



Native Fish Coalition
PO Box 10
Pownal, ME 04069

June 24, 2020

Chairman Mark Draper
Maine Board of Environmental Protection
17 State House Station
Augusta, ME 04333

Dear Mr. Draper and members of the Board,

I am writing on behalf of the Maine chapter of Native Fish Coalition (NFC) to express our support for the Grow L/A and Friends of Merrymeeting Bay (FOMB) proposal to reclassify the lower Androscoggin River from its mouth in Merrymeeting Bay at least to Worumbo Dam in Lisbon Falls, if not all the way to Great Falls or Gulf Island Pond Dam, from Class C to Class B.

Native Fish Coalition (NFC) is a non-profit conservation organization whose mission is to protect, preserve and restore wild native fish. We are a 501(c)(3) national organization with a Board of Directors and Advisory Council and members, partners, volunteers, and chapters in ME, NH, VT, and MA.

The water quality of the Androscoggin River sections proposed for an upgrade exceed the current classification and meet those of Class B. This request to upgrade from C to B is meant to lock in current ambient water quality conditions and is supported by the State antidegradation policy as cited below:

38 M.R.S.A. § 464 (F) (4)

*“When the **actual quality** of any classified water exceeds the minimum standards of the next highest classification, **that higher water quality must be maintained and protected**. The board **shall recommend** to the Legislature that water be reclassified in the next higher classification.”*

Since 1999, FOMB-trained volunteers operating under EPA and or DEP quality assurance plans have consistently recorded water quality data along the river, and actual Class B standards are being met nearly all of the time. If possible, we’d also like to see the upgrade extend to Gulf Island Pond dam although less actual data are available for this section.

The Androscoggin River is home to several native fish species, including wild native brook trout, a focal species for NFC. The Androscoggin River is also critically important in the recovery of the nation’s last remaining endangered Atlantic salmon, as in 2009 it was added to the Gulf of Maine Distinct Population Segment (GOM DPS) under the federal Endangered Species Act (ESA). In listing the Atlantic salmon as a federally endangered species, the U.S. Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS) determined that the GOM DPS is in danger of extinction throughout its range.

If the water quality of this river meets a higher classification we should be working hard to preserve its integrity as state and federal laws intend and dictate. The Department’s own submission guidelines state:

“Maine’s Water Quality Classification System is goal-based.

When proposing an upgrade in classification, recommend 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."

Senator Muskie used the Androscoggin as his poster child for the Clean Water Act. Years later however, it is sadly lacking relative to Maine's other large rivers when it comes to clean-up efforts and native fish restoration efforts. The Board has an opportunity to change this. The Androscoggin's time has come.

Thank you for the opportunity to submit comments.

Sincerely,

Emily Bastian, National Vice Chair, Native Fish Coalition

CC: Bob Mallard, NFC Executive Director
Ted Williams, NFC National Chair
NFC Maine Board of Directors

Emily Bastian
Native Fish Coalition

Native Fish Coalition supports LD 676, An Act to Reclassify Part of the Androscoggin River to Class B, but with a caveat. Because of timing issues, we recommend passage of an upgrade bill be delayed until second session and the DEP has renewed 2020-expired discharge permits for Lewiston/Auburn, Lisbon and Brunswick wastewater plants at the current C classification. This will allow for the legally required upgrade to Class B while providing 5 years for dischargers and the DEP to formulate and enact any possibly necessary plans to meet Class B conditions. Please find our letter of support for this upgrade attached. Thank you.