

§466-A. Sustenance fishing designated use

1. Water quality criteria. To protect the sustenance fishing designated use designated under this article, the department shall calculate and establish water quality criteria for human health using a fish consumption rate of 200 grams per day and a cancer risk level of one in 1,000,000, except that the cancer risk level for inorganic arsenic is governed by section 420, subsection 2, paragraph J.

[PL 2019, c. 463, §5 (NEW).]

2. Criteria deemed protective. For all purposes, the sustenance fishing designated use established under this article is deemed protected through the water quality criteria for human health calculated and established by the department for the water body segments subject to a sustenance fishing designated use under this article.

[PL 2019, c. 463, §5 (NEW).]

3. Limitation; construction. Nothing in this section and nothing in the designation in this article of a sustenance fishing designated use may be construed to:

A. Create any other right or protection, including a right to any particular quantity or quality of fish; [PL 2019, c. 463, §5 (NEW).]

B. Limit any right or protection otherwise existing in law; or [PL 2019, c. 463, §5 (NEW).]

C. Alter or affect the regulation of mercury in discharges, which is governed exclusively by section 413, subsection 11 and section 420, subsection 1-B. [PL 2019, c. 463, §5 (NEW).]

[PL 2019, c. 463, §5 (NEW).]

SECTION HISTORY

PL 2019, c. 463, §5 (NEW).

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