Chapter 502: DIRECT WATERSHEDS OF LAKES MOST AT RISK FROM NEW DEVELOPMENT, AND URBAN IMPAIRED STREAMS

**SUMMARY**: This chapter describes the criteria used to identify the direct watersheds of lakes most at risk from new development and urban impaired streams and lists these waterbodies.

**1. Applicability.** This chapter applies to (A) a project that requires a stormwater permit pursuant to 38 M.R.S. §420-D, and (B) a development that may substantially affect the environment and requires a *Site Location of Development Act* (Site Law) permit pursuant to 38 M.R.S. §§ 481 - 490.

**2. Definitions**. Unless the context otherwise indicates, definitions of terms in chapter 500 apply to terms used in this chapter. See "Definitions", 06-096 CMR 500.3.

**3. Criteria**. The criteria in this section are used to identify the direct watersheds of lakes most at risk from new development and urban impaired streams.

The criteria apply for both projects requiring a stormwater permit and developments requiring a Site Law permit, unless otherwise specifically stated.

**A. Direct watershed of a lake most at risk from new development**. Lakes most at risk from new development are listed in Appendix A of this chapter. A lake is considered most at risk from new development if it meets the criteria below:

(1) A public water supply; or

(2) Identified by the department as being in violation of class GPA water quality standards or as particularly sensitive to eutrophication based on:

(a) Current water quality,

(b) Potential for internal recycling of phosphorus,

(c) Potential as a cold water fishery,

(d) Volume and flushing rate, or

(e) Projected growth rate in the watershed.

Severely blooming lakes are a subset of lakes most at risk. A severely blooming lake has a history of algal blooms, and the reduction of existing watershed phosphorus sources sufficient to eliminate those algal blooms is expected to be so difficult that the addition of new, incompletely mitigated development sources may prevent successful restoration of the lake.

**B. Urban impaired streams.** A stream is considered impaired if it fails to meet water quality standards because of effects of stormwater runoff from developed land. Additional stormwater treatment controls are necessary in urban watersheds of impaired streams because proposed stormwater sources in urban and urbanizing areas contribute to the further degradation of stream water quality. Urban impaired streams are listed in Appendix B of this rule and include all streams where violations of water quality classification standards have been documented for which urban stormwater has been identified as a significant cause. Urban impaired streams are considered “degraded, sensitive or threatened regions or watersheds” as described in 38 M.R.S. §420-D(4).

**APPENDIX A**

**Lakes Most at Risk from New Development**

(x) = Severely Blooming

|  |  |  |
| --- | --- | --- |
| LAKE | TOWN |  |
| ABRAMS LAKE | EASTBROOKE |  |
| ADAMS POND | BOOTHBAY |  |
| ADAMS POND | NEWFIELD |  |
| ADAMS POND | BRIDGTON |  |
| ALLEN POND | GREENE |  |
| ANASAGUNTICOOK LAKE | CANTON |  |
| ANDERSON POND | AUGUSTA |  |
| ANDROSCOGGIN LAKE | WAYNE |  |
| ANNABESSACOOK LAKE (X) | WINTHROP |  |
| BARTLETT POND | WATERBORO |  |
| BAUNEG BEG POND | SANFORD |  |
| BAY OF NAPLES | NAPLES |  |
| BEAVER POND | BRIDGTON |  |
| BERRY POND | WINTHROP |  |
| BERRY POND | GREENE |  |
| BIRCH HARBOR POND | WINTER HARBOR |  |
| BLACK POND | SWEDEN |  |
| BONNY EAGLE LAKE | BUXTON |  |
| BOULTER POND | YORK |  |
| BOYD POND | LIMINGTON |  |
| BRANCH LAKE | ELLSWORTH |  |
| BRANCH POND | CHINA |  |
| BRETTUNS POND | LIVERMORE |  |
| BUKER POND | LITCHFIELD |  |
| BUNGANUT POND | LYMAN |  |
| BURNTLAND POND | STONINGTON |  |
| CARLTON POND | WINTHROP |  |
| CHAFFIN POND | WINDHAM |  |
| CHASES POND | YORK |  |
| CHICKAWAUKIE POND | ROCKPORT |  |
| CHINA LAKE | CHINA |  |
| CITY POND | SANDY RIVER PLANTATION |  |
| COBBOSSECONTEE LAKE  | WINTHROP |  |
| COCHNEWAGON LAKE  | MONMOUTH |  |
| COFFEE POND | CASCO |  |
| COLD RAIN POND | NAPLES |  |
| CRAWFORD POND | WARREN |  |
| CRESCENT POND | RAYMOND |  |
| CRYSTAL LAKE | GRAY |  |
| CRYSTAL POND | TURNER |  |
| DAM POND | AUGUSTA |  |
| DAMARISCOTTA LAKE, MIDDLE AND SOUTH BASINS | NOBLEBORO |  |
| DAVIS POND | HOLDEN |  |
| DEER POND | HOLLIS |  |
| DEERING POND | SANFORD |  |
| DESERT POND | MOUNT VERNON |  |
|  |  |  |
|  |  |  |
| DEXTER POND | WINTHROP |  |
| DODGE POND | RANGELEY |  |
| DUCKPUDDLE POND | WALDOBORO |  |
| DUMPLING POND | CASCO |  |
| DUTTON POND | CHINA ALBION |  |
| EAGLE LAKE | BAR HARBOR |  |
| EAST POND | SMITHFIELD |  |
| ECHO LAKE  | PRESQUE ISLE |  |
| ELL POND | SANFORD |  |
| ESTES LAKE | SANFORD |  |
| ETNA POND | STETSON |  |
| FAIRBANKS POND | MANCHESTER |  |
| FLOODS POND | OTIS |  |
| FOLLY POND | VINALHAVEN |  |
| FOREST LAKE | WINDHAM |  |
| FRESH POND | NORTH HAVEN |  |
| GARDINER POND | WISCASSET |  |
| GARLAND PONDGEORGES POND | GARLANDFRANKLIN |  |
| GRANGER POND | DENMARK |  |
| GRANNY KENT POND | SHAPLEIGH |  |
| GRASSY POND | ROCKPORT |  |
| GREAT MOOSE LAKE | HARTLAND |  |
| GREAT POND | BELGRADE & ROME |  |
| GREAT POND | CAPE ELIZABETH |  |
| GREELEY POND | AUGUSTA |  |
| GREEN POND | OXFORD |  |
| HALEY POND | RANGELEY |  |
| HALF MOON POND | PROSPECT |  |
| HALL POND | PARIS |  |
| HANCOCK POND | EMBDEN |  |
| HATCASE POND | DEDHAM |  |
| HERMON POND | HERMON |  |
| HIGHLAND LAKE | BRIDGTON |  |
| HIGHLAND LAKE | WINDHAM |  |
| HOBBS (LT PENNESSE.) | NORWAY |  |
| HOGAN POND | OXFORD |  |
| HOLBROOK POND | HOLDEN |  |
| HOLLAND POND | LIMERICK |  |
| HORNE POND | LIMINGTON |  |
| HOSMER POND | CAMDEN |  |
| HUTCHINSON POND | MANCHESTER |  |
| INGALLS POND | BRIDGTON |  |
| INGHAM POND | MOUNT VERNON |  |
| ISINGLASS POND | LIMINGTON |  |
| JACOB BUCK POND | BUCKSPORT |  |
| JIMMIE (JAMIES) POND | MANCHESTER |  |
| JIMMY POND | LITCHFIELD |  |
| JORDAN POND | MOUNT DESERT |  |
| KENNEBUNK POND | LYMAN |  |
| KEZAR POND | WINTHROP |  |
| KILLICK POND | HOLLIS |  |
| KNICKERBOCKER POND | BOOTHBAY |  |
| KNIGHT POND | SOUTH BERWICK |  |
| LAKE AUBURN | AUBURN |  |
| LAKE GEORGE | SKOWHEGAN |  |
| LAKE WOOD | BAR HARBOR |  |
| LILLY POND | ROCKPORT |  |
|  |  |  |
|  |  |  |
| LILY POND | SIDNEY |  |
| LILY POND | NEW GLOUCESTER |  |
| LITTLE COBBOSSEE | WINTHROP |  |
| LITTLE DUCK POND | WINDHAM |  |
| LITTLE MEDOMAK POND | WALDOBORO |  |
| LITTLE OSSIPEE | WATERBORO |  |
| LITTLE POND | DAMARISCOTTA |  |
| LITTLE PURGATORY POND | MONMOUTH |  |
| LITTLE SABATTUS | GREENE |  |
| LITTLE SEBAGO LAKE | WINDHAM |  |
| LITTLE TOGUS POND | AUGUSTA |  |
| LITTLE WATCHIC POND | STANDISH |  |
| LITTLE WILSON POND | TURNER |  |
| LONG LAKE | BRIDGTON |  |
| LONG POND | BELGRADE |  |
| LONG POND | MOUNT DESERT |  |
| LONG POND | BUCKSPORT |  |
| LONG POND | SULLIVAN |  |
| LOON POND | SABATTUS |  |
| LOON POND | LITCHFIELD |  |
| LOVEJOY POND | ALBION |  |
| LOWER AND UPPER PONDS | SKOWHEGAN |  |
| LOWER HADLOCK POND | MOUNT DESERT |  |
| LOWER NARROWS POND | WINTHROP |  |
| LOWER RANGE POND | POLAND |  |
| MACES POND | ROCKPORT |  |
| MANSFIELD POND | HOPE |  |
| MARANACOOK LAKE | WINTHROP |  |
| MARSHALL POND | OXFORD |  |
| MCGRATH POND | OAKLAND |  |
| MEDOMAK POND | WALDOBORO |  |
| MEGUNTICOOK LAKE | LINCOLNVILLE |  |
| MESSALONSKEE LAKE | BELGRADE |  |
| MIDDLE BRANCH POND | ALFRED |  |
| MIDDLE RANGE POND | POLAND |  |
| MIRROR LAKE | ROCKPORT |  |
| MOODY POND | LINCOLNVILLE |  |
| MOODY POND | WATERBORO |  |
| MOOSE HILL POND | LIVERMORE FALLS |  |
| MOOSE PONDMOOSE POND | OTISFIELDBRIDGTON |  |
| MOUNT BLUE POND | AVON |  |
| MOUSAM LAKE | SHAPLEIGH |  |
| MUD POND | WINSLOW |  |
| MUD POND | CHINA |  |
| MUD POND | WINDSOR |  |
| MUD PONDMUD POND | OXFORDTURNER |  |
| MURDOCK POND | BERWICK |  |
| NEQUASSET POND | WOOLWICH |  |
| NICHOLS POND | SWANVILLE |  |
| NO NAME POND | LEWISTON |  |
| NOKOMIS POND | NEWPORT |  |
| NORTH POND | NORWAY |  |
| NORTH POND | SUMNER |  |
| NORTH POND | SMITHFIELD |  |
| NORTON POND | LINCOLNVILLE |  |
| NOTCHED POND | RAYMOND |  |
| NUBBLE POND | RAYMOND |  |
|  |  |  |
| OAKS POND | SKOWHEGAN |  |
| OTTER POND | BRIDGTON |  |
| OTTER PONDS #2 | STANDISH |  |
| PANTHER PONDPAPOOSE POND | RAYMONDWATERFORD |  |
| PARADISE POND | DAMARISCOTTA |  |
| PARKER POND | CASCO |  |
| PARKER POND | JAY |  |
| PARKER POND | LYMAN |  |
| PATTEE POND | WINSLOW |  |
| PATTEN POND | HAMPDEN |  |
| PEMAQUID POND | WALDOBORO |  |
| PENNESSEEWASSEE | NORWAY |  |
| PETINGILL POND | WINDHAM |  |
| PLEASANT POND | TURNER |  |
| PLEASANT POND (X) | RICHMOND |  |
| POVERTY POND | NEWFIELD |  |
| QUIMBY POND | RANGELEY |  |
| RAYMOND POND | RAYMOND |  |
| RICH MILL POND | STANDISH |  |
| ROBERTS WADLEY POND | LYMAN |  |
| ROCKY POND | ROCKPORT |  |
| ROUND POND | RANGELEY |  |
| RUNAROUND POND | DURHAM |  |
| SABATTUS POND (X) | GREENE |  |
| SABBATHDAY LAKE | NEW GLOUCESTER |  |
| SALMON L (ELLIS P) | BELGRADE |  |
| SALMON STREAM POND | GUILFORD |  |
| SAND POND | MONMOUTH |  |
| SAND POND | LIMINGTON |  |
| SANDY BOTTOM POND | TURNER |  |
| SANDY POND | FREEDOM |  |
| SAWYER POND | GREENVILLE |  |
| SCITUATE POND | YORK |  |
| SEBAGO LAKE | SEBAGO |  |
| SEBASTICOOK LAKE | NEWPORT |  |
| SECOND POND | DEDHAM |  |
| SEWALL POND | ARROWSIC |  |
| SHAKER POND | ALFRED |  |
| SHY BEAVER POND | SHAPLEIGH |  |
| SILVER LAKE | BUCKSPORT |  |
| SPECTACLE POND | VASSALBORO |  |
| STARBIRD POND | HARTLAND |  |
| SWAN POND | LYMAN |  |
| SWETTS POND | ORRINGTON |  |
| SYMMES POND | NEWFIELD |  |
| TAYLOR PONDTHE BASIN | AUBURNAUBURN |  |
| THOMAS POND | CASCO |  |
| THOMPSON LAKE | OXFORD |  |
| THREECORNERED POND | AUGUSTA |  |
| THREEMILE POND (X) | WINDSOR |  |
| TOGUS POND | AUGUSTA |  |
| TOLMAN POND | AUGUSTA |  |
| TOOTHAKER POND | PHILLIPS |  |
| TRAVEL POND | JEFFERSON |  |
| TRICKEY POND | NAPLES |  |
| TRIPP POND | POLAND |  |
|  |  |  |
|  |  |  |
| TYLER POND | MANCHESTER |  |
| UNITY POND | UNITY |  |
| UPPER NARROWS POND | WINTHROP |  |
| UPPER RANGE POND | POLAND |  |
| WADLEY POND | LYMAN |  |
| WARD POND | SIDNEY |  |
| WARDS POND | LIMINGTON |  |
| WARREN POND | SOUTH BERWICK |  |
| WASSOOKEAG LAKE | DEXTER |  |
| WATCHIC POND | STANDISH |  |
| WEBBER POND (X) | VASSALBORO |  |
| WEST GARLAND POND | GARLAND |  |
| WEST HARBOR POND | BOOTHBAY HARBOR |  |
| WHITES POND | PALMYRA |  |
| WHITNEY POND | OXFORD |  |
| WHITTIER POND | ROME |  |
| WILEY POND | BOOTHBAY |  |
| WILSON POND | WAYNE |  |
| WOOD POND | BRIDGTON |  |
| WOODBURY POND | MONMOUTH |  |
| WORTHLEY POND | POLAND |  |
| YORK POND | ELIOT |  |
| YOUNGS LAKE | WESTFIELD |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |

**APPENDIX B**

**Urban impaired streams**

|  |  |
| --- | --- |
| STREAM | TOWN\* |
|  |  |
| LOGAN BROOK | AUBURN |
| UNNAMED TRIBUTARY TO BOND BROOK (entering below I-95, drains Turnpike Mall Shopping Center) | AUGUSTA |
| KENNEDY BROOK | AUGUSTA |
| WHITNEY BROOK | AUGUSTA |
| PENJAJAWOC STREAM, including MEADOW BROOK | BANGOR |
| BIRCH STREAM (OHIO STREET) | BANGOR |
| CAPEHART BROOK | BANGOR |
| ARCTIC BROOK (VALLEY AVENUE) | BANGOR |
| SHAW BROOK | BANGOR, HAMPDEN |
| SUCKER BROOK | BANGOR, HAMPDEN |
| THATCHER BROOK | BIDDEFORD |
| MARE BROOK | BRUNSWICK |
| UNNAMED TRIBUTARY TO ANDROSCOGGIN RIVER (near Jordan Avenue) | BRUNSWICK |
| UNNAMED TRIBUTARY TO ANDROSCOGGIN RIVER (near River Road) | BRUNSWICK |
| UNNAMED TRIBUTARY TO ANDROSCOGGIN RIVER (near Water Street) | BRUNSWICK |
| CARIBOU STREAM | CARIBOU |
| FROST GULLY BROOK | FREEPORT |
| CONCORD GULLY | FREEPORT |
| HART BROOK | LEWISTON |
| JEPSON BROOK | LEWISTON |
| UNNAMED STREAM (Route 196) | LISBON FALLS |
| CAPISIC BROOK | PORTLAND |
| DOLE BROOK | PORTLAND |
| FALL BROOK | PORTLAND |
| NASONS BROOK | PORTLAND |
| GOOSEFARE BROOK | SACO |
| GOODALL BROOK | SANFORD |
| TROUT BROOK (including KIMBALL BROOK) | SOUTH PORTLAND |
| BARBERRY CREEK | SOUTH PORTLAND |
| LONG CREEK | SOUTH PORTLAND |
| PHILLIPS BROOK | SCARBOROUGH  |
| RED BROOK | SCARBOROUGH , SOUTH PORTLAND |

|  |  |
| --- | --- |
| WHITTEN BROOK | SKOWHEGAN |
| UNNAMED TRIBUTARY TO ANDROSCOGGIN RIVER (near Topsham Fairgrounds)UNNAMED TRIBUTARY TO ANDROSCOGGIN RIVER (draining Topsham Fair Mall area) | TOPSHAMTOPSHAM |

\*Town listed provides the general location of the stream. The stream

may pass through other municipalities, which are also included even

If not listed in this table.

AUTHORITY: 38 M.R.S.A. §§ 341-D, 420-D, and 484

EFFECTIVE DATE: December 31, 1997

REPEALED AND REPLACED: November 16, 2005, filing 2005-418

AMENDED: December 27, 2006 , filing 2006-531

AMENDED: May 23, 2018, filing 2018-064 (Major substantive)