Orange River, segments of main stem between tidewater and the highway bridge at U. S. highway No. 1 in Whiting—Class B-2.

XXXVIII. Coastal streams, segments and tributaries thereof, not otherwise defined, above tidewater, entering tidewater between the head of tide on the Orange River at Whiting and the head of tide on the Dennys River at Edmunds—Class B-1.

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

XL. Coastal streams, segments and tributaries thereof, not otherwise defined, above tidewater, entering tidewater between the head of tide on the Dennys River at Dennysville and the head of tide on the Pennamaguan River at Pembroke—Class B-1.

XLI. Unnamed stream flowing through Dennysville Village immediately West of school building—Class B-2.

XLII. Pennamaguan River, segments and tributaries thereof, not otherwise defined, above tidewater, including Boyden Lake—Class B-1.

XLIII. Pennamaguan River, main stem, between the crossing of the Eastport Branch of the Maine Central Railroad and tidewater—Class B-2.

XLIV. Coastal streams, segments and tributaries thereof, not otherwise defined, above tidewater, entering tidewater between the head of tide on the Pennamaguan River in Pembroke and the head of tide at Little River in Perry—Class B-1.

XLV. Little River or Boyden Stream, Perry, segments and tributaries thereof, not otherwise defined above tidewater—Class B-1.

XLVI. Boyden stream, main stem, from the outlet of Boyden Pond to the 1st road crossing below Boyden Pond—Class B-2.'

Sec. 16. R. S., c. 79, § 16, additional. Chapter 79 of the revised statutes is hereby amended by adding thereto a new section, to be numbered 16, to read as follows:

'Sec. 16. Classification of surface waters. The following surface waters shall be classified in accordance with the provisions of this chapter:

Great Ponds

I. All great ponds within the State of Maine shall be classified herewith as not less than Class B-1; provided, however, that the Commission, upon application by any interested person, shall hold a hearing in accordance with the

classification procedure and if it shall find it is for the best interests of the public that such waters or any part thereof should be otherwise classified, it shall do so in accordance with the classification procedure of this chapter.'