Natural Resources Council of Maine

3 Wade Street • Augusta, Maine 04330
207.622.3101 • Fax: 207.622.4343 • NRCM.org

Testimony in Support of LD 2187, An Act to Update Certain Water Quality Standards and to Reclassify Certain Waters of the State

Before the Committee on Environment and Natural Resources

Luke Frankel, Staff Scientist

February 25, 2026

Senator Tepler, Representative Doudera, and members of the Environment and Natural Resources Committee, my name is Luke Frankel, and I am the Staff Scientist at the Natural Resources Council of Maine (NRCM). NRCM is a nonprofit, nonpartisan membership organization dedicated to protecting, restoring, and conserving Maine's environment, now and for future generations. On behalf of our nearly 20,000 members and supporters, I am here to testify in support of LD 2187, An Act to Update Certain Water Quality Standards and to Reclassify Certain Waters of the State, and provide some additional recommendations for the Committee to consider.

I would like to start by thanking the Maine Department of Environmental Protection (DEP) staff for their hard work in putting this Triennial Review together. Throughout the process, which began in March 2024, DEP staff solicited proposals, engaged with stakeholders, and responded to comments in a thoughtful, thorough, and transparent manner.

As the name suggests, the Triennial Review is a mandatory review of Water Quality Standards (WQS) and Water Quality Classifications (WQC) that Maine DEP is required to undertake every three years. The Triennial Review is a key component of the federal Clean Water Act (CWA), providing states with the opportunity to regularly revisit water quality laws with the intention of ratcheting up protections as pollution gets addressed and waterbodies become cleaner.

In the current Triennial Review, which is presented in the bill before you here today, there are several updates to the state's WQS that add clarity and increase protections. These include establishing pH criteria for all surface waters except Class AA and SA, amending the dissolved oxygen criteria for Class B waters to be daily averages of 7 ppm and 75% saturation with a 6-ppm floor, and clarifying that Class A, B, and C waters must meet dissolved oxygen criteria for both concentration and percent saturation by changing "or" to "and." We support all of these changes.

For Water Quality Classifications, the current Triennial Review proposal includes three proposed upgrades from Class A to AA (Abbott Brook and Tributary, Mt Blue Stream and Tributaries, and Pleasant River Middle Branch and Tributaries) and two proposed *partial* upgrades from Class B to A (Sandy River and Tributaries from Phillips to Farmington and Temple Stream and Tributaries). We support all five of these upgrades, but would like to recommend that the Committee amend the current proposal to include *complete* upgrades for the two partial upgrade proposals (Sandy River and Tributaries from Phillips to Farmington and Temple Stream and

Tributaries) and also an upgrade for the Androscoggin River from Gulf Island Pond to Worumbo Dam from Class C to B.

I have attached several figures and tables to this testimony that display key water quality data for these waterbodies, taken from DEP's Environmental and Geographic Analysis Database (EGAD), that help make the case for these upgrades. I would be happy to answer any questions that you have about this data, either now or at the work session, but would also like to provide you with some other reasons as to why you should support an upgrade for these waterbodies.

The Sandy River from Phillips to Farmington and Temple Stream are both located within the greater Sandy River Watershed. As some of you may know, the Sandy River contains some of the best habitat for critically endangered Atlantic salmon in the entire United States. Although these two waterbodies may seem inconsequential compared to larger rivers, these upgrades would be critical in the effort to restore Atlantic salmon populations within Maine and beyond. If these waterbodies were to be upgraded to Class A, it would allow roughly 46% of the Sandy River watershed to be protected by Class A WQS or greater, which would help guarantee that the outstanding Atlantic salmon habitat in the Sandy River today is protected into the future.

The Androscoggin River, once one of the most polluted rivers in the state of Maine, now remarkably achieves Class B WQS nearly all the time thanks to improvements that have been made since the passage of the CWA. Upgrading this stretch of the river to Class B will lock in these gains in water quality, guaranteeing that they will persist into the future in-line with the framework of the CWA. Although the river does not achieve Class B WQS all the time, Maine's WQC are goal-based, meaning that upgrades are recommended for "waters that either presently attain, or with reasonable application of improved treatment or Best Management Practices (BMPs) could reasonably be expected to attain, the standards and criteria of a higher proposed class."[1]

For these reasons, we strongly encourage the Committee to vote Ought to Pass on an amended version of LD 2187 that includes upgrades to the Sandy River, Temple Stream, and the Androscoggin River. Thank you for your time and consideration.

[1] Maine DEP. (2017). *Submission Guidelines: Proposals to Change the Water Quality Classification of Maine Waters*. [https://www.maine.gov/dep/water/monitoring/classification/2017_SubmissionGuidelines-WQ-ReClass.pdf]

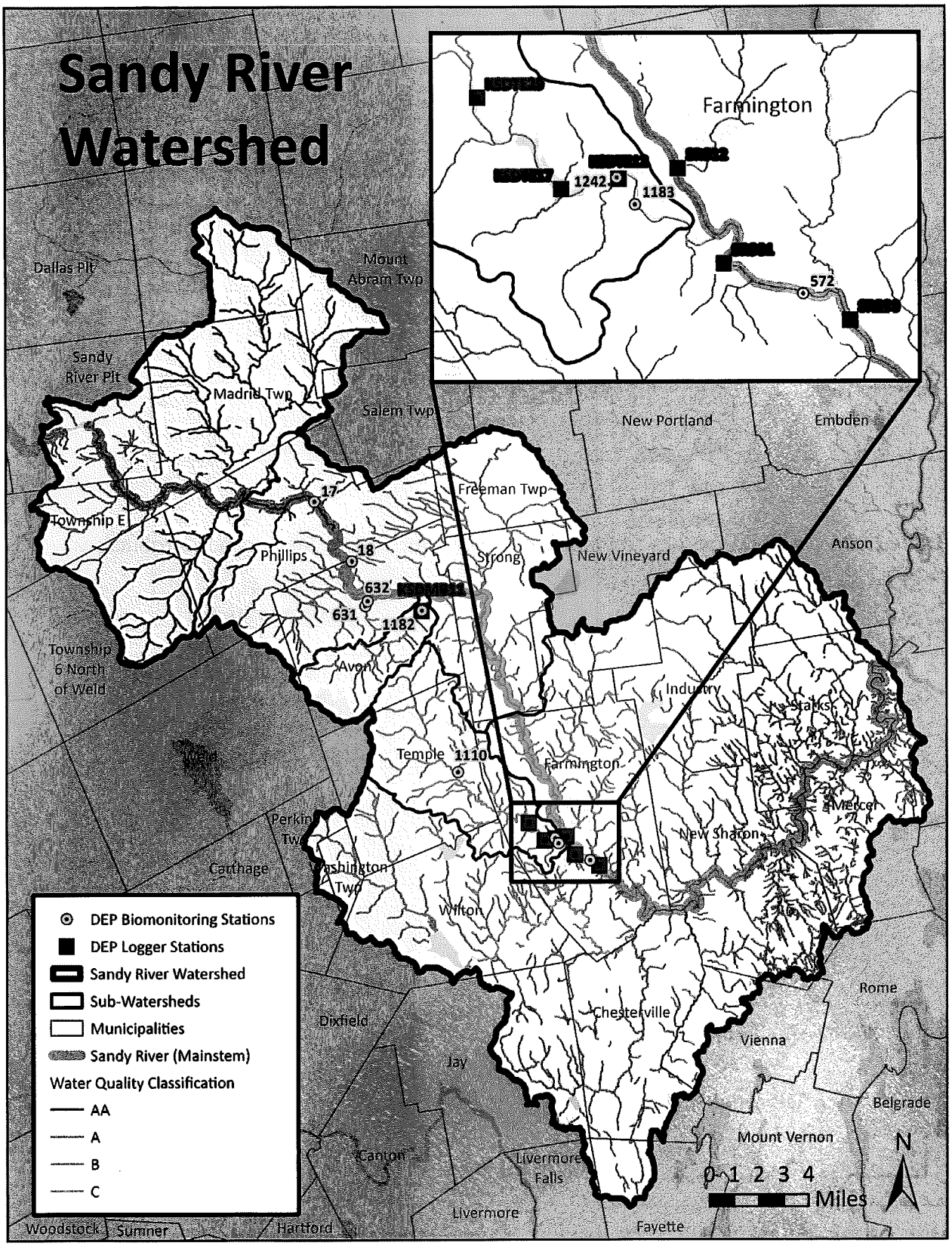

Figure 1. Map of select DEP water quality monitoring stations in the Sandy River watershed.

Table 1. Biomonitoring results from the last 10 years for the Sandy River and its tributaries from Phillips to Farmington and the mainstem Sandy River above and below.

Station	Year	Sample Type	Sample Determination
Sandy River (Phillips) – Class AA			
17	2017	Macroinvertebrate	A (attainment)
17	2017	Algae	A (attainment)
Sandy River and Tributaries (Phillips to Farmington) – Class B			
18	2022	Macroinvertebrate	A (attainment)
631	2022	Macroinvertebrate	A (attainment)
632	2022	Macroinvertebrate	A (attainment)
Sandy River (Farmington) – Class B			
572	2017	Macroinvertebrate	A (attainment)
572	2017	Algae	B (attainment)

Table 2. Biomonitoring results from the last 10 years for Temple Stream and its tributaries.

Station	Year	Sample Type	Sample Determination
Temple Stream and Tributaries – Class B			
1110	2017	Algae	A (attainment)
1242	2023	Macroinvertebrate	A (attainment)
1183	2020	Macroinvertebrate	A (attainment)
1183	2020	Algae	C (non-attainment)

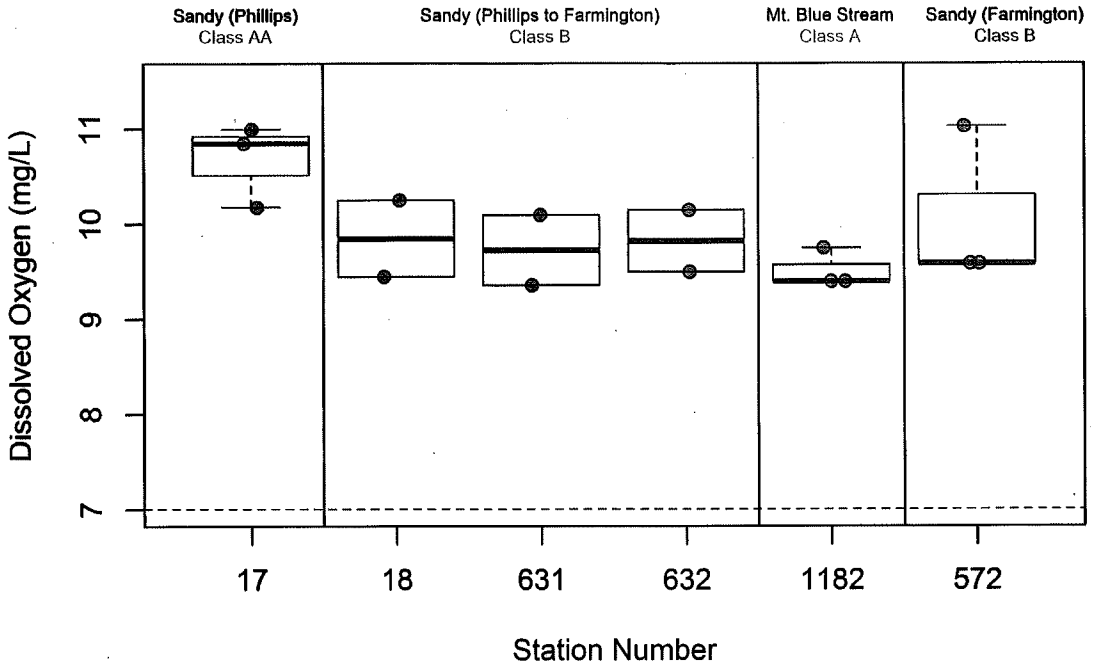

Figure 2. Boxplots of dissolved oxygen concentrations within the Sandy River watershed collected from 2017-2022 by station, with horizontal lines indicating median values, boxes indicating the middle 50%, whiskers indicating the range, and points indicating individual values.

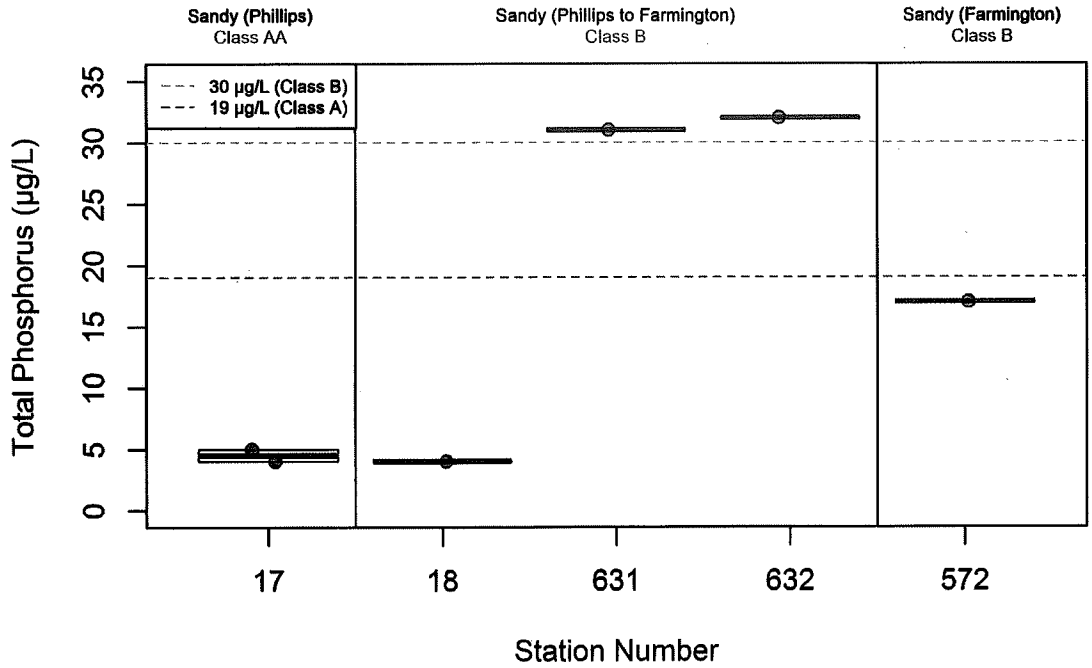

Figure 3. Boxplots of total phosphorus concentrations within the Sandy River watershed collected from 2017-2022 by station, with horizontal lines indicating median values, boxes indicating the middle 50%, whiskers indicating the range, and points indicating individual values

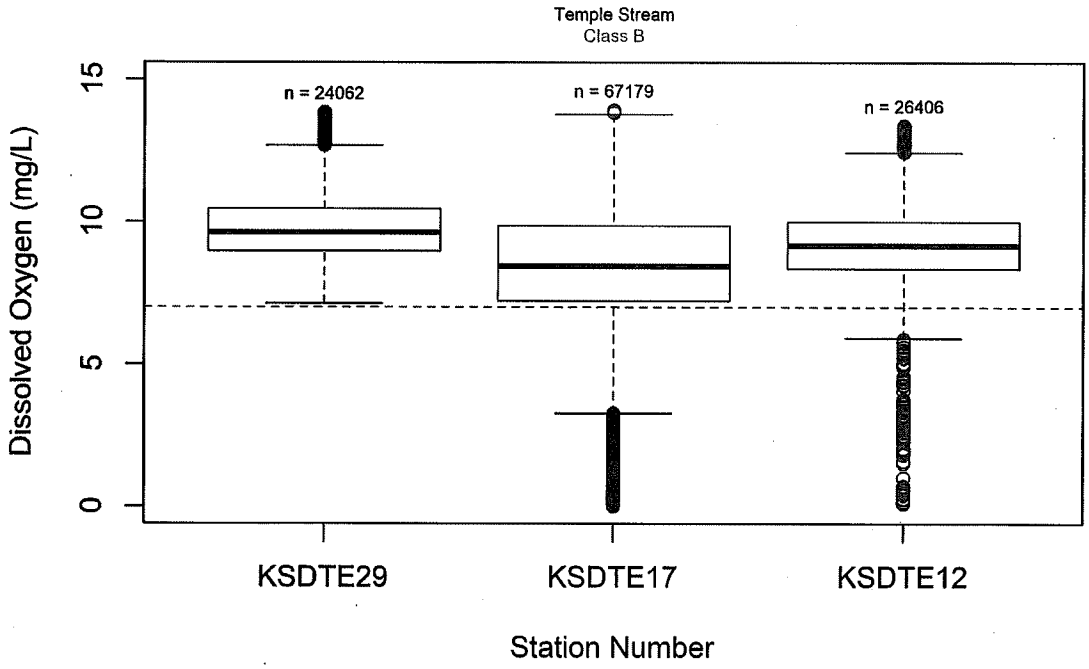

Figure 4. Boxplots of dissolved oxygen concentrations collected via loggers within the Temple Stream watershed from 2021-2023 by station, with horizontal lines indicating median values, boxes indicating the middle 50%, whiskers indicating the range, and points indicating outliers.

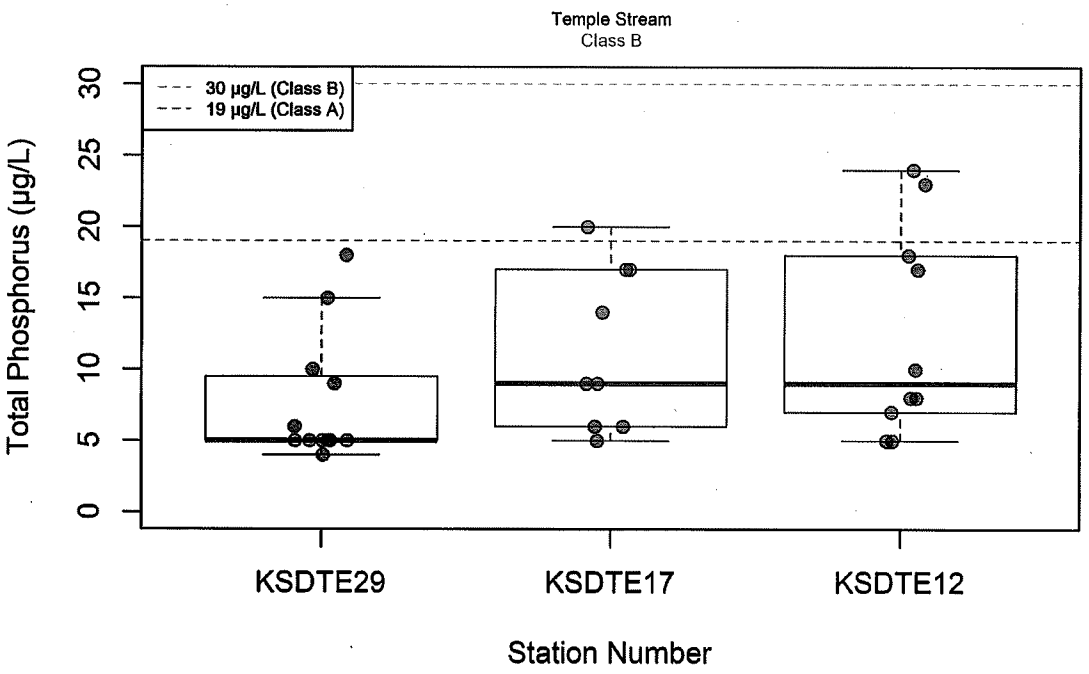

Figure 5. Boxplots of total phosphorus concentrations within the Temple Stream watershed collected from 2021-2023 by station, with horizontal lines indicating median values, boxes indicating the middle 50%, whiskers indicating the range, and points indicating individual values

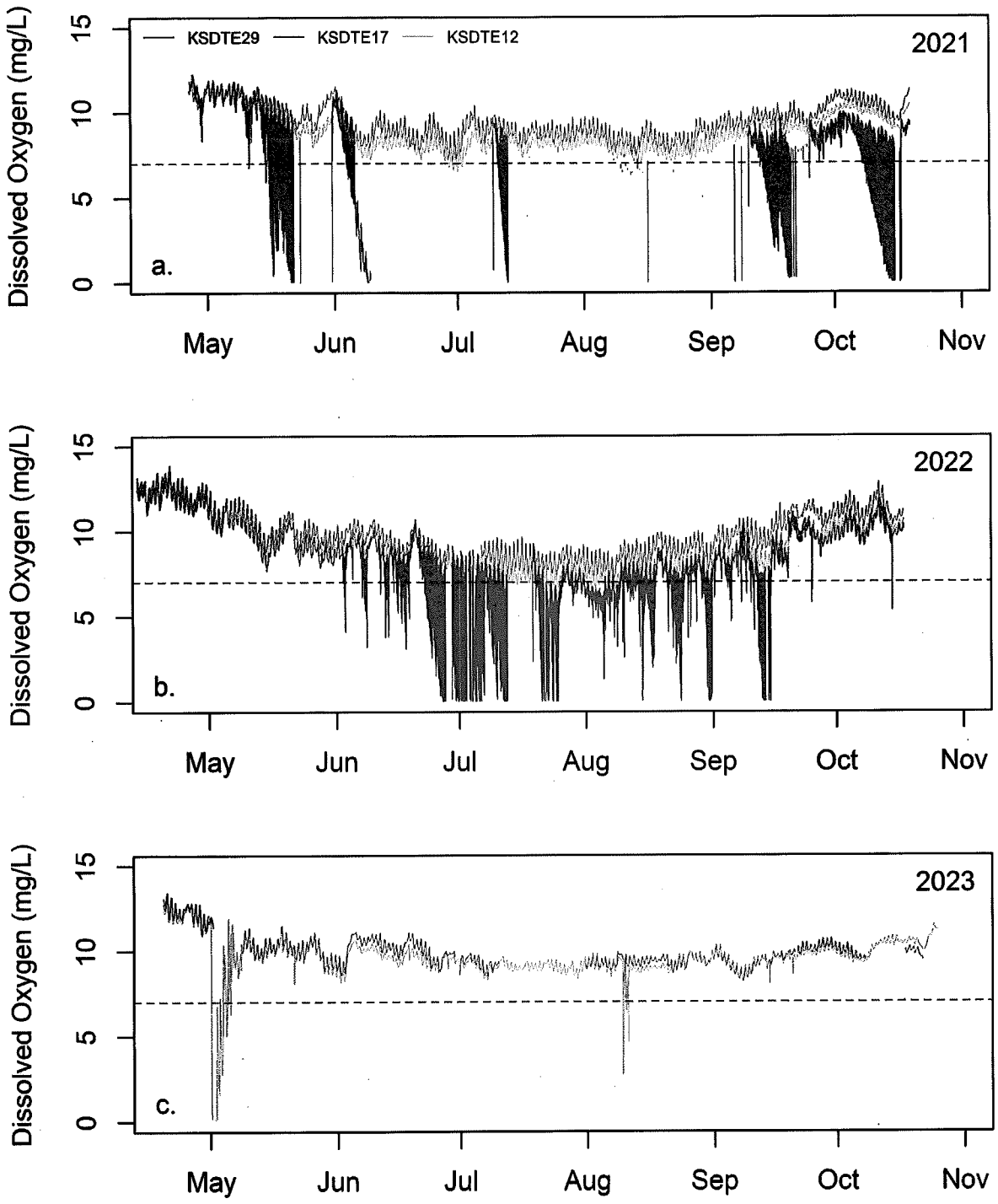

Figure 6. Timeseries of dissolved oxygen concentrations collected via loggers at three stations (KSDTE29, KSDTE17, KSDTE12) within the Temple Stream watershed in (a) 2021, (b) 2022, and (c) 2023

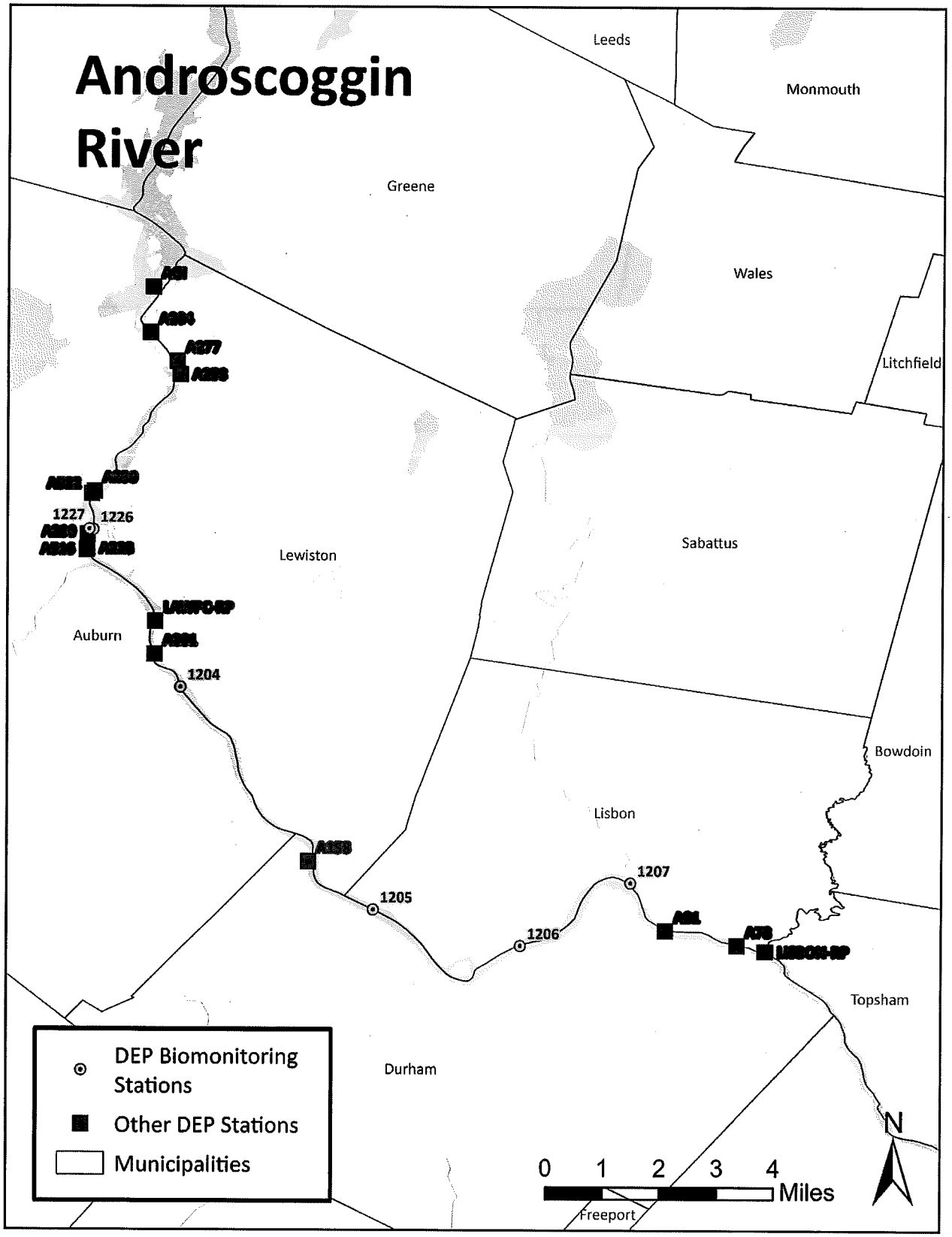

Figure 7. Map of select DEP water quality monitoring stations along the Androscoggin River

Table 3. Biomonitoring results from the Androscoggin River from Gulf Island Pond to Worumbo Dam

Station	Year	Sample Type	Sample Determination
Androscoggin River from Gulf Island Pond to Worumbo Dam – Class C			
1204	2021	Macroinvertebrate	B (attainment)
1205	2021	Macroinvertebrate	B (attainment)
1206	2021	Macroinvertebrate	B (attainment)
1207	2021	Macroinvertebrate	C (attainment)
1226	2022	Macroinvertebrate	C (attainment)
1227	2022	Macroinvertebrate	C (attainment)

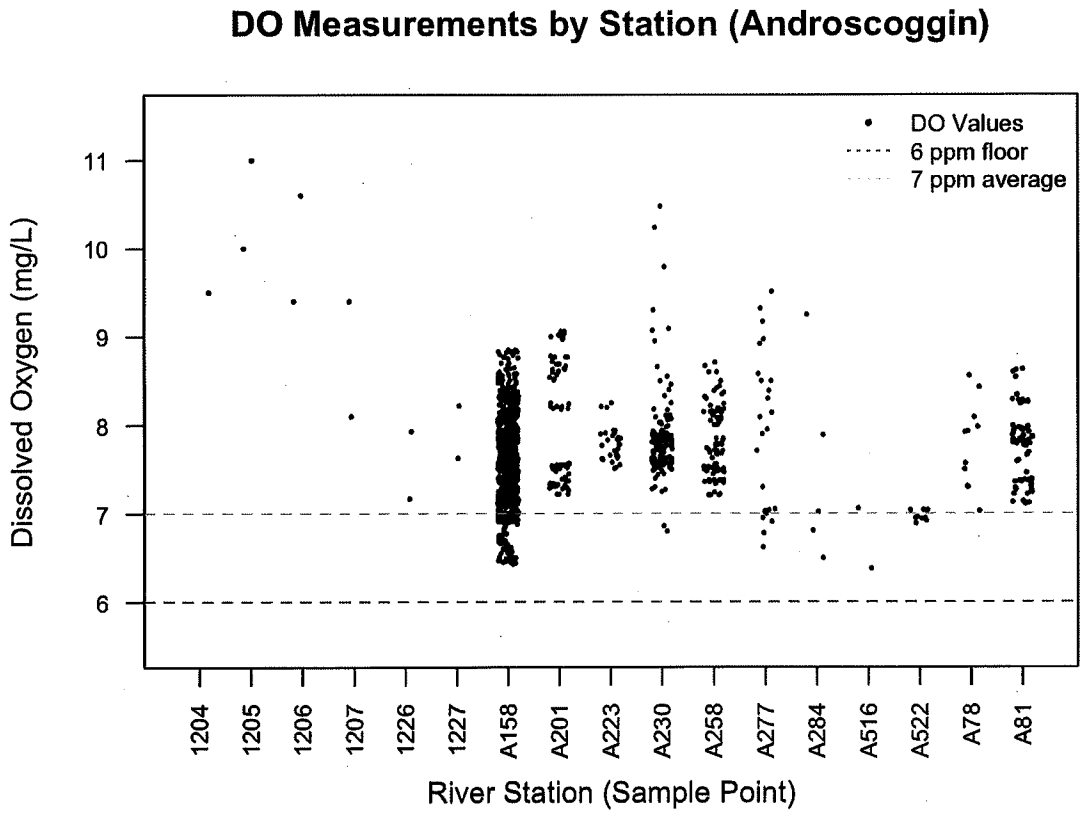

Figure 8. Dissolved oxygen data across all 17 sites with data within the lower Androscoggin River from Gulf Island Pond Dam to Worumbo Dam

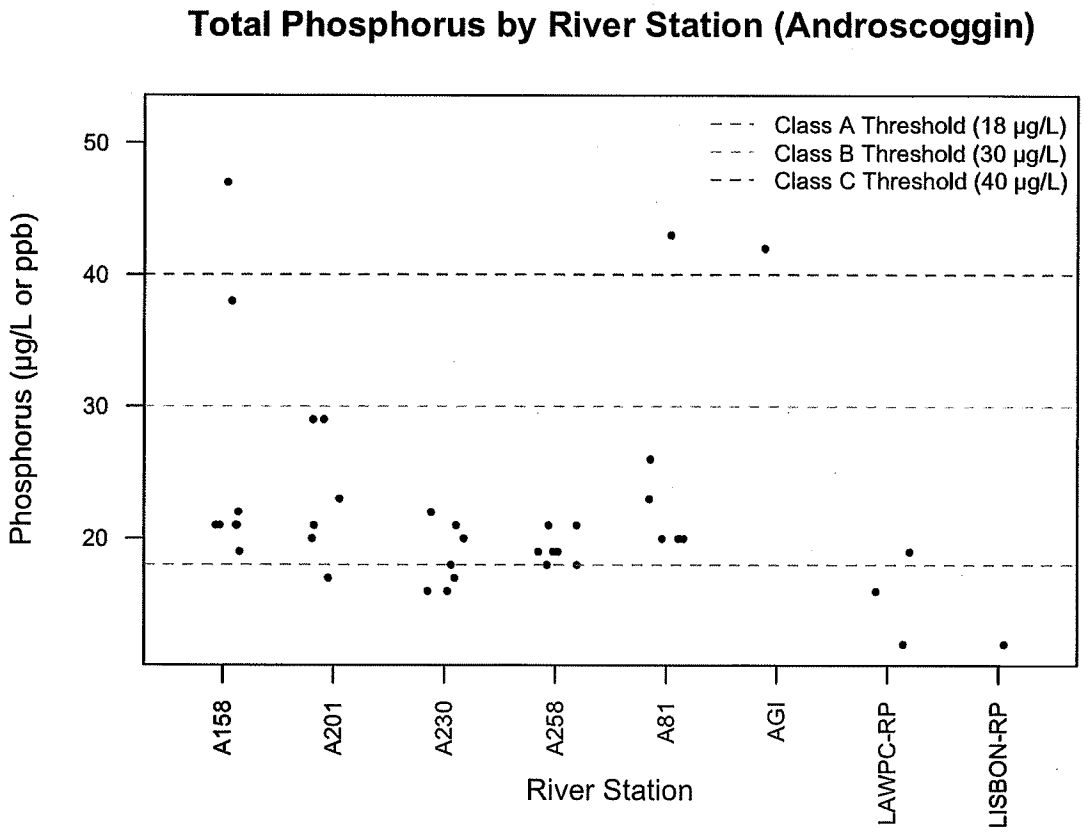

Figure 8. Total phosphorus data across eight sites within the lower Androscoggin River from Gulf Island Pond Dam to Worumbo Dam