

Comments on Chapter 257

Chapter 257 *An Act Regarding Riverine Impoundments*

EPA has reviewed Chapter 257, and would like to point out that the narrative standard in the final paragraph is an important confirmation that the 2003 revisions are consistent with the CWA ("dissolved oxygen concentration in existing riverine impoundments must be sufficient to support existing and designated uses of these waters"). It is our understanding that ME DEP intends to monitor dissolved oxygen (to within 0.5 m of the bottom) for the entire water column of any impoundment, and that compliance with the narrative criterion (as set forth in the final paragraph of sub-section 13 and quoted above) will still be determined throughout the waterbody including where compliance with the numeric criteria is not measured (as set forth in sub-sections 13. B. and C.), to ensure that the waterbody as a whole will attain existing and designated uses. Application of the narrative criterion for riverine impoundments below the point of thermal stratification and in areas of inhibited mixing due to natural topographical features is important to assure that water quality impacts are assessed and addressed in determining whether water quality standards are met in the impoundment as a whole.