

Upgrading the Lower Androscoggin River from C to B

Clean rivers enhance local economies and strengthen surrounding communities. A clean, healthy river attracts people and new businesses to riverfront areas, increasing property values, environmental health, and local quality of life. An upgrade of the Androscoggin will lock in decades of water quality improvement along the river, ensuring that the current balance between industrial use and environmental protection is maintained into the future.

Why Upgrade?

1. It's the law! Class B water quality conditions have been met for years, and Maine statute requires that they be maintained.
2. Anti-degradation language in the Clean Water Act prohibits backsliding in water quality.
3. A cleaner river has well-documented economic and quality of life benefits.
4. Sixty percent of wildlife species inhabit river corridors and benefit from high water quality.

Goal-Based Reclassification

“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.”

[DEP 2024 Triennial Review Submission Guidelines]

Classification Must Be Based on Actual Water Quality

*“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.”*

[38 M.R.S.A. § 464 (4) (F)(4)]

Reclassification vs. Relicensing

These are two different items falling under two different statute sections yet the DEP consistently conflates the two. Reclassification [§464 (4) (F) (4)] based on actual conditions is designed to drive relicensing [§464 (4) (D)]. As slight changes are made to license renewals to comply with classification upgrades, water quality is slowly improved or ratcheted up as is the specific “goal oriented” nature of the Clean Water Act and Maine statute. Discharge and river condition modeling, both used in relicensing, have no legal bearing on classification.

If a river had to meet the modeled “worst case” scenarios used in relicensing before an upgrade as the DEP would have you believe, there would no longer be a motivating “ratchet mechanism” driving improvements in water quality as federal and state law intend and require.

Current Water Quality

When the actual water quality of a waterbody exceeds the current classification standards, this allows for additional permitted pollution (backsliding) while still meeting the lower current classification. This is presently the case for the Androscoggin River from the base of Gulf Island Pond to Worumbo Dam in Lisbon Falls, where water quality conditions are presently well above the Class C criteria thus allowing “room to pollute.” **Please see 2025 results on reverse from the most comprehensive sampling to date.**

