

Maine Department of Environmental Protection
 November 16, 2006

BASIS STATEMENT

Chapter 587, In-stream Flow and Water Level Standards

This chapter establishes the instream flow and water level standards to protect natural aquatic life and other designated uses in Maine’s non-tidal fresh surface waters, including rivers, streams and lakes. This rulemaking has been undertaken pursuant to the legislative authorization of Title 38, Section 470-H, Water use standards, rules.

A public hearing on the proposed Chapter 587, In-stream Flow and Water Level Standards was held on August 3, 2006. The public comment period closed on August 18, 2006 at 5:00 p.m.

Comment and Response

The following persons submitted comments on the proposed Chapter 587 prior to the close of the comment period.

Name	Affiliation (If any)	Date
1. Steve Sutter	Presque Isle resident (Sutter)	7/12/06
2. William Black	Public Advocate Office (PAO)	8/1/06
3. Robert Marvinney	Maine Geological Survey (MGS)	8/3/06 *
4. Pat Keliher	Maine Atlantic Salmon Commission (MASC)	8/3/06 *
5. Nancy Beardsley	Maine DHHS, Drinking Water Program (DWP)	8/3/06 *
6. Seth Bradstreet	Maine Department of Agriculture (DAFRR)	8/3/06 *
7. Jeff Reardon	Trout Unlimited (TU-R)	8/3/06 * 8/18/06
8. Kirt Mayland	Trout Unlimited (TU-M)	8/3/06 * 8/18/06
9. Nick Bennett	Natural Resources Council of Maine (NRCM-B)	8/3/06
10. Matt Prindiville	Natural Resources Council of Maine (NRCM-P)	8/3/06 *
11. William MacDonald *	Maine Rivers (MR-M)	8/3/06 * 8/18/06
12. Joshua Royte	The Nature Conservancy (TNC)	8/3/06 *
13. Craig Dennis	Trout Unlimited Somerset Chapter (TU-D)	
14. Richard Knowlton	Aqua Maine (AM)	8/3/06 *
15. Jon Olson	Maine Farm Bureau (MFB)	8/3/06 *
16. Donald Neumann	York Water District (YWD)	8/3/06 *
17. Jeff McNelly	Maine Water Utilities (MWUA)	8/3/06 * 8/18/06
18. Chris Mansfield	Biddeford/Saco Water Company (B/SWC)	8/3/06 *
19. Kirsten Hebert	Maine Rural Water Association (MRWA)	8/3/06 * 8/18/06
20. Dan Wells	Winthrop Utilities District (WUD)	8/3/06 *
21. Normand Labbe	Kennebunk, Kennebunkport & Wells Water District (KKWWD)	8/3/06 * 8/18/06
22. David Bell	Wild Blueberry Commission (WBC)	8/3/06 *

		8/18/06
23. Albert Hodsdon	AE Hodsdon Engineering	8/3/06 *
24. Tim Hobbs	Maine Potato Board (MPB)	8/3/06 *
25. David Wilby	Independent Energy Producers of Maine (IEPM)	8/3/06
26. Vernon Lang	USFWS	8/7/06
27. David Parent	Sanford Water District (SWD-P)	8/9/06
28. Dennis Knowles	Sanford Water District (SWD-K)	8/9/06
29. Board of Trustees	Newport Water District (NWD)	8/10/06
30. John Clark	Houlton Water District (HWD)	8/14/06
31. Alan Hitchcock	Caribou Utilities District (CUD)	8/17/06
32. Michael Barden	Maine Pulp and Paper Assoc. (MPPA)	8/18/06
33. Mary Bowers	Great Salt Bay Sanitary District (GSBSD)	8/18/06
34. Sharon Newman	Preti Flaherty (for MRWA)	8/18/06
35. Sebastian Belle	Maine Aquaculture Assoc. (MAA)	8/18/06
36. Chris Simpson	ME Public Utilities Commission (PUC)	8/18/06
37. John Storer	Auburn Water District (AWD)	8/18/06
38. Brian Tarbuck	Augusta Water & Sanitary District (AWSD)	8/18/06
39. Clinton Townsend	Maine Rivers (MR-T)	8/18/06
40. Stephen Silva	US Environmental Protection Agency (EPA)	8/18/06
41. Steve Timpano	ME Inland Fisheries and Wildlife (MIFW)	8/18/06
42. Bradstreet/Keliher /Beardsley	Maine State Agencies (MSA)	8/18/06

* Indicates testified at public hearing

Due to the large volume of comments, the comments reflected below have been summarized and/or consolidated. The abbreviations included in the listing above are used below to identify the parties who made the comments. Comments relating to specific sections of the proposed rule are summarized first, and more general comments follow these. The “Draft Basis Statement” that was submitted to the Board on June 15 has been revised in response to some of these comments, and a revised version of this document is included here as the “Factual and Policy Basis of Chapter 587 - In-stream Flow and Water Level Standards.”