

Maine Department of Environmental Protection 2021 Triennial Review of Water Quality Standards

Department Proposals for Upgrades of Water Quality Classifications

Department staff submitted 13 proposals to be considered for water quality classification upgrades:

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Cambolasse Stream – Upgrade to Class B

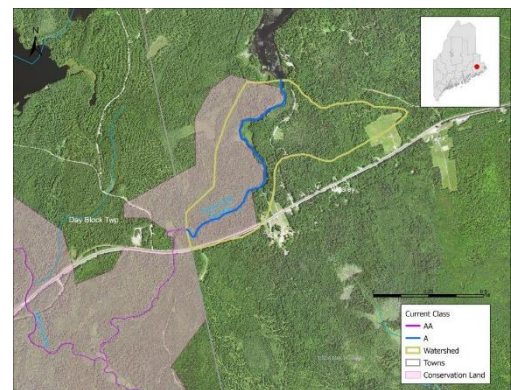
- 1. Waterbody Name:** Cambolasse Stream (0.2 miles)
- 2. Location of proposed change in classification:** Lincoln.
- 3. Write a brief statement that justifies why the waterbody should be considered for change.** A lumber yard and sawmill located just upstream of the Class C segment of the stream used to affect water quality. The business closed many years ago and water quality meets Class B standards.



- 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.** There are no discharge or land-development permits affecting the stream.
- 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.** Water quality data collected by the Penobscot Nation between 2008 and 2019 show attainment of Class B water quality standards for dissolved oxygen and bacteria.
- 6. Provide a summary of known human activities in the watershed of the proposed reclassification that might jeopardize attainment of standards of the proposed classification, for example landuse altering activities, landfills, hazardous waste sites, wastewater discharges, etc..** There are no known activities that would jeopardize attainment of Class B standards.

Chain Lakes Stream – Upgrade to Class AA

- 1. Waterbody Name:** Chain Lakes Stream (a.k.a. Chain Lake Stream; 1 mile).
- 2. Location of proposed change in classification:** Wesley; from the Day Block TWP/Wesley town line to First Chain Lake.
- 3. Write a brief statement that justifies why the waterbody should be considered for change.** Chain Lakes Stream is a tributary to Class AA Old Stream. The lower portion in Day Block TWP (0.9 miles) was



upgraded to Class AA in 2003 based on a proposal from the local watershed council, Downeast Salmon Federation and Project S.H.A.R.E; the segment in Wesley was inadvertently omitted from the upgrade and remained Class A. The entire stream contains high-quality habitat for endangered Atlantic salmon and has been designated critical habitat for this species by NOAA Fisheries and the US Fish and Wildlife Service under the federal Endangered Species Act, lending significant ecological importance to the stream. Almost 40% of the upstream watershed and almost 60% of the immediate watershed of the Stream is protected, adding scenic and recreational importance to this waterbody. 75% of the watershed is forested.

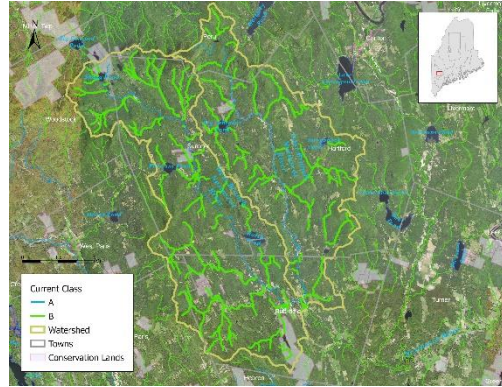
- 4. State how the proposed change will affect other users of the waterbody, for example holders of wastewater or stormwater discharge permits or holders of land-development permits.** There are no existing or planned water control structures, and no stormwater sites, licensed wastewater discharges, or overboard discharges in the watershed. Likewise, there are no land-development permits. The Department is not aware of any existing water withdrawal activities or permits in this watershed. Hydroelectric power generation is not a designated use in Class AA and an upgrade will thus preclude future construction of water control structures. Except for certain cases as defined in Maine statutes, there may be no direct discharge of pollutants to Class AA waters. *It is important to note that the current statutory allowance for stormwater discharges to Class AA waters is under review with EPA (as a result of [EPA's 6/5/15 decision letter](#) to DEP Commissioner Patricia W. Aho, pp. 6 and 29) and may be amended or eliminated at some point in the future. Amendment or elimination of the current statutory allowance could limit or prohibit certain types of stormwater discharges and associated development in AA watersheds.* Forestry activities that may be occurring in the watershed are not expected to be affected because under Maine's Forest Practices Act, forestry activities are generally subject to the same regulatory requirements regardless of water classification.
- 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.** No relevant water quality data are available.
- 6. Provide a summary of known human activities in the watershed of the proposed reclassification that might jeopardize attainment of standards of the proposed classification, for example landuse altering activities, landfills, hazardous waste sites, wastewater discharges, etc.** The watershed is undeveloped with more than half of the watershed protected as conservation land. First Chain Lake is impounded by a dam, which may affect downstream water quality. Industrial forestry activities may occur in the watershed. The stream is expected to attain Class AA standards.

East and West Branches Nezinscot River, Tributaries – Upgrade to Class A

1. **Waterbody Name:** All tributaries to the East and West Branches Nezinscot River (~135 miles).

2. **Location of proposed change in classification:** Buckfield, Hartford, Paris, Peru, Sumner, West Paris, and Woodstock.

3. **Write a brief statement that justifies why the waterbody should be considered for change.** The East and West Branches Nezinscot River are designated as Class A but their tributaries are all designated Class B. The watershed is primarily forested with little development. DEP collected biological monitoring samples from the East and West Branches Nezinscot River and Bunganock Stream and all samples attained Class A aquatic life criteria. It is expected that other tributaries also attain Class A, and upgrading them would maintain their quality as well as the quality of the East and West Branches.



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.** There are no discharges in the watershed and no land-development permits near a waterbody proposed for upgrade. Forestry activities in the watershed are not expected to be affected because under Maine’s Forest Practices Act, forestry activities are generally subject to the same regulatory requirements regardless of water classification.

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.** Maine DEP has collected a total of 17 biological monitoring samples from 5 sample locations on the East Branch Nezinscot River, West Branch Nezinscot River, and Bunganock Brook. All samples attained Class A aquatic life criteria for macroinvertebrate and algal assemblages. Six ponds in the watershed have been monitored by Maine DEP and volunteers and all have good water quality.

6. **Provide a summary of known human activities in the watershed of the proposed reclassification that might jeopardize attainment of standards of the proposed classification, for example landuse altering activities, landfills, hazardous waste sites, wastewater discharges, etc.** The watershed is primarily forested with a few farms and residential areas. There are no recent hazardous sites in the watershed but there is a municipal growth area in Buckfield near the confluence of the East and West Branches. Some forestry activities occur in the watersheds.

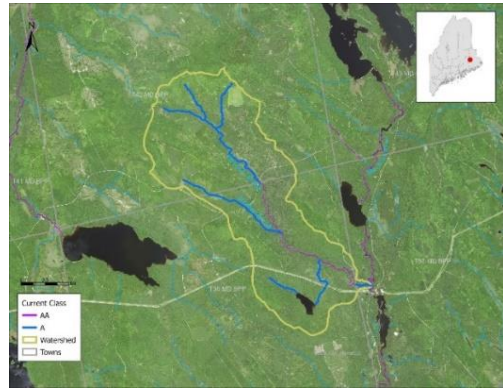
Fletcher Brook and Tributaries – Upgrade to Class AA

1. **Waterbody Name:** Fletcher Brook and tributaries (~10 miles).

2. **Location of proposed change in classification:** T36 MD BPP, T37 MD BPP and T42 MD BPP.

3. **Write a brief statement that justifies why the waterbody should be considered for change.**

Fletcher Brook is a tributary to Class AA Machias River. The majority of the Brook (in T36 MD BPP) is Class AA, but the upper (T42 MD BPP; 3.1 miles) and lower (T37 MD BPP; 0.3 miles) portions are Class A, even though there are no significant changes in watershed characteristics or water quality between the towns. Both Class A sections and their tributaries (especially Hadley Brook) contain high-quality habitat for endangered Atlantic salmon and have been designated critical habitat for this species by NOAA Fisheries and the US Fish and Wildlife Service under the federal Endangered Species Act, lending significant ecological importance to these waters. 80% of the watershed is forested.



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.** There are no existing or planned water control structures, and no stormwater sites, licensed wastewater discharges, or overboard discharges in the watershed. Likewise, there are no land-development permits. The Department is not aware of any existing water withdrawal activities or permits in this watershed. Hydroelectric power generation is not a designated use in Class AA and an upgrade will thus preclude future construction of water control structures. Except for certain cases as defined in Maine statutes, there may be no direct discharge of pollutants to Class AA waters. *It is important to note that the current statutory allowance for stormwater discharges to Class AA waters is under review with EPA (as a result of [EPA's 6/5/15 decision letter](#) to DEP Commissioner Patricia W. Aho, pp. 6 and 29) and may be amended or eliminated at some point in the future. Amendment or elimination of the current statutory allowance could limit or prohibit certain types of stormwater discharges and associated development in AA watersheds.* Forestry activities are not expected to be affected because under Maine's Forest Practices Act, forestry activities are generally subject to the same regulatory requirements regardless of water classification.

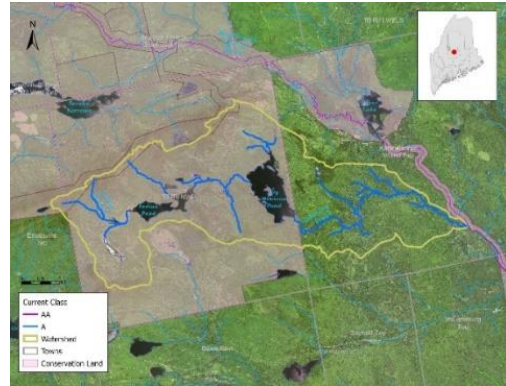
5. **Provide water quality data, if available (including source of data), that documents the attainment status of the candidate waterbody relative to the designated uses and criteria of the proposed classification.** Available water quality data indicate good conditions. Continuous temperature data collected by the U.S. Fish and Wildlife service 2008-2012 indicate predominantly good conditions.

6. Provide a summary of known human activities in the watershed of the proposed reclassification that might jeopardize attainment of standards of the proposed classification, for example landuse altering activities, landfills, hazardous waste sites, wastewater discharges, etc. The watershed is undeveloped with industrial forestry activities ranging from heavy partial cuts to regenerating forest.

Houston Brook and Tributaries – Upgrade to Class AA

1. **Waterbody Name:** Houston Brook and tributaries (~25 miles).

2. **Location of proposed change in classification:** Katahdin Iron Works TWP, T7 R9 NWP, Elliotsville TWP.



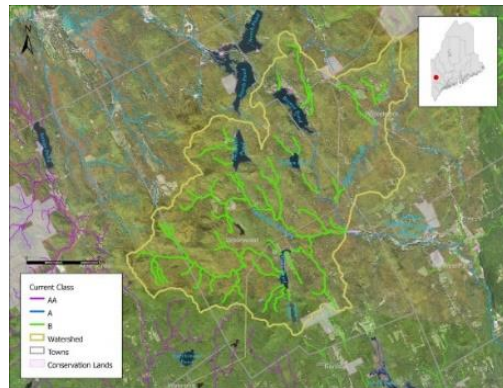
3. **Write a brief statement that justifies why the waterbody should be considered for change.** Houston Brook and its tributaries, including Indian Stream, are class A tributaries to Class AA West Branch Pleasant River. The streams contain high-quality habitat for endangered Atlantic salmon according to the Maine Department of Marine Resources, with evidence of spawning documented in 2019. The streams have been designated critical habitat for Atlantic salmon by NOAA Fisheries and the US Fish and Wildlife Service under the federal Endangered Species Act, and therefore have significant ecological importance. Big and Little Houston Ponds support brook trout populations. Almost 80% of the watershed is forested. 60% of the watershed is protected as conservation land by the Appalachian Mountain Club and the National Park Service (Appalachian National Scenic Trail), lending scenic and recreational importance to these waters.
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.** There are no existing or planned water control structures, and no stormwater sites, licensed wastewater discharges, or overboard discharges in the watershed. Likewise, there are no land-development permits. The Department is not aware of any existing water withdrawal activities or permits in this watershed. Hydroelectric power generation is not a designated use in Class AA and an upgrade will thus preclude future construction of water control structures. Except for certain cases as defined in Maine statutes, there may be no direct discharge of pollutants to Class AA waters. *It is important to note that the current statutory allowance for stormwater discharges to Class AA waters is under review with EPA (as a result of [EPA's 6/5/15 decision letter](#) to DEP Commissioner Patricia W. Aho, pp. 6 and 29) and may be amended or eliminated at some point in the future. Amendment or elimination of the current statutory allowance could limit or prohibit certain types of stormwater discharges and associated development in AA watersheds.* Forestry activities

that may be occurring in the watershed are not expected to be affected because under Maine's Forest Practices Act, such activities are generally subject to the same regulatory requirements regardless of water classification.

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.** Only minimal DEP water quality data are available from 2009 and 2010 and no conclusive assessment of water quality conditions is possible. DMR temperature data from 2007-2013 show relatively short periods of summer maxima above salmon stress thresholds, similar to other headwater streams.
6. **Provide a summary of known human activities in the watershed of the proposed reclassification that might jeopardize attainment of standards of the proposed classification, for example landuse altering activities, landfills, hazardous waste sites, wastewater discharges, etc.** The watershed is undeveloped and 60% is protected as conservation land. Industrial forestry activities may occur in the lower watershed. The streams are expected to attain Class AA standards.

Little Androscoggin River (Upper), Tributaries – Upgrade to Class A

1. **Waterbody name:** The following tributaries to the upper Little Androscoggin River (~52 miles):
 - Twitchell Brook and all its tributaries in Greenwood and Albany TWP, including tributaries to Hicks Pond and Mud Pond.
 - All tributaries of the Little Androscoggin River entering above the confluence with Twitchell Brook in Greenwood, including tributaries to Bryant Pond and Indian Pond. Black Brook in Woodstock is already Class A and this proposal only includes the lowest ~0.6 miles in Greenwood, which are Class B.



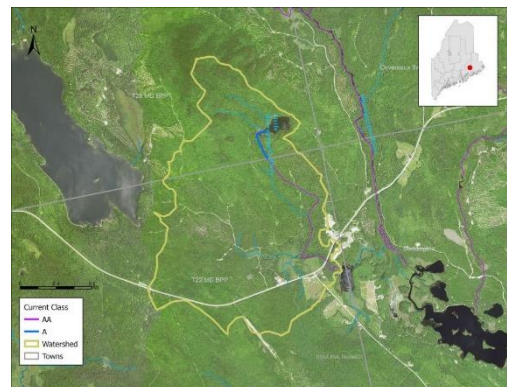
2. **Location of proposed change in classification:** Greenwood, Woodstock, and Albany TWP.
3. **Write a brief statement that justifies why the waterbody should be considered for change.** The Little Androscoggin River is designated as Class A from the outlet of Bryant Pond to the railroad bridge in South Paris and waterbodies proposed for upgrade are all designated Class B. The watershed is primarily forested with little agriculture and few residential areas. DEP biological monitoring samples from Twitchell Brook and the Little Androscoggin River in Greenwood attained Class A aquatic life criteria for macroinvertebrates and algae. It is expected that the other waters proposed for upgrade also attain Class A, and an upgrade would maintain their quality as well as the quality of the Little Androscoggin River. Adjacent

river basins to the south, west, and north are designated as Class AA and A, so the proposed upgrade fits into the regional approach of managing water quality.

- 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.** There are no discharges in the watershed and no land-development permits. Forestry activities in the watershed are not expected to be affected because under Maine's Forest Practices Act, forestry activities are generally subject to the same regulatory requirements regardless of water classification.
- 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.** Maine DEP has collected biological monitoring samples from Twitchell Brook and Hicks Pond, as well as the Little Androscoggin River above the confluence with Twitchell Brook. All samples attained Class A aquatic life criteria for macroinvertebrates and algae. Three of the six larger ponds in the watershed (Bryant, Twitchell and Indian Ponds) have been monitored and all have good water quality.
- 6. Provide a summary of known human activities in the watershed of the proposed reclassification that might jeopardize attainment of standards of the proposed classification, for example landuse altering activities, landfills, hazardous waste sites, wastewater discharges, etc.** There are no wastewater discharges or hazardous sites in the watershed. The watershed is primarily forested with little agriculture and few residential areas. Forestry activities occur in the watershed.

Little Narraguagus River – Upgrade to Class AA

- 1. Waterbody Name:** Little Narraguagus River (~0.4 miles).
- 2. Location of proposed change in classification:** T28 MD BPP (to Bear Pond).
- 3. Write a brief statement that justifies why the waterbody should be considered for change.** The Little Narraguagus River is a tributary to Class AA Narraguagus River. The middle segment in T22 MD BPP (2.2 miles) was upgraded to Class AA in 2003 based on a proposal from the local watershed council, Downeast Salmon Federation and Project S.H.A.R.E; the upper and lower segments in T28 MD BPP and Beddington (0.4 and 0.6 miles, respectively) were inadvertently omitted from the upgrade and remained Class A. The entire river, and especially the upper section, contains high-quality habitat for endangered Atlantic salmon and has been designated critical habitat for this species by NOAA Fisheries

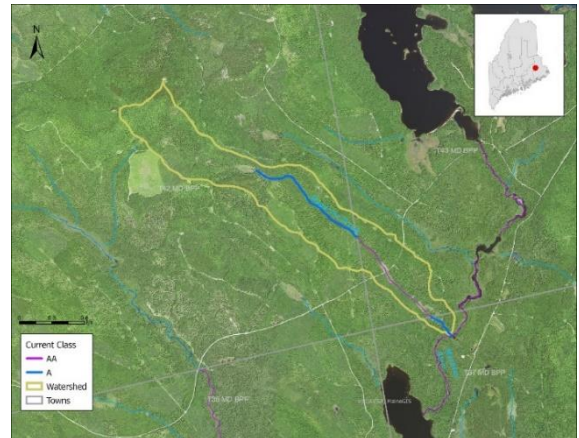


and the US Fish and Wildlife Service under the federal Endangered Species Act, lending significant ecological importance to the river. More than 80% of the watershed is forested.

- 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.** There are no existing or planned water control structures, and no stormwater sites, licensed wastewater discharges, or overboard discharges in the entire watershed of the River. Likewise, there are no land-development permits. The Department is not aware of any existing water withdrawal activities or permits in this watershed. Hydroelectric power generation is not a designated use in Class AA and an upgrade will thus preclude future construction of water control structures. Except for certain cases as defined in Maine statutes, there may be no direct discharge of pollutants to Class AA waters. *It is important to note that the current statutory allowance for stormwater discharges to Class AA waters is under review with EPA (as a result of [EPA's 6/5/15 decision letter](#) to DEP Commissioner Patricia W. Aho, pp. 6 and 29) and may be amended or eliminated at some point in the future. Amendment or elimination of the current statutory allowance could limit or prohibit certain types of stormwater discharges and associated development in AA watersheds.* Forestry activities that may be occurring in the watershed are not expected to be affected because under Maine's Forest Practices Act, forestry activities are generally subject to the same regulatory requirements regardless of water classification. In Beddington, some resource extraction activities are taking place and thus the 0.6-mile segment of the River in that town (below Chalk Pond) is excluded from this proposal.
- 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.** Continuous temperature data collected by the U.S. Fish and Wildlife service from 2011-2012 near the confluence with the Narraguagus River in Beddington indicate predominantly good conditions.
- 6. Provide a summary of known human activities in the watershed of the proposed reclassification that might jeopardize attainment of standards of the proposed classification, for example landuse altering activities, landfills, hazardous waste sites, wastewater discharges, etc.** The watershed is mostly undeveloped with some industrial forestry activities. Rt. 9 crosses through the middle of the drainage. There are some resource extraction activities in the lower portion of the watershed which is being excluded from the proposal. The streams proposed for upgrade are expected to attain Class AA standards.

Magazine Brook – Upgrade to Class AA

- 1. Waterbody Name:** Magazine Brook (~1.5 miles).
- 2. Location of proposed change in classification:** T37 MD BPP and T42 MD BPP.
- 3. Write a brief statement that justifies why the waterbody should be considered for change.** Magazine Brook is a tributary to Class AA Machias River. The middle section in T43 MD BPP (1.0 miles) was upgraded to Class AA in 2003 based on a proposal from the local watershed council, Downeast Salmon Federation and Project S.H.A.R.E.; the upper (1.2 miles) and lower (0.3 miles) segments in T42 MD BPP and T37 MD BPP, respectively, were inadvertently omitted from the upgrade and remained Class A. The entire brook contains high-quality habitat for endangered Atlantic salmon and has been designated critical habitat for this species by NOAA Fisheries and the US Fish and Wildlife Service under the federal Endangered Species Act, lending significant ecological importance to this waterbody. The lower segment of the brook is in conserved land and almost 70% of the watershed is forested.



- 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.** There are no existing or planned water control structures, and no stormwater sites, licensed wastewater discharges, or overboard discharges in the watershed. Likewise, there are no land-development permits. The Department is not aware of any existing water withdrawal activities or permits in this watershed. Hydroelectric power generation is not a designated use in Class AA and an upgrade will thus preclude future construction of water control structures. Except for certain cases as defined in Maine statutes, there may be no direct discharge of pollutants to Class AA waters. *It is important to note that the current statutory allowance for stormwater discharges to Class AA waters is under review with EPA (as a result of [EPA's 6/5/15 decision letter](#) to DEP Commissioner Patricia W. Aho, pp. 6 and 29) and may be amended or eliminated at some point in the future. Amendment or elimination of the current statutory allowance could limit or prohibit certain types of stormwater discharges and associated development in AA watersheds.* Forestry activities are not expected to be affected because under Maine's Forest Practices Act, forestry activities are generally subject to the same regulatory requirements regardless of water classification.
- 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.** No relevant water quality data are available.
- 6. Provide a summary of known human activities in the watershed of the proposed reclassification that might jeopardize attainment of standards of the proposed**

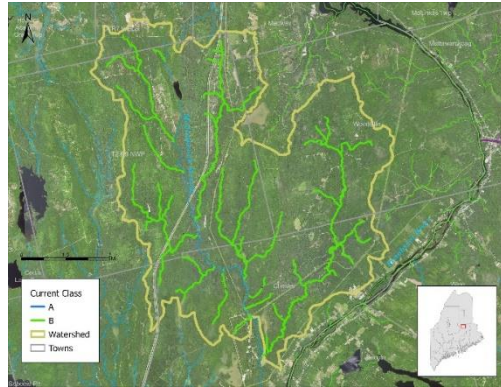
classification, for example landuse altering activities, landfills, hazardous waste sites, wastewater discharges, etc. The watershed is undeveloped with industrial forestry activities ranging from heavy partial cuts to regenerating forest. Magazine Brook is expected to attain Class AA standards.

Medunkeunk Stream, Tributaries – Upgrade to Class A

1. **Waterbody name:** All tributaries to Medunkeunk Stream (~75 miles).

2. **Location of proposed change in classification:** TA R7 WELS, Medway, T2 R9 NWP, Woodville, T2 R8 NWP, and Chester.

3. **Write a brief statement that justifies why the waterbody should be considered for change.** Medunkeunk Stream is designated as Class A and all tributaries are designated Class B. The watershed is primarily forested with some agriculture and few residential areas. Given the watershed characteristics, it is expected that the tributaries to Medunkeunk Stream attain Class A, and an upgrade would maintain their quality as well as the quality of Medunkeunk Stream. Adjacent river basins to the west and north are designated as Class A, so the proposed upgrade fits into the regional approach of managing water quality.



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.** There are no discharges in the watershed and no land-development permits. Forestry activities in the watershed are not expected to be affected because under Maine’s Forest Practices Act, forestry activities are generally subject to the same regulatory requirements regardless of water classification.

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.** No water quality data are available.

6. **Provide a summary of known human activities in the watershed of the proposed reclassification that might jeopardize attainment of standards of the proposed classification, for example landuse altering activities, landfills, hazardous waste sites, wastewater discharges, etc.** There are no wastewater discharges or hazardous sites in the watershed. The watershed is primarily forested with some agriculture and few residential areas. Forestry activities occur in the watershed. All waterbodies are expected to attain Class A standards.

Mount Blue Stream and Tributaries – Upgrade to Class A

1. **Waterbody Name:** Mount Blue Stream and tributaries (~19 miles).

2. **Location of proposed change in classification:** Avon and Weld.

3. **Write a brief statement that justifies why the waterbody should be considered for change.** Mount

Blue Stream and tributaries contain high quality habitat for endangered Atlantic salmon and have been designated critical habitat for this species by NOAA Fisheries and the US Fish and Wildlife Service under the federal Endangered Species Act. Mount Blue Pond supports brook trout and brown trout populations. The watershed is 90% forested.



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.** There are no discharges in the watershed and no recent land-development permits. Forestry activities that may be occurring in the watershed are not expected to be affected because under Maine’s Forest Practices Act, forestry activities are generally subject to the same regulatory requirements regardless of water classification.

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.** Data from a 2012 Bates undergraduate thesis (Fancy 2012) on the Upper Sandy River watershed, plus DMR data, showed that Mt. Blue Stream had good water quality and a macroinvertebrate community indicative of excellent water quality. DEP monitoring data for Mount Blue Stream indicate that Class A aquatic life criteria for macroinvertebrates were attained in 2020, and that the water quality is good for salmonids.

6. **Provide a summary of known human activities in the watershed of the proposed reclassification that might jeopardize attainment of standards of the proposed classification, for example landuse altering activities, landfills, hazardous waste sites, wastewater discharges, etc.** The watershed is mostly undeveloped, with some residential use. Industrial forestry activities may occur in the upper watershed, especially above Mount Blue Pond. It is expected that the streams proposed for upgrade attain Class A.

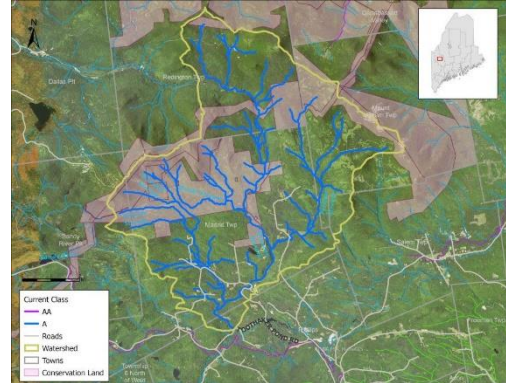
Orbeton Stream above Toothaker Pond Rd and Tributaries – Upgrade to Class AA

1. **Waterbody Name:** Orbeton Stream above Toothaker Pond Rd and tributaries (~146 miles).

2. **Location of proposed change in classification:** Phillips, Madrid TWP, Redington TWP, and Mount Abram TWP.

3. **Write a brief statement that justifies why the waterbody should be considered for change.**

Orbeton Stream and its tributaries are class A waters flowing into Class AA Sandy River. The watershed contains high quality habitat for federally endangered Atlantic salmon, and NOAA Fisheries and the US Fish and Wildlife Service have designated the streams critical salmon habitat under the federal Endangered Species Act, lending significant ecological importance to these waters. For the Maine DMR, Orbeton and Perham Streams are priorities number 2 and 3, respectively within the Merrymeeting Bay Salmon Habitat Recovery Unit (SHRU). Maine DMR has stocked Orbeton and Perham Streams for 9 years and salmon redds¹ are frequently found. The watershed is primarily forested and 32% is protected as conservation land, some of which is held by the National Park Service (Appalachian National Scenic Trail), lending the waters scenic and 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.** There are no existing or planned water control structures, and no stormwater sites, licensed wastewater discharges, or overboard discharges in the watershed. Likewise, there are no land-development permits. The Department is not aware of any existing water withdrawal activities or permits in this watershed. Hydroelectric power generation is not a designated use in Class AA and an upgrade will thus preclude future construction of water control structures. Except for certain cases as defined in Maine statutes, there may be no direct discharge of pollutants to Class AA waters. *It is important to note that the current statutory allowance for stormwater discharges to Class AA waters is under review with EPA (as a result of [EPA's 6/5/15 decision letter](#) to DEP Commissioner Patricia W. Aho, pp. 6 and 29) and may be amended or eliminated at some point in the future. Amendment or elimination of the current statutory allowance could limit or prohibit certain types of stormwater discharges and associated development in AA watersheds.* Forestry activities are not expected to be affected because under Maine's Forest Practices Act, such activities are generally subject to the same regulatory requirements regardless of water classification.

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.** DEP data from three sites on Orbeton Stream and one on

¹ Spawning nests made by a fish, especially a salmon or trout.

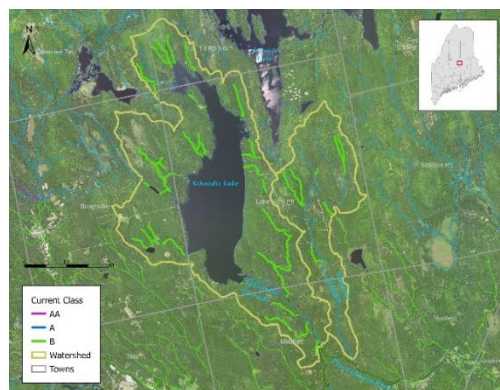
Hardy Brook between 2004 and 2017 indicate excellent water quality. In both waterbodies, Class A aquatic life criteria (which are evaluated jointly with Class AA criteria) have been attained three times. Data from a 2012 Bates undergraduate thesis (Fancy 2012) on the Upper Sandy River watershed, plus DMR data, showed that Orbeton Stream had good water quality and a macroinvertebrate community indicative of excellent water quality.

6. **Provide a summary of known human activities in the watershed of the proposed reclassification that might jeopardize attainment of standards of the proposed classification, for example landuse altering activities, landfills, hazardous waste sites, wastewater discharges, etc.** The watershed is mostly forested, with some residential and agricultural development in the lower portion. No discharges or hazardous sites are found in the watershed. Forestry activities occur in much of the watershed. All waterbodies are expected to attain Class AA standards.

Schoodic Stream and Scutaze Stream, Tributaries – Upgrade to Class A

1. **Waterbody Names:** Tributaries to Schoodic Stream, including Schoodic Lake, and Scutaze Stream (~37 miles).

2. **Location of proposed change in classification:** Medford, Brownville, Lake View Plt, Ebeemee TWP, and T4 R9 TWP.



3. **Write a brief statement that justifies why the waterbody should be considered for change.**

Schoodic Stream and Scutaze Stream are designated as Class A and their tributaries are all designated as Class B. The landscape is primarily forested with little development. DEP and DIF&W monitoring of some streams in the watersheds indicates good water quality, and attainment of Class A standards in other waters can be expected. Schoodic and Scutaze Streams, which are tributaries to the Piscataquis River, contain critical habitat for endangered Atlantic Salmon. The Piscataquis River itself is one of the priority watersheds for salmon restoration in the Penobscot watershed, making its tributaries important for the protection of salmon. It is desirable to designate the tributaries to Schoodic and Scutaze Streams as Class A to maintain their quality as well as the quality of both mainstems and Schoodic Lake. Adjacent river basins to the north are designated as Class A, so the proposed upgrade fits into the regional approach of managing water quality.

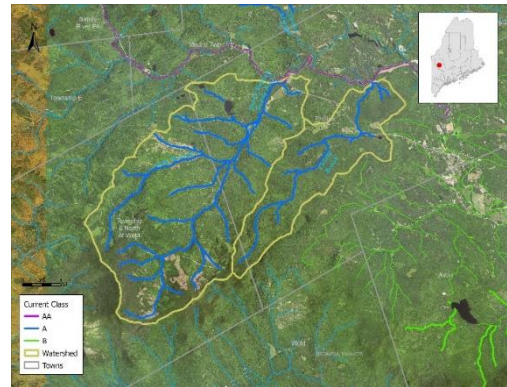
4. **State how the proposed change will affect other users of the waterbody, for example holders of wastewater or stormwater discharge permits or holders of land-development permits.** There are no discharges in the watersheds and no land-development permits. Forestry activities are not expected to be affected because under Maine’s Forest Practices

Act, forestry activities are generally subject to the same regulatory requirements regardless of water classification.

- 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.** Maine DEP collected biological monitoring data from Schoodic Stream, which attained Class A aquatic life criteria for macroinvertebrates and algal assemblages in 2004 and 2006, respectively. Maine DEP and the Lake Stewards of Maine monitor Schoodic Lake and its water quality is exceptional with excellent transparency and very low chlorophyll *a*. In 2010, DIF&W conducted electrofishing surveys of Scutaze Stream and 10 tributaries of Schoodic Stream, Schoodic Lake, and Scutaze Streams. The samples were typical of small, oligotrophic streams in that region of the state and contained a good diversity of fish species, including brook trout and Atlantic salmon.
- 6. Provide a summary of known human activities in the watershed of the proposed reclassification that might jeopardize attainment of standards of the proposed classification, for example landuse altering activities, landfills, hazardous waste sites, wastewater discharges, etc.** There are no discharges in the watersheds; a closed municipal landfill is located south of Schoodic Lake. There are some forestry activities in the watersheds.

South Branch Sandy River and Tributaries, and Cottle Brook and Tributaries – Upgrade to Class AA

- 1. Waterbody Name:** South Branch Sandy River and tributaries, and Cottle Brook and tributaries (~47 miles).
- 2. Location of proposed change in classification:** Phillips and TWP 6 North of Weld.
- 3. Write a brief statement that justifies why the waterbody should be considered for change.** The



South Branch Sandy River, Cottle Brook and their tributaries are class A waters flowing into Class AA Sandy River. The watersheds contain high-quality habitat for endangered Atlantic salmon and have been designated critical habitat for this species by NOAA Fisheries and the US Fish and Wildlife Service under the federal Endangered Species Act, lending significant ecological importance to these waters. For the Maine DMR, the South Branch Sandy River is priority number 4 within the Merymeeting Bay Salmon Habitat Recovery Unit (SHRU) and Cottle Brook is priority number 5. Maine DMR has stocked the South Branch Sandy River for the past 10 years, and Cottle Brook 7 times since 2010. Both watersheds are primarily forested.

- 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.** There are no existing or planned water control structures , and no stormwater sites, licensed wastewater discharges, or overboard discharges in the watersheds. Likewise, there are no land-development permits. The Department is not aware of any existing water withdrawal activities or permits. Hydroelectric power generation is not a designated use in Class AA and an upgrade will thus preclude future construction of water control structures. Except for certain cases as defined in Maine statutes, there may be no direct discharge of pollutants to Class AA waters. *It is important to note that the current statutory allowance for stormwater discharges to Class AA waters is under review with EPA (as a result of [EPA's 6/5/15 decision letter](#) to DEP Commissioner Patricia W. Aho, pp. 6 and 29) and may be amended or eliminated at some point in the future. Amendment or elimination of the current statutory allowance could limit or prohibit certain types of stormwater discharges and associated development in AA watersheds.* Forestry activities are not expected to be affected because under Maine's Forest Practices Act, such activities are generally subject to the same regulatory requirements regardless of water classification.
- 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.** DEP data from one site on the South Branch Sandy River in 2002 and 2020 indicate very good water quality and algae and macroinvertebrates attained Class A aquatic life criteria in 2002 and 2020, respectively. For Cottle Brook, data from a 2012 Bates undergraduate thesis (Fancy 2012) on the Upper Sandy River watershed, plus DMR data, showed that the brook had good water quality and a macroinvertebrate community indicative of excellent water quality.
- 6. Provide a summary of known human activities in the watershed of the proposed reclassification that might jeopardize attainment of standards of the proposed classification, for example landuse altering activities, landfills, hazardous waste sites, wastewater discharges, etc.** The watersheds are mostly forested, with some residential and agricultural development near Rt. 4. No discharges or hazardous sites are present. Forestry activities occur throughout the watershed of the South Branch Sandy River, and in parts of the watershed of Cottle Brook. All streams are expected to attain Class AA standards.