



GROWING AREA WQ – Damariscotta River

Triennial Report for 2004-2006

Sanitary Survey 2003

Final Report Date: February 13, 2007

Amy M. Fitzpatrick

APPROVAL

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Operation Title: 2006 Area WQ – Damariscotta River Triennial Report

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Executive Summary

Growing Area WQ is the Damariscotta River, located in mid-coastal Maine, drains Damariscotta Lake and Great Salt Bay. The growing area boundary begins at Linnekin Neck, East Boothbay; includes the Gut, South Bristol and ends at the southeast tip of Rutherford Island, South Bristol (including Turnip and Thrumcap Islands). A description of the upland boundary can be found in the central files of the Department of Marine Resources in West Boothbay Harbor. The river flows through the following towns: Nobleboro, Damariscotta, Newcastle, South Bristol, Edgecomb, Bristol and Boothbay. The growing area's head of tide is located below the outlet of Damariscotta lake on the town line between Newcastle and Nobleboro and the river empties into the Atlantic Ocean 15 miles south of the two towns. A comprehensive map of the growing area can be found on page 5, detailed maps of the upper, middle and lower river can be found on pages 15-17.

In 2001, the Maine State Legislature enacted into law Title 12, Part 9, Subpart 2, Chapter 629, §6961 that "the Great Salt Bay is designated as a marine shellfish preserve in which the harvesting of any shellfish species and other harvesting activities involving bottom disturbance are prohibited, except that the commissioner may authorize research activities in the area. For the purposes of this section (of law), "Great Salt Bay" means the tidal portion of the Damariscotta River in the towns of Damariscotta, Newcastle and Nobleboro that is north of a line extending between 2 points of land located 600 yards north of the U.S. Route 1 highway bridge".¹

Currently, there are 29 shellfish aquaculture leases on the Damariscotta River as illustrated by Attachment B. on page 12 of this report. At the time of the 2004 Annual Review, there were 21 shellfish aquaculture leases on the river.

Current growing area classifications in the Damariscotta River include prohibited, restricted, conditionally restricted and approved. The classifications area described in the following regulations which can be found online at; http://www.maine.gov/dmr/rm/public_health/closures/closedarea.htm :

DMR Regulation 95.06 C, Closed Area No. 23	Boothbay Harbor - Damariscove Island Area
DMR Regulation 95.06 E, Closed Area No. 24	East Boothbay to Reeds Island
DMR Regulation 95.06 AA, Closed Area No. 24-A	Lower Salt Bay Newcastle and Damariscotta
DMR Regulation 95.06 F, *Closed Area No. 25	Damariscotta River, Newcastle – Damariscotta
DMR Regulation 95.06 G, Closed Area No. 25-A	South Bristol
DMR Regulation 95.06 K, Closed Area No. 25-E	Inner Heron Island
DMR Regulation 95.06 W, Closed Area No. 25-J	Eastern Farmers Island, South Bristol

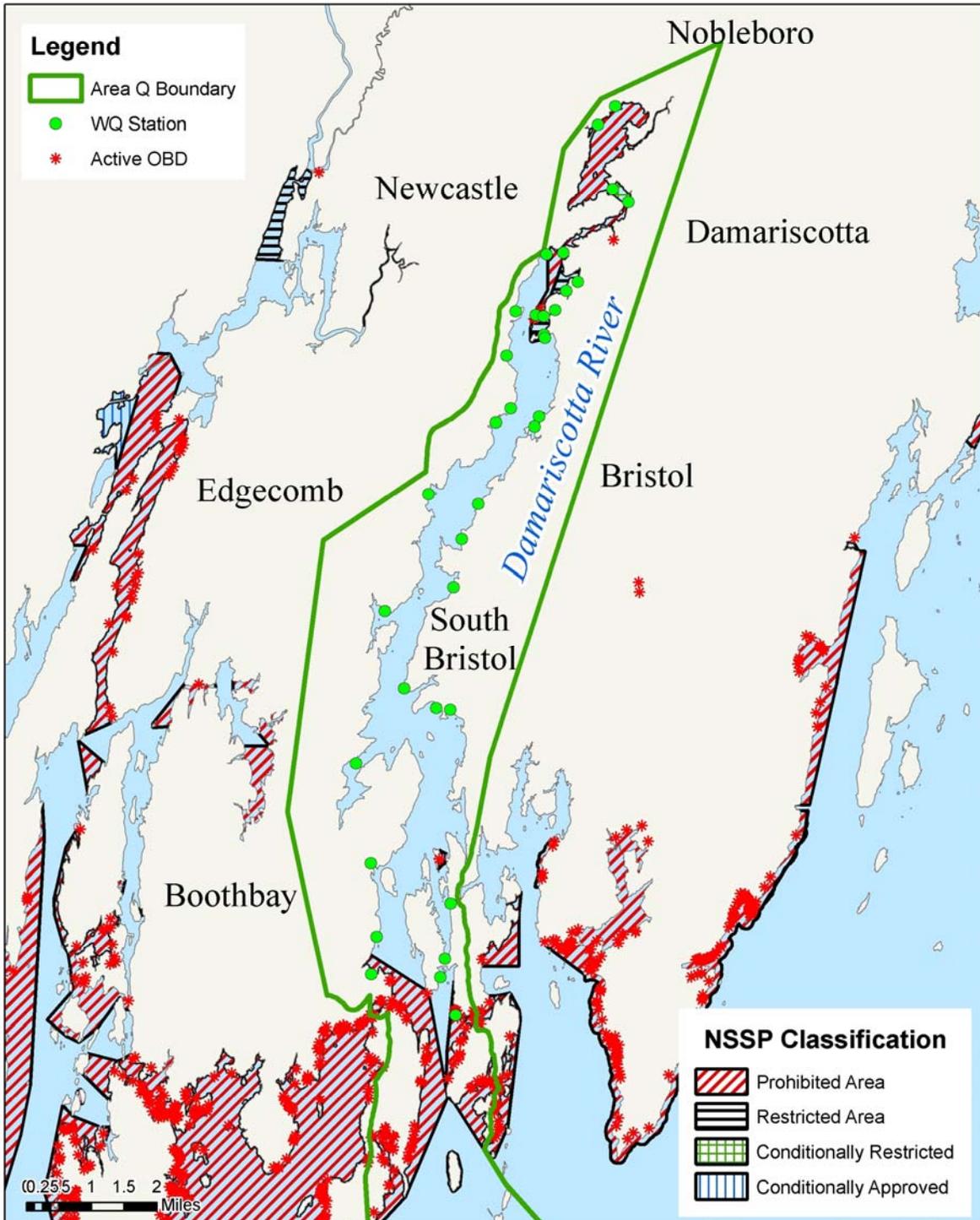
As a result of this report, the regulations above will be collated into two legal notices instead of seven legal notices. Water quality in the area continues to support the current classifications with the exception of improved water quality at stations WQ 31.5 and WQ 32.0 which meet approved criteria. Three classification changes and a sample station inactivation will be recommended as a result of this report [total of four recommendations].



Current Growing Area Overview Map



Maine Department of Marine Resources Growing Area WQ - Damariscotta River





Review of Water Quality and Data Analysis

The Maine Department of Marine Resources has chosen to switch to a fecal coliform method that was approved for use in the National Shellfish Sanitation Program (NSSP) at the 2003 Interstate Shellfish Sanitation Conference (ISSC). The new method is the Membrane Filtration (MF) for Fecal Coliforms using mTEC agar with a two hour resuscitation step. The geometric mean and the 90th percentile are calculated on 30 data points extending over a five year period.

During the transition from MPN to MF, we will be accumulating MF data points. The statistical calculations will be a combination of MPN and MF data points. The United States Food and Drug Administration (FDA) has determined that the best way to handle the data is to perform the calculations as always for the data set, but to compare the data set to a hybrid weighted 90th percentile. The hybrid standard is calculated by weighting the relative contributions of each method to the database; meaning the number of MPN data points reduce and the number of MF data points increase the 90th percentile standard that the sample site is compared to will change over time.

Once all 30 data points are analyzed using MF, the 90th percentile for approved classification will not exceed 31 fecal coliforms/100ml and for restricted (for depuration) will not exceed 163 fecal coliforms/100ml. The geomean approved standard of 14 fecal coliforms per 100 ml and geomean restricted standard of 88 fecal coliforms per 100 ml will remain the same for both methods.

Reports that display 90th percentiles will show the number of data points derived from MF analysis and will show the appropriate 90th percentile standard for that MPN/MF combination for approved and restricted classifications. It must be remembered that this weighted standard is only used for data sets encompassing data from the two different test methods, MF and MPN (3 tube/3 dilution). If decisions are to be made on a single test result analyzed by the MF method or a multiple number of test results all exclusively analyzed by the MF method, the 90th percentile standard is 31 fecal coliforms per 100 ml.

The table of geometric means and P90's for all active water quality sample stations in Growing Area WQ can be found on page 11, Attachment A. The tabulated data for all water quality sample stations in Growing Area WQ can be found in Appendix 1 which is submitted as a separate document. All active water quality stations continue to meet the NSSP classification criteria currently assigned to them with the exception of improved water quality at stations WQ 31.5 and 32.0 which meet approved criteria. Station WQ 12.0 meets restricted standards but is in a large prohibited area due to the presence of Overboard Discharges (OBDs), boatyards and marinas. Station WQ 12.5 is the next approved station and so the closure line that is northwest of WQ 12.0 will need to be moved to the next approved station (WQ12.5) so that there is a boundary station which will monitor the extent of the restricted water quality impact.

A key for interpreting the headers on the columns of the geometric means and P90's table on page 11 can be found as Attachment I on page

Documentation of Pollution Sources

A map of all actual and potential pollution sources identified in growing area WQ can be found on pages 15-17. Tables with all actual and potential pollution sources can be found in Attachment H on pages 18 and 19. Drive through activities routinely occurred during random sample runs for the past 3 years. There were no documented activities of increased building, new marinas, farming operations, etc. from 2004 through 2006.

Evaluation of New Pollution Sources

There are ten distinct conservation areas within Growing Area WQ totaling ~833 acres which are the green shaded areas on the pollution source maps on pages 15.17. All of the areas allow dog walking and other human activities but have no sanitary pollution facilities available to the public. Many of the



areas have specifications on camping but are not monitored closely. There is no clear evidence that water quality is impacted by human or animal activities within these conservation/preserve areas. The ten areas are listed below.

- Great Salt Bay Farm, Damariscotta is a 94 acre conservation area with one mile of shorefront and extensive wetlands. There are walking/skiing trails that are open dawn to dusk daily. Dogs are allowed only on leashes on the farmhouse side of the road because of the sensitive wildlife habitat. Dogs are allowed off leash on the barn side of the road.²
- Damariscotta Shell Heaps (Whaleback Midden, Damariscotta and Glidden Midden, Newcastle) are discarded oyster shells from ~1000 years ago. The Whaleback Midden is a State Historic Site and the Glidden Midden is a conservation land maintained by the Damariscotta River Association. They are on eleven acres of conservation land with interpretive signs on walking trails.³
- Dodge Point Public Reserved Land, Newcastle is a 508 acre peninsula on the Damariscotta River. It is a conservation area with four loop trails and three beaches. The trails are available year round and there is boat access to the preserve. There is no camping allowed but hunting, fishing, cross county skiing and dog walking are popular activities.⁴
- Mears Cove, South Bristol is a 62.6 acre parcel of conservation land.
- Seymour Lot, South Bristol is a 19.5 acre parcel of conservation land.
- Pleasant Cove Island, Boothbay Harbor is a 2 acre conservation land.
- Plummer Point, South Bristol is a 74 acre wooded peninsula with over a mile of shoreline on the Damariscotta River. The Tracy Property is a town park with public access to 800 feet on the Damariscotta River. Partially forested, it features 33 acres of rocky ledges, cliffs, a tidal basin and a small marsh.⁵
- Kitz Colby Wildlife Preserve, Edgecomb which is part of the Boothbay Regional Land Trust is a .6 mile loop hiking trail on the Damariscotta River. Flat ledges make it great for picnics.⁶
- Fort Webber/Fort Island, Boothbay is a 43.8 acre island in the Damariscotta River and is a conservation area.
- Thrumcap Island/Petit Manan NWR is an 8.5 acre island in South Bristol waters.

The following state-owned coastal islands are used for nesting by colonial water birds and are a portion of the Coast of Maine Wildlife Management Area. Trespass is prohibited during specific periods on the islands in the Coast of Maine Wildlife Management Area unless written permission is obtained from the Regional Wildlife Biologist.⁷

Bristol: Killick Stone – restricted April 15 through August 31, annually
 Wreck Island – restricted February 15 through August 31, annually
 Jones Garden Island – restricted April 15 through July 31, annually
 Wreck Island Ledge – ""
 Thief Island – ""
 Thrumcap Island – ""
 New Harbor Dry Ledge – ""

South Bristol: Christmas Cove – restricted April 15 through August 31, annually

Christmas Cove, South Bristol and Thrumcap Island in the Atlantic Ocean at the mouth of the Damariscotta River are the only Coast of Maine Wildlife Management Areas in Growing Area WQ. Christmas Cove is within a large prohibited area due to the presence of OBDs, boatyards and marinas. A shorebird protected area within that cove may impact water quality but it would be impossible to determine the exact cause of any water quality issues due to the multiple pollution sources. Thrumcap Island is a seabird nesting area in the Atlantic Ocean has not shown to have an impact on water quality outside the mouth of the Damariscotta River. Please see the map on page 13 of this report.



Thomas Massey Ltd., formerly, Maine Mariculture, Inc. located at 2 Hill Rd., South Bristol was a shellfish processing facility. The facility had a non – Publicly Owned Treatment Works (POTW) license (license # W-007095) for the discharge of 22,500 GPD of washing and cooking water. In the first quarter of 2005, they were found to be in significant non-compliance of their license criteria. They had five flow exceedences due to heavy production of shrimp. The facility has since shut down as reported by the Maine DEP.⁸ The facility outfall, while in operation, was located in a large prohibited area on the boundary line of Growing Area WQ and WR.

The Oyster Broodstock Hatchery at the University of Maine Darling Marine Center (DMC) in Walpole has a submerged outfall in Clark Cove. The quarantine room at the Oyster Broodstock Hatchery has a discharge via a small submerged pump (which basically pumps it out of the quarantine pit where the effluent is treated). The small submerged pump pumps it out into the DMC discharge pipe (which, anecdotally, is gravity-fed; no pumps involved on the discharge end) which discharges for all of the wet lab spaces at the DMC. There is no separate discharge for the oyster hatchery; it is simply one of the wet lab spaces at the Darling MC. The DMC discharge pipe is located adjacent to the DMC pier. The Oyster Broodstock quarantine room discharges for ~ 6 weeks out of the year and the output is ~500 - 1500 liters per day.⁹ The effluent from the hatchery is treated with sodium hypochlorite (to 50ppm free chlorine) and held for at least 2 hours (usually overnight) prior to being treated with sodium thiosulfate to remove the free chlorine and discharged via pump to the DMC discharge pipe.¹⁰ In a letter dated June 8, 2000 from Gregg Wood of the Maine State of Bureau of Environmental Protection it states that the discharge does not require a waste discharge license from the Department.¹¹

Reevaluation of Existing Pollution Sources

There are two municipal wastewater treatment plants in this growing area. The Great Salt Bay Damariscotta Mills facility has an outfall located in Great Salt Bay, in a large prohibited area. The Great Salt Bay Sanitary District (GSBSD) is a lagoon system with an outfall located in downtown Damariscotta adjacent to the municipal parking lot boat launch within a prohibited area.

The Great Salt Bay Damariscotta Mills (GSBDM) treatment facility continues to serve ~ 40 customers. Each of these customers has their own septic tank and only the effluent from these tanks goes to the facility, which is a large sand filter. The GSBDM facility has 3 pump stations which are alarmed and none have the ability to overflow. Details about the facility can be found in the central files. The Maine Department of Environmental Protection (DEP) facility inspector reports that the GBDSM facility has problems with low pH (<6) as a natural result of the treatment process they use. The low pH problem occurs in the summer and can continue well into the fall depending on the weather. The DEP, to date, has not chosen to take any enforcement action.¹²

The Great Salt Bay Sanitary District continues to serve ~ 1500 customers. Details about the facility and a copy of their discharge permit can be found in the central files. The DEP facility inspector reports that the GSBSD removed the sludge from all of their lagoons in late summer/early fall 2003. The lagoon sludge removal appeared to create problems for the system that took over a year to resolve. The GSBSD also has exceeded mercury threshold criteria in their effluent. There have been BOD and TSS violations occur as the result of algal blooms and *Daphnia* blooms within the lagoon system. The DEP inspector performed a technical assistance visit in April 2006 where several practices were suggested that could be used to help prevent violations and performance was improved in the latter part of 2006 as a result.¹³

On May 19, 2004, the legal notice was changed to reflect that the Damariscotta River was no longer conditionally approved based on the GSBSD outfall. The GSBSD had no record of any bypasses from the lagoon system which is located 1.2 miles inland from the outfall so the area outside the prohibited area was classified as restricted and approved based on water quality.

All other residences located along the river have private in-ground septic systems, licensed over board discharges, composting/chemical toilets or outhouses. There have been no new buildings or housing developments since the 2003 sanitary survey report.



The 2003 Sanitary Survey report identified over 100 active overboard discharge (OBD) systems in growing area WQ. There have been no OBD removals in the growing area since 2002. All of the OBDs are in large prohibited areas.

There are still seven marinas and boatyards on the Damariscotta River and they are all within large prohibited areas as documented in the 2003 sanitary survey report.

The DMC in Clark Cove has a pier where the 42' R/V Ira C. is docked. The Ira C. has a holding tank which is pumped every couple of months outside the 3 mile limit. The DMC also has ~4 small outboard skiffs docked at the pier.¹⁴

During the shoreline survey investigation of Growing Area WQ, samples were collected from 76 streams, which are intermittent, runoff, culverts and pipes. Initially, twelve streams, runoffs, culverts, or pipes were sampled and analysis determined fecal coliform scores of ≥ 49 mpn. During the last three years, five of those sources which were sampled with elevated scores (≥ 49 mpn), have since had remediation work done (replacement of suspect septic systems) and have since tested clean. Three other streams are located in restricted or prohibited areas and have no identified point source of pollution. The remaining five locations have no identified pollution sources that might impact them, were re-tested and were clean.

Conclusions

Water quality in the WQ area continues to support the current classifications under the NSSP. Previously identified pollution sources and newly identified pollution sources either have the same impact as when they were identified or less of an impact. However, due to their nature (OBDs, marinas, boatyards) must remain within prohibited areas so water quality improvement near these pollution sources will not result in any changes in classification.

As a result of this report, the current regulations mentioned in the executive summary will be collated into two legal notices instead of seven legal notices. Water quality in the area continues to support the current classifications with the exception of improved water quality at stations WQ 31.5 and 32.0 which meet approved criteria. Three classification changes and a sample station inactivation will be recommended as a result of this report [total of four recommendations].

- The first recommendation is to move the closure line from north and west of station WQ 12.0 to WQ 12.5 in order to sufficiently establish a closure around a failing station (WQ 12.0).
- The second recommendation is to inactive stations WQ 28.0 and WQ 29.0. They are monitoring water quality in an area that has been designated a marine protected area where no harvest of shellfish can ever occur; therefore, no official assessment of water quality will be conducted after the completion of this report. Water quality sample stations WQ 31.5 and WQ 32.0 will be used to monitor water quality coming out of the Great Salt Bay marine protected area. Great Salt Bay will remain a prohibited area.
- The third recommendation is to re-draw the closure line around Hog Island at the mouth of Huston Cove to encompass only the mouth of Huston Cove. Hog Island would be an approved area. Huston Cove will remain a restricted area and the line will be drawn across the mouth of the cove.
- The conditionally restricted area between stations WQ 31.5 and WQ 32.0 now meets approved criteria. Station WQ 31.5 only has 23 pieces of data as of 12/31/2006. The fourth recommendation is that the area be reclassified as conditionally approved based on proper functioning of the Great Salt Bay Sanitary District Mills Facility. Station WQ 31.5 was added to further assess any impact from the Mills facility in Great Salt Bay and will remain in place to monitor the boundary of the prohibited area.



Station WQ 31.5 was established in August of 2004. There were three elevated sample results in August, September and October of 2004; 93fc/100ml, 43fc/100ml, and 93mpn/100ml, respectively. Since the fall of 2004, all sample results (20 data points) have not exceeded 23fc/100ml.

Existing legal notices can be found in Appendix 2. submitted as a separate document. Proposed legal notices and maps can be found on pages 20-24.

During the preparation of this report, it was noted that the Mill Pond in Boothbay was within the Area WP upland boundary description but was a tidal pond that drained to Area WQ. The upland boundary description has been changed to reflect the Mill Pond being within Area WQ and not Area WP. Area WQ and Area WP upland boundaries were updated to reflect the change in the online files. The current upland boundary description for Area WQ is as follows:

“Area Q lies inside a line from the southeast point of Ocean Point extending south and offshore following the shellfish management zone line and extending north to the intersection of Ocean Point Rd and Van Horn Rd, then north along Ocean Point Rd to Murray Hill Rd, then following Murray Hill Rd west to the intersection with Sunrise Rd, then due north to rejoin Ocean Pt Rd, then following Ocean Pt Rd west to the intersection of Bradley Rd, then northwest to the intersection of Wiscasset Rd, Rt. 27, and the Hardwick Rd, then north to the end of Old County Rd, then northeast to the intersection of River Rd and Brick Hill Rd, then north along the River Rd to Barrol Point Rd, then north to the intersection of Academy Hill and Kavanagh La, then northeast to the intersection of Borland Hill Rd and West Neck Rd, then northeast to the intersection of Back Meadow Rd and Center St, then southwest to the intersection of Half Moon Cove Rd and Route 129, then south to the intersection of Fiddlers La and Route 129, then south along Route 129, which becomes Shipley Rd, then continuing southwest beyond the end of Shipley Rd on an unnamed road, then to the southwest tip of Shipley Pt, then south and offshore following the shellfish management zone line.”



Attachment A. Geometric Means and P90's for all Active Water Quality Stations in Growing Area WQ

MAINE DEPARTMENT OF MARINE RESOURCES

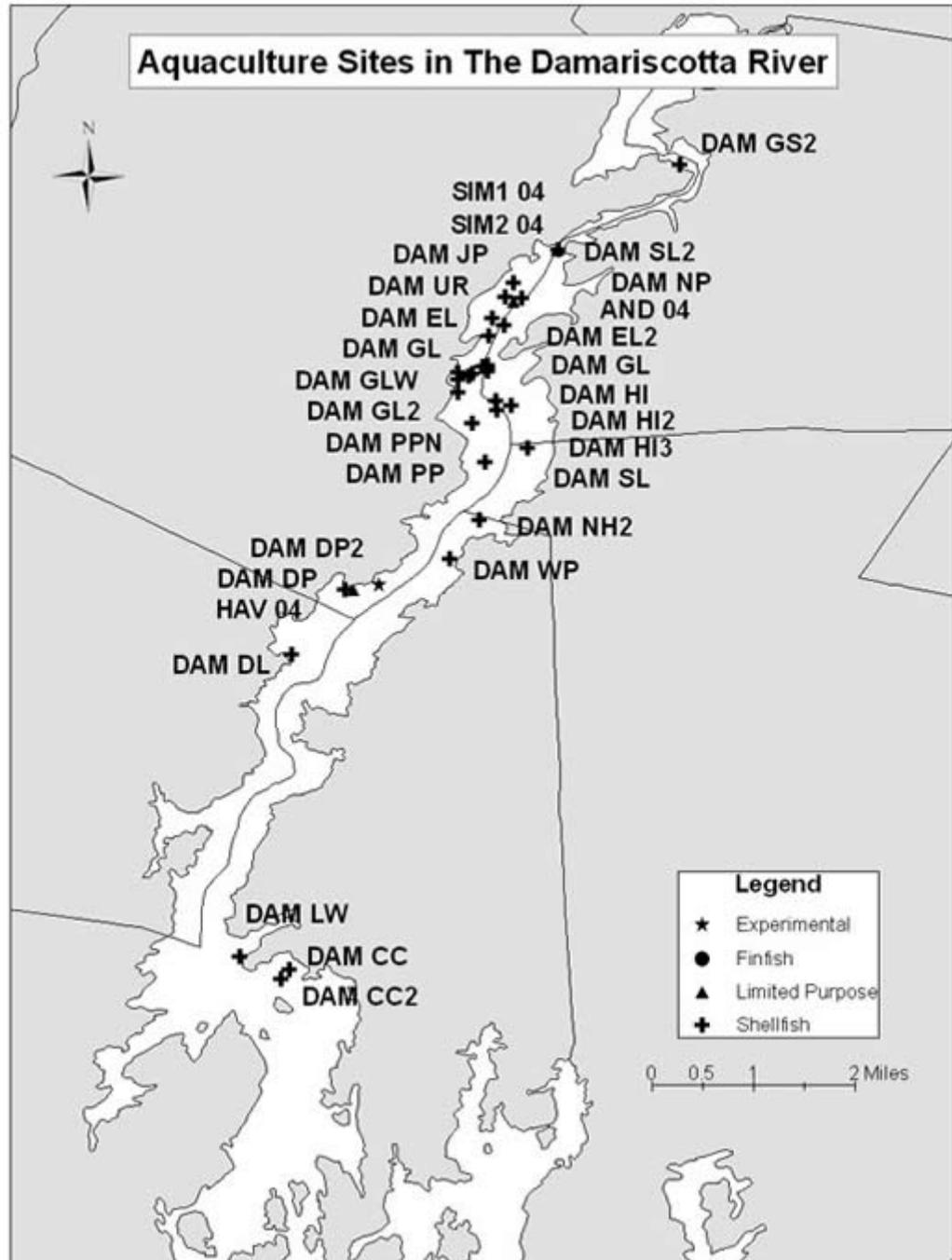
As of: February 01, 2007

Fecal Coliform Geometric Mean and Percent Variability
 For the Years 2001 Through 2006 - (01/01 - 12/31) (-)
 Excludes Dates:
 Status = Open and Closed Stations
 Strategy = Random & Adverse
 Excludes Flood Data
 Excludes Inactive Stations
 Samples Limited to Latest 30
 Salinity >= 0 ‰

STATION	CLASS	COUNT	MFCNT	GEO_MEAN	SDV	MAX	P90	APPD_STD	RESTR_STD
WQ012.00	P	30	4	10.7	0.81	1200	115.3	46	277
WQ012.50	A	30	3	4.6	0.50	460	20.2	47	282
WQ013.00	A	30	3	5.7	0.51	460	25.6	47	282
WQ015.00	A	30	3	8.0	0.59	460	45.9	47	282
WQ017.00	A	30	3	5.3	0.58	460	29.5	47	282
WQ018.00	A	30	4	3.7	0.28	43	8.5	46	277
WQ020.00	A	30	4	3.0	0.11	7.3	4.2	46	277
WQ021.00	A	30	4	3.4	0.21	15	6.3	46	277
WQ022.00	A	30	4	4.0	0.26	23	8.8	46	277
WQ023.00	A	30	4	5.1	0.34	23	13.9	46	277
WQ024.00	A	30	4	5.3	0.40	43	17.1	46	277
WQ028.00	P	30	4	18.7	0.71	460	149.8	46	277
WQ029.00	P	30	4	40.6	0.78	1200	400.8	46	277
WQ031.50	P	23	4	7.1	0.53	93	34.2	45	270
WQ032.00	CA	30	4	6.8	0.54	240	33.5	46	277
WQ034.00	P	30	3	16.4	0.73	460	139.3	47	282
WQ035.00	R	30	4	8.8	0.51	126	38.8	46	277
WQ036.00	R	30	4	9.7	0.68	1200	72.7	46	277
WQ037.00	R	30	4	9.5	0.70	1100	74.6	46	277
WQ039.00	P	30	3	4.4	0.27	23	9.8	47	282
WQ040.00	R	30	5	7.2	0.67	1200	51.5	45	271
WQ041.00	R	30	4	5.9	0.42	93	20.5	46	277
WQ042.00	R	30	3	4.0	0.42	240	13.9	47	282
WQ043.00	A	30	3	3.5	0.28	43	8.0	47	282
WQ044.00	A	30	3	4.4	0.28	43	9.9	47	282
WQ045.00	A	30	3	3.5	0.22	23	6.7	47	282
WQ046.50	A	30	3	3.0	0.12	9.1	4.3	47	282
WQ047.00	A	30	3	3.2	0.18	23	5.4	47	282
WQ048.00	A	30	3	3.0	0.07	4	3.6	47	282
WQ049.00	A	30	3	3.2	0.16	9.1	5.1	47	282
WQ051.00	A	30	3	2.9	0.07	3.6	3.5	47	282
WQ052.00	A	30	4	6.1	0.55	150	30.4	46	277
WQ054.00	A	30	3	3.0	0.11	9.1	4.2	47	282
WQ055.00	A	30	3	3.4	0.37	240	10.1	47	282
WQ057.00	A	30	3	3.0	0.08	5.5	3.8	47	282
WQ058.00	P	30	3	3.1	0.14	9.1	4.7	47	282



Attachment B. Map of Aquaculture Sites on the Damariscotta River¹⁵





Attachment C: Map of Boothbay Wildlife Habitat – Seabird Nesting Islands¹⁶

Boothbay

Significant Wildlife Habitat - Seabird Nesting Islands



- Seabird Nesting Islands
- Town lines
- Town Road
- Major Road
- Toll highway



This map represents significant wildlife habitat that is regulated by the Natural Resource Protection Act. All information on this map should be field checked by qualified individuals for a determination regarding whether your property is affected.

Background hydrologic, topographic and political features are accurate to +/- 40 feet and are based on USGS topographic maps.

Map scale:

1:87,628

when printed on 8.5 x 11 paper



(Questions or need a field visit? Contact DEP at 1-800-452-1942)
www.maine.gov/dep/blwq/docstand/nrpa/birdhabitat

October 11, 2006



Attachment D. Tabulated Station Data for Growing Area WQ

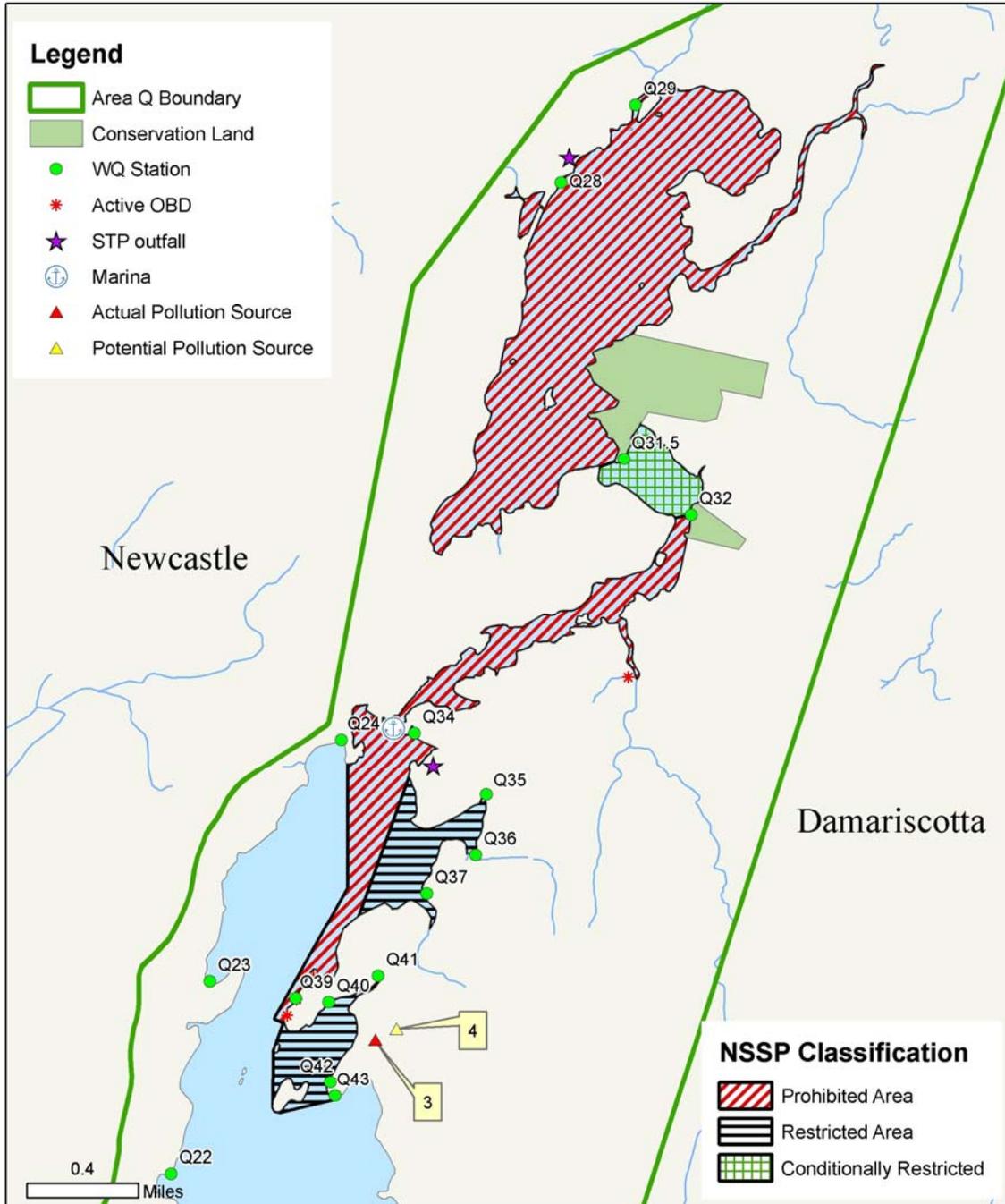
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Attachment E. Upper Damariscotta River Current Growing Area Map with Pollution Sources, Sample Stations and Classifications



Maine Department of Marine Resources Growing Area WQ - Damariscotta River Upper Damariscotta - Pollution Sources

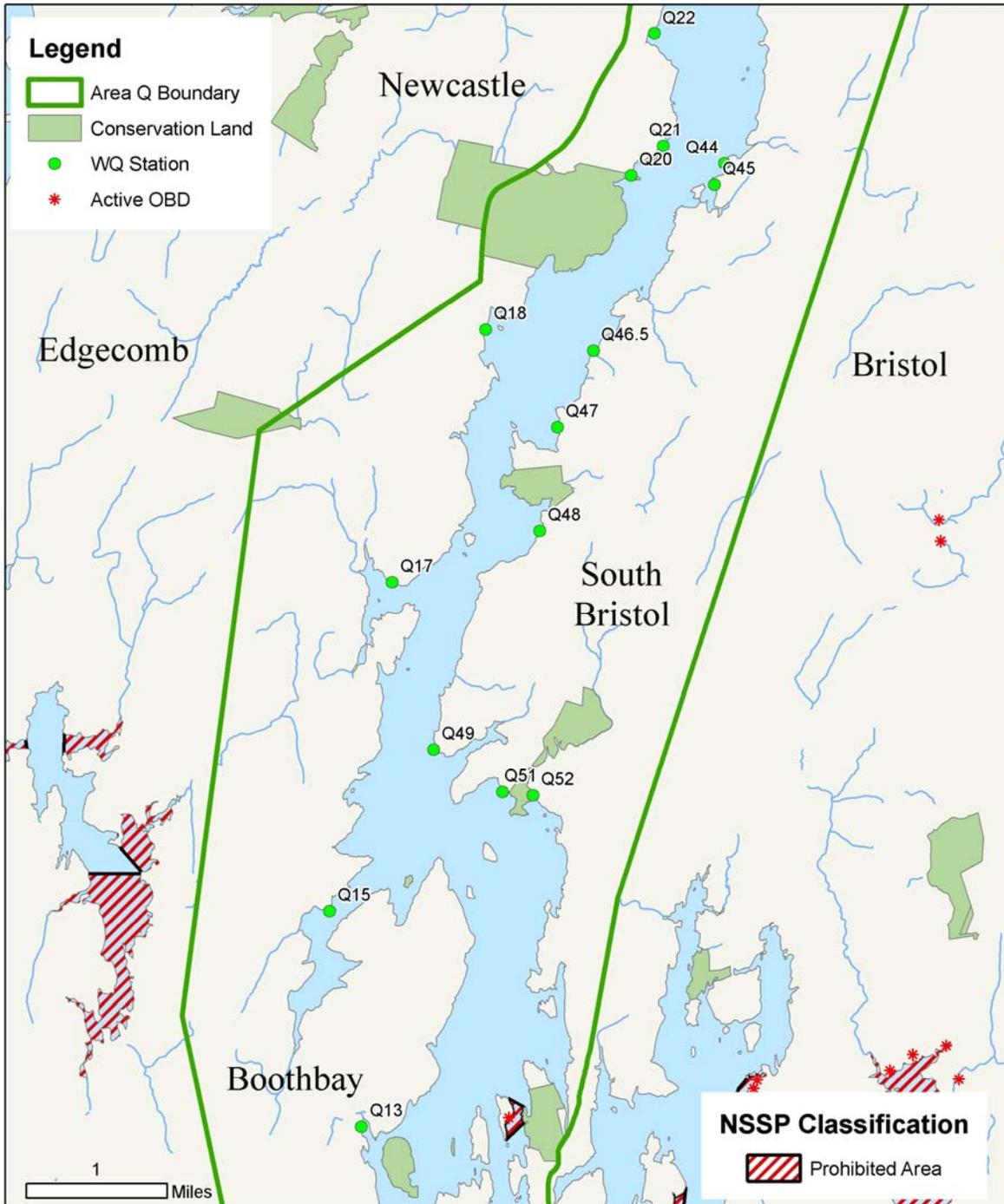




Attachment F. Middle Damariscotta River Current Growing Area Map with Pollution Sources, Sample Stations and Classifications



**Maine Department of Marine Resources
 Growing Area WQ - Damariscotta River
 Middle Damariscotta - Pollution Sources**

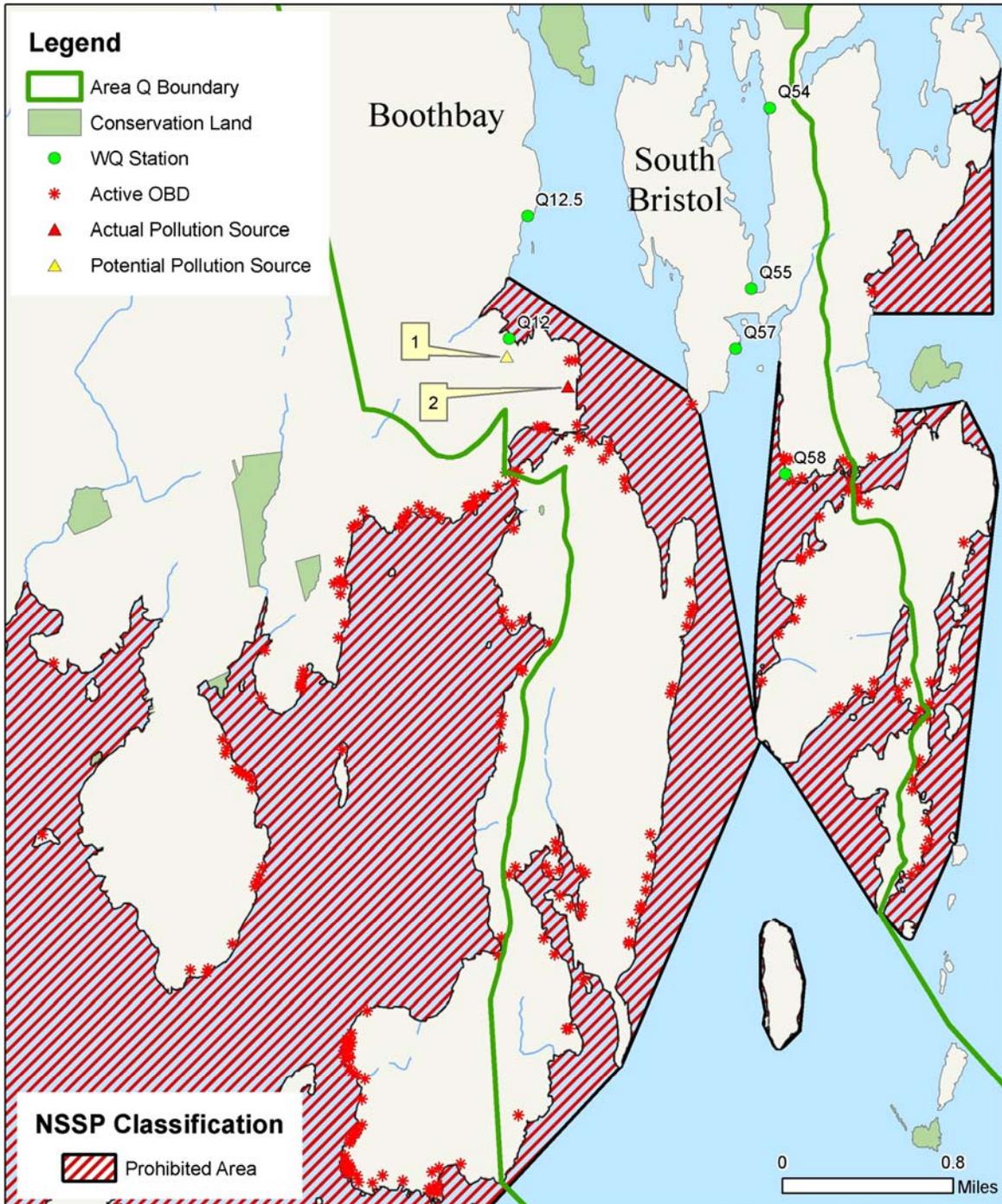




Attachment G. Lower Damariscotta River Current Growing Area Map with Pollution Sources, Sample Stations and Classifications



Maine Department of Marine Resources Growing Area WQ - Damariscotta River Lower Damariscotta - Pollution Sources





Attachment H. Descriptions of the actual and potential sources of domestic wastes pollution sources (table 1 of 2)

East Boothbay	
Overboard Discharges	
59 OBD's	4891, 1942, 1737, 1481, 0955, 6783, 1060, 1316, 7263, 4819, 2484, 2733, 3062, 3125, 1664, 4579, 2795, 6951, 2427, 3648, 6698, 3042, 6157, 4661, 2319, 2265, 3753, 7283, 6598, 3363, 5137, 5138. 3589, 4892, 6700, 4343, 1518, 2509, 6131, 3016, 0995, 2231, 7316, 2610, 1943, 2364, 4056, 3279, 2134, 2951, 1956, 5327
Marinas	
1	Ocean Point Marina
Boatyards	
4	Paul Luke, Hogdon Bros, Washburn & Doughty, Boothbay Marine
Newcastle	
Botyard	
1	Riverside Boat – no docking facilities – strictly storage
Damariscotta	
Overboard Discharges	
4 OBD's	1519, 2851, 2278, 1606
STP outfalls	
ME-0101516	Great Salt Bay Sanitary District (Main facility) – design flow 0.268mgd. Actual average 2002= 0.152mgd
ME-0102431	Great Salt Bay Sanitary District (Mills facility) – design flow 15,000gpd . 2002 actual average – 7,350 gpd .Serves 40 customers who all have their own septic tanks only effluent from them goes to the plant.
South Bristol	
Overboard Discharges	
39 OBD's	1848, 7156, 4000, 1749, 2434, 2057, 5360, 6216, 7453, 6829, 1684, 7656, 7700, 1880, 6215, 4542, 1879, 2315, 6965, 6219, 3724, 1748, 6245, 1317, 1756, 7789, 2272, 1936, 1881, 1753, 5092, 1996, 2075, 1686, 2346, 2354, 1878, 1653
Boatyards	
1	Gamage Boatyard
Marinas	
1	Christmas Cove



Attachment H. Descriptions of the actual and potential sources of domestic wastes pollution sources (table 2 of 2)

Pollution Source Number	Actual or Potential	Town	Tax Map	Lot Number	Description	Psource Type
1	P	Boothbay	R8	22	old metal tank with wooden cover	IS
2	A	Boothbay	U17	35B	pipe comes out under porch, lots of jewel weed on shore, breakout on shore SW end of yard	AP
3	A	Damariscotta	001	027-H	system N of house, pump to leach field; seepage coming out of bank below system	IG
4	P	Damariscotta	001	027-00E	landowner replacing system, they are having problems. 300' to stream	IG

IS = inground septic system

OD = Overboard Discharge

LD = Land drain

AP = Active pipe

MS = Malfunctioning Septic System



Attachment I. Proposed Legal Notices

NOTICE OF EMERGENCY RULE REPEAL AND PROMULGATION

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. §§ 6172, 6192 and 6193

RULE REPEAL AND PROMULGATION: DMR Regulations:

95.06 AA, Closed Area No. 24-A, Lower Salt Bay, Newcastle and Damariscotta, promulgated on May 19, 2004;

95.06 F, Closed Area No. 25, Damariscotta River, Newcastle, Damariscotta, Nobleboro, promulgated on May 19, 2004; have been repealed and replaced with the following rule:

TEXT OF RULE: DMR Regulation 95.06 **2**, Closed Area No. 24-A, Upper Damariscotta River (Newcastle, Nobleboro, Damariscotta)

A. Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the shores, flats and waters of the following areas:

1. Great Salt Bay (Newcastle, Nobleboro, Damariscotta), north of a line running between two unnamed points of land, locally known as The Narrows, located approximately 600 yards north of the Route 1 bridge.
2. Damariscotta River (Newcastle, Damariscotta): south of the Route 1 bridge; AND east of a line beginning at a red painted post located on the southwest tip of Jacks Point (Newcastle), then running southeast to Green Can buoy #23, then running southwest to 300 feet west of the southwest tip of Hall Point (Damariscotta); AND west of a line beginning due north of the end of Chase Point Lane (Damariscotta), then running northeast to the west tip of Norris Point (Damariscotta).
3. Days Cove (Damariscotta): inside and shoreward of a line beginning due north of the end of Chase Point Lane (Damariscotta), then running northeast to the west tip of Norris Point (Damariscotta). This area is classified "Restricted" and requires a special MDMR permit.
4. Huston Cove (Damariscotta): inside and shoreward of a line drawn across the mouth of Huston Cove, beginning at the southwest tip of Halls Point and running southeast to the next point of land. This area is classified "Restricted" and requires a special MDMR permit.

B. Effective immediately, because of pollution, the shores, flats and waters of the Damariscotta River (Newcastle, Damariscotta): south of a line running between two unnamed points of land, locally known as The Narrows, located approximately 600 yards north of the Route 1 bridge; AND north of the Route 1 bridge; have been classified as "Conditionally Approved," and shall be closed to the harvest of clams, quahogs, oysters and mussels during any failure event at the Great Salt Bay STP Mills facility.

EFFECTIVE DATE: March 1, 2007

EFFECTIVE TIME: _____



Growing Area WQ Triennial 2006
Effective Date: February 13, 2007
Revision No. (4)

AGENCY CONTACT PERSON:

Amy M. Fitzpatrick
Department of Marine Resources
194 McKown Point Road
W. Boothbay Harbor, Me 04575

http://www.maine.gov/dmr/rm/public_health/closures/closedarea.htm

PORTLAND PRESS HERALD
March 1, 2007

STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources repeals DMR Regulations: 95.06 AA, Closed Area No. 24-A, Lower Salt Bay, Newcastle and Damariscotta, promulgated on May 19, 2004; and 95.06 F, Closed Area No. 25, Damariscotta River, Newcastle, Damariscotta, Nobleboro, promulgated on May 19, 2004; and replaces them with a new rule. This new rule reclassifies a portion of the Damariscotta River as Conditionally Approved, based on the proper functioning of the Great Salt Bay STP Mills Facility and reduces the size of the Restricted area near Hall Pt; AND administratively combines the areas previously described in Closed Areas No. 24-A and 25, and places them in this legal notice.

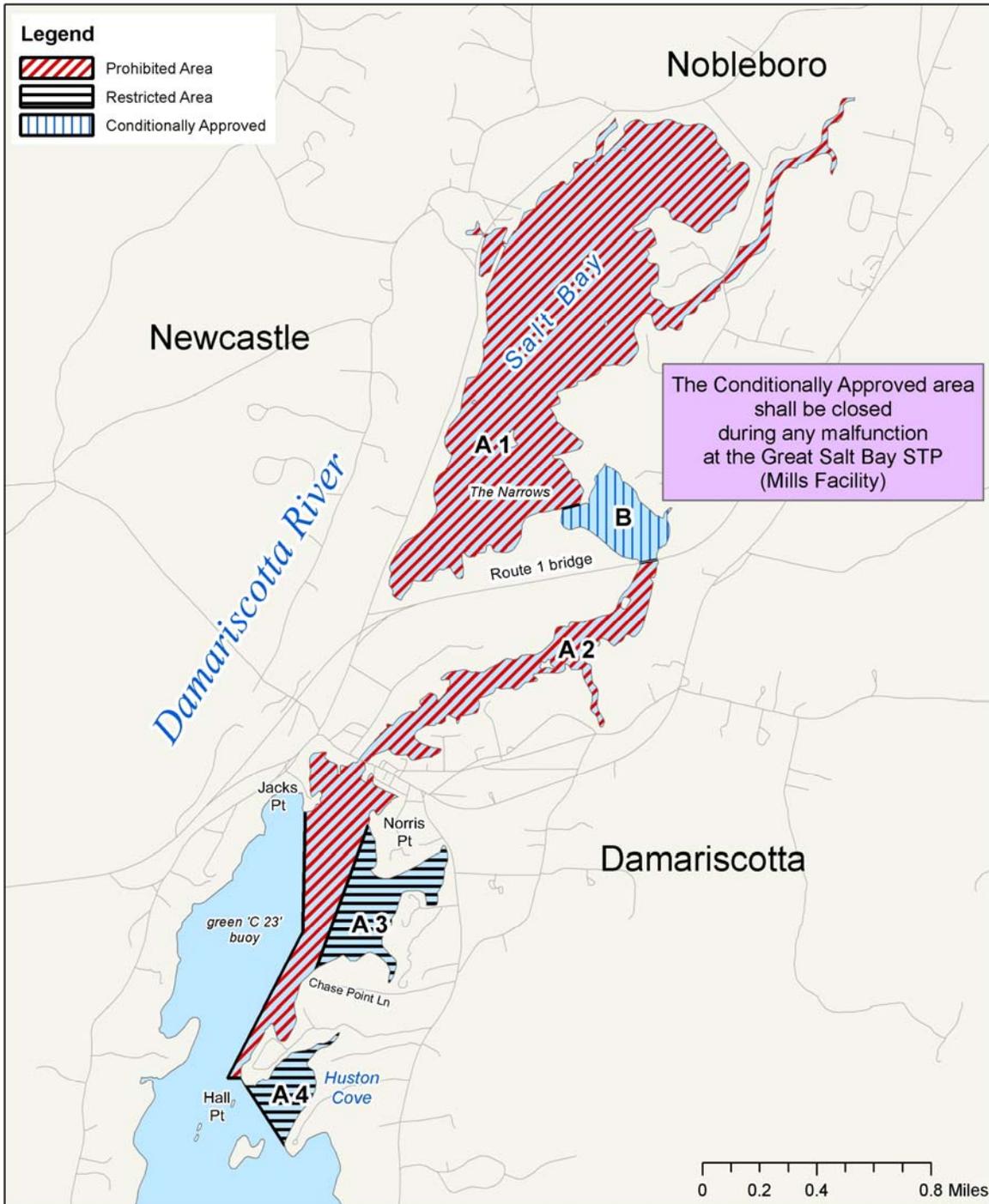


Maine Department of Marine Resources Pollution Closed Area No. 24-A



3/1/07

Upper Damariscotta River (Newcastle, Nobleboro, Damariscotta)





AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. §§ 6172, 6192 and 6193

RULE REPEAL AND PROMULGATION: DMR Regulation 95.06 E, Closed Area No. 24, The Damariscotta River from Reeds Island to Meadow Cove, Boothbay, promulgated on May 27, 1993, has been repealed and replaced with the following rule:

TEXT OF RULE: DMR Regulation 95.06 2, Closed Area No. 24-C, Lower Damariscotta River (Boothbay, South Bristol)

Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters or mussels taken from the shores, flats and waters of the lower Damariscotta River, inside and shoreward of a line beginning at the northernmost prominence of Meadow Cove (Boothbay); then running southeast to a red painted post on the western shore of Jones Point (South Bristol); then continuing south along the western shore of Jones Point to the south tip; then running south to the most western prominence on Foster Point (South Bristol); then running southwest to the south tip of Dry Point, Reeds Island (Boothbay).

EFFECTIVE DATE: March 1, 2007

EFFECTIVE TIME: _____

AGENCY CONTACT PERSON:

Amy M. Fitzpatrick
Department of Marine Resources
194 McKown Point Road
W. Boothbay Harbor, Me 04575

http://www.maine.gov/dmr/rm/public_health/closures/closedarea.htm

PORTLAND PRESS HERALD

March 1, 2007

STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources repeals DMR Regulation 95.06 E, Closed Area No. 24, The Damariscotta River from Reeds Island to Meadow Cove, Boothbay, promulgated on May 27, 1993; and replaces it with a new rule. This new rule moves the current closure line further north, to include all of Meadow Cove.

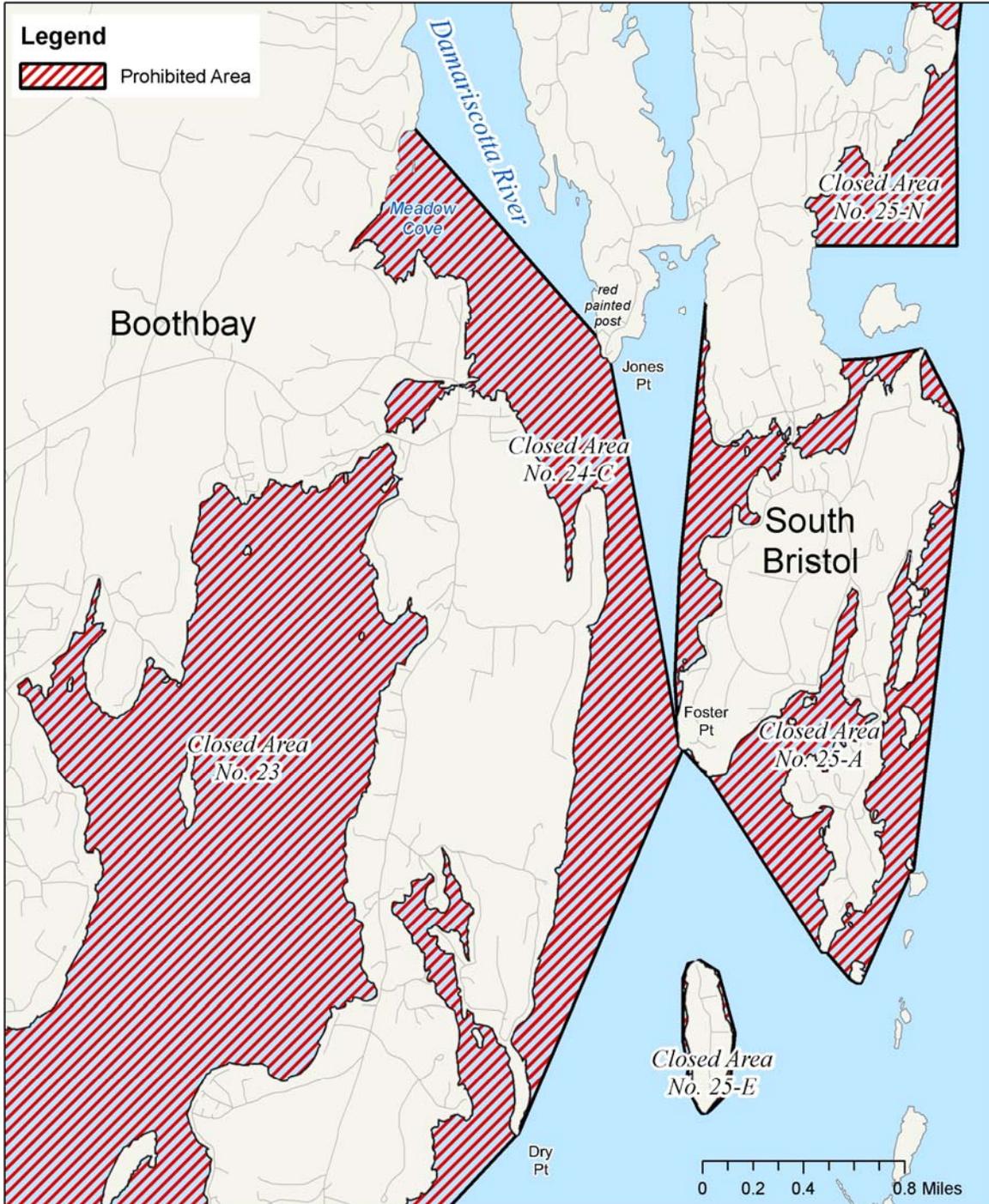


Maine Department of Marine Resources Pollution Closed Area No. 24-C



3/1/07

Lower Damariscotta River (Boothbay, South Bristol)





Attachment J. Key to water quality table headers.

Station = water quality monitoring station

Class = classification assigned to the station; prohibited (P), restricted (R), conditionally restricted (CR), conditionally approved (CA) and approved (A).

Count = the number of samples evaluated for classification, must be a minimum of 30.

MFCNT = the number of samples evaluated with the MTec method (included in the total Count column)

Geo_Mean = means the antilog (base 10) of the arithmetic mean of the sample result logarithm (base 10).

SDV = standard deviation

Max = maximum score of the 30 data points in the count column

P90 = 90th percentile

APPD_STD = the 90th percentile, at or below which the station would meet approved criteria in the absence of pollution sources or poisonous and deleterious substances.

RESTR_STD = the 90th percentile, at or below which the station would meet restricted criteria.



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