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## **An Act To Amend the Process for Issuing State Water Quality Certificates to Hydropower Projects That Withdraw Water from Great Ponds**

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

**Sec. 1. 38 MRSA §464, sub-§14** is enacted to read:

**14. Agency agreement; hydropower impoundments managed as great ponds.**

The department may not approve a water quality certification pursuant to the Federal Water Pollution Control Act, 33 United States Code, Section 1341 for an existing or a proposed hydropower project, as defined in section 632, that withdraws water from a hydropower impoundment managed as a great pond unless:

A. The department has consulted with the Department of Inland Fisheries and Wildlife and the Department of Conservation; and

B. The department, the Department of Inland Fisheries and Wildlife and the Department of Conservation agree that there is a reasonable assurance that the hydropower project will not violate water quality standards of this article applicable to the impoundment related to fishing, recreation and habitat for fish and other aquatic life.

### **SUMMARY**

This bill prohibits the Department of Environmental Protection from issuing a water quality certificate in connection with a hydropower project that withdraws water from a hydropower impoundment managed as a great pond unless the Department of Inland Fisheries and Wildlife and the Department of Conservation agree that the project will not violate water quality standards applicable to the impoundment related to fishing, recreation and habitat for fish and other aquatic life.